JEFFERSON, SCHOOL DISTRICT OF

Administrative Guideline Manual

262 policies

July 10, 2026

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ag1100

DISTRICT ADMINISTRATOR'S ABSENCE FROM THE DISTRICT

1100 - **DISTRICT ADMINISTRATOR'S ABSENCE FROM THE DISTRICT**

Whenever the District Administrator is away from the District and unavailable to make a decision, and, if not otherwise specified in policy or administrative guidelines, the Director of Business Services shall be responsible for determining whether or not a decision must be made prior to the District Administrator's return. If so, then s/he shall:

A. make the decision;

B. take and/or supervise appropriate action;

C. inform the District Administrator upon his/her return.

Should the Director of Business Services also be unavailable, then each administrator shall assume such responsibility in the order in which his/her name appears on the following list:

POSITION	NAME	TELEPHONE
High School Principal	Nick Skretta	920-675-1111
Director of Pupil Services	Jennifer Niesen	920-675-1062
Director of Teaching and Learning	Katie Grundahl	920-675-1052

the principals shall act jointly.

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ag1110B

BOARD SELF-ASSESSMENT

1110B - **BOARD SELF-ASSESSMENT**

It is the belief of the Jefferson School Board that conducting a self-assessment (evaluation) is essential to the continued improvement and success of a school district. Therefore, the Board shall plan for and carry through an annual evaluation of its function as a board. This evaluation should be based on the broad aspects of education in the district and on particular activities or areas of current interest.

The self-assessment tool shall be determined by the Board, with the assistance of the District Administrator. This tool should be used for Board Development in order to understand the School Board's planning priorities, establish annual goals, and educate new school board members on their roles and responsibilities.

The annual assessment of the Board of Education is to focus on the total Board operations and not the performance of individual Board members. It is the responsibility of the Board President to discuss concerns about the performance of individual Board members (e.g. excessive absence, lack of preparation for meetings, etc.) with that Board member privately.

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ag1110

ASSESSMENT OF DISTRICT GOALS

1110 - **ASSESSMENT OF DISTRICT GOALS**

The District has invested a great deal of time and effort to develop and implement a strategic plan.

In order to better ensure that the goals are being achieved as intended, each goal should be assessed on a periodic basis using the following strategy. The strategy also will help determine what needs to be done as a follow-up to the assessment.

ANNUALLY	ACTIVITY
August	Adopt District and Superintendent goals
September	Building principals and Superintendent identify building goals
November	Review progress on District goals
February	Review progress of District and Superintendent goals
May	Final review of District goals with recommendations for next year Buildings review goals and identify tentative building and District goals for next year
June	Review suggested District goals by buildings and end-of-year analysis of Superintendent goals Preliminary identification of District and Superintendent goals for next year
July	Second reading of proposed District and Superintendent goals for next year
August	Adopt District and Superintendent goals

The Board will follow the timelines for the establishment of District and Superintendent goals with the Plan, Do, Study, Act steps identified below.

Plan, Do, Study, Act

STEP ONE - PLAN

A. List the tasks necessary to complete (What)

B. Identify the people responsible (Who)

C. Establish a timeline (When)

D. Grade levels and locations (Where)

STEP TWO - DO

Collect data for:

A. Process Measures

B. Outcome Measures

C. Balancing Measures- What were the unintended consequences of implementing the change idea?

STEP THREE - STUDY

A. Was thePlan, Do, Study, Act cycle carried out as planned?

B. What happened?

C. What were the results?

D. What did we learn?

STEP FOUR - ACT

Decide to Adopt, Adapt, or Abandon

Recycle the strategy as appropriate to achieving the goal (Plan, Do, Study, Act) and maintaining it on a continuous basis.

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ag1120

LINE AND STAFF RELATIONS

1120 - **LINE AND STAFF RELATIONS**

All staff members shall be responsible to the Board of Education through the District Administrator. Each shall refer matters requiring administrative action to the person in charge of the department, who shall refer such matters to the next higher authority, when necessary.

Each staff member is to keep the person s/he is immediately responsible to informed of his/her activities by whatever means the supervisor deems appropriate.

All staff members have the right to appeal any decision made by an administrative officer, through approved procedures as defined by contract, agreements, policies, administrative guidelines, or by State law.

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ag1240

PROCEDURES AND TIMELINES FOR EVALUATION OF THE DISTRICT ADMINISTRATOR

1240 - **PROCEDURES AND TIMELINES FOR EVALUATION OF THE DISTRICT ADMINISTRATOR**

PROCEDURES:

A. Each Board member shall complete the evaluation form individually and submit the completed evaluation to the Board President.

B. The Board President shall tally the responses (“Exemplary” through “Unsatisfactory”) and determine the mean response for each evaluation item.

C. The Board President shall conduct a private meeting with the District Administrator to review the results of the evaluation and shall communicate the results to the rest of the Board by a confidential memo or at the next closed session of the Board.

D. At the request of either the Board or the District Administrator, the District Administrator’s evaluation may be discussed at a special closed meeting of the Board called for that purpose.

TIMELINE:

NOVEMBER:

Information pertinent to the mid-year evaluation of the District Administrator will be distributed to the Board as part of the regular Board meeting packet. Following the regular Board meeting, an electronic copy of the evaluation tool will be emailed to the Board together with instructions for completion and submission to the Board President.

DECEMBER:

Mid-year evaluation is completed and shared with the District Administrator and Board of Education during the Closed Session portion of the regular monthly meeting.

MAY:

Information pertinent to the end-of-year evaluation of the District Administrator will be distributed to the Board as part of the regular Board meeting packet. Following the regular Board meeting, an electronic copy of the evaluation tool will be emailed to the Board together with instructions for completion and submission to the Board President.

JUNE:

The end-of-year evaluation is completed and shared with the District Administrator and Board of Education during the Closed Session portion of the regular monthly meeting.

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ag1460

PHYSICAL EXAMINATION

1460 - **PHYSICAL EXAMINATION**

After the District makes a conditional offer of employment, unless exempt under the provisions of Policy 1460 - Physical Examination, each employee shall be required to take a physical examination from a licensed medical practitioner designated by the Board.

The District will pay for the cost of this required post-offer examination.

In the event the District Administrator is concerned that an employee is unable to perform the duties of their position, the District Administrator may require that the employee submit to an appropriate examination by a healthcare provider of the employee's choice, a healthcare provider designated and compensated by the District, or both. The sole purpose of the examination shall be to determine whether the employee can perform the duties of their position with or without reasonable accommodation. See also Policy 1461 - Unrequested Leaves of Absence.

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FMLA LEAVE

1630.01A - **FMLA LEAVE**

Definitions Applicable to FMLA Leave

The term child (i.e., son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and incapable of self-care because of a mental or physical disability (as defined by the Americans with Disabilities Act (ADA), as amended) at the time the FMLA leave is to commence.

The term spouse means all individuals in legal marriages, regardless of where they live. More specifically, the definition of spouse is a husband or wife as defined or recognized in the State where the individual was married (place of celebration), and specifically includes individuals in lawfully recognized same-sex and common law marriages. The definition further includes an individual in a marriage that was validly entered into outside the United States if it could have been entered into in at least one (1) State. Civil unions are not considered marriages under the FMLA.

The term incapable of self-care means that the individual requires active assistance or supervision to provide daily self-care in three (3) or more of the activities of daily living (ADLs) (e.g., caring appropriately for one's grooming and hygiene, bathing, dressing, eating) or instrumental activities of daily living (IADLs) (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.).

An employee is unable to perform the functions of the position where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position. Additionally, an employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

Leave for Adoption or Foster Care

Eligible employees may take FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement or foster care to proceed. Permissible absences include, but are not limited to, the employee attending a required counseling session, appearing in court, consulting with the attorney or the doctor(s) representing the birth parent, submitting to physical examinations, or traveling to another country to complete an adoption.

Military Family Leave Entitlements

A. **Military Caregiver Leave**

Eligible employees may take up to twenty-six (26) weeks of unpaid FMLA leave, in a single twelve (12) month period, to care for a covered service member with a serious injury or illness. The single twelve (12) month period begins on the first day the eligible employee takes Military Caregiver Leave and ends twelve (12) months after that date. If the employee does not use the entire twenty-six (26) work weeks leave entitlement during the single twelve (12) month period of leave, the remaining work weeks of leave are forfeited.

For purposes of Military Caregiver Leave, the covered service member may be a 1) current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or 2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the period of five (5) years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, shall not count towards the determination of the five-year period for covered veteran status.

Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of the service member's office, grade, rank, or rating.

In the case of a veteran, a serious injury or illness means an injury or illness that was incurred by the member in the line of

duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran and is 1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; 2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; 3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or 4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The term son or daughter of a covered service member means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the service member stood in loco parentis, and who is of any age. Similarly, the term parent of a covered service member means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. (The term does not include parents-in-law.)

The term next of kin means the service member's nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave under the FMLA, in which case the designated individual shall be deemed to be the covered service member's next of kin. All family members sharing the closest level of familial relationship to the covered service member are considered the covered service member's next of kin, unless the covered service member has specifically designated an individual as their next of kin for Military Caregiver Leave purposes. While an eligible employee may care for more than one (1) seriously injured or ill covered service member at the same time, the employee may not take more than twenty-six (26) work weeks of leave during each single twelve (12) month period.

Military Caregiver Leave is a per-service member, per-injury entitlement. Therefore, an eligible employee may take twenty-six (26) work weeks of leave to care for one (1) covered service member in a single twelve (12) month period, and then take another twenty-six (26) work weeks of leave in a different single twelve (12)month period to care for another covered service member or to care for the same service member with a subsequent serious injury or illness (e.g., if the service member is returned to active duty and suffers another injury). Additionally, an eligible employee could take FMLA leave, after the end of the single twelve (12) month period for Military Caregiver Leave, to care for a covered service member if the member is a qualifying family member under non-military FMLA and the eligible employee has a serious health condition.

B. **Qualifying Exigency Leave**

Eligible employees may take up to twelve (12) weeks of unpaid FMLA leave for any of the following qualifying exigencies that are related to the fact that the employee's spouse, son, daughter or parent is on covered active duty or call to covered active duty status, or has been notified of an impending call or order to covered active duty in the Armed Forces:

1. Issues arising from a qualifying family member's short-notice deployment (i.e., deployment on seven (7) or less calendar days of notice) for a period of seven (7) days from the date of notification.

2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to a qualifying family member's covered active duty or call to covered active duty status.

3. Certain childcare and related activities arising from a qualifying family member's covered active duty or call to covered active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member (this does not include providing child care on a routine, regular or everyday basis).

4. Making or updating financial and legal arrangements to address a qualifying family member's absence (e.g., preparing and executing financial and healthcare power of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, obtaining military identification cards, or preparing or updating a will or living trust) and acting as the military member's representative before a Federal, State, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active

duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the military member's covered active duty status.

5. Attending counseling provided by someone other than a healthcare provider for oneself, the qualifying family member, or the child of the qualifying family member, the need for which arises from the qualifying family member's covered active duty or call to covered active duty status. The child must be the military member's biological, adopted, or foster child, stepchild, legal ward or child for whom the military member stands in loco parentis, who is either under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

6. Taking up to fifteen (15) days of leave to spend time with a qualifying family member who is on short-term, temporary, rest and recuperation leave during the deployment.

7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the qualifying family member's covered active duty status, and addressing issues arising from the death of a qualifying family member.

8. Providing parental care for a parent of a military member who is incapable of self-care and is the military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member when the member was under eighteen (18) years of age. Incapable of self-care means the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living (includes adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating) or instrumental activities of daily living (includes cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.). Parental care includes 1) arranging for alternate care when the parent is incapable of self-care and the covered active duty or call to covered active duty status necessitates a change in the existing care arrangement for the parent; 2) providing care on an urgent, immediate need basis (but not on a routine, regular or everyday basis) when the parent is incapable of self-care and the need to provide such care arises from covered active duty or call to covered active duty status; 3) admitting or transferring to a care facility a parent when admittance or transfer is necessitated by the covered active duty or call to covered active duty status; and 4) attending meetings with staff at a care facility, such as meetings with hospice or social service providers for a parent when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status but not for regular or routine meetings.

9. Any other event that the employee and the Board agree is a qualifying exigency.

The term qualifying family member for purposes of Qualified Exigency Leave means a staff member's spouse, son, daughter or parent.

The term covered active duty or call to covered active duty status for purposes of Qualified Exigency Leave means duty for a member of the Regular Armed Forces during deployment of the member with the Armed Forces to a foreign country, and, in the case of a member of the Reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, 12406, or Chapter 15 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation.

The term son or daughter means the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. Similarly, the term parent means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter. (The term does not include parents in-law.)

Employee Request for FMLA Leave

While eligible employees are not required to expressly request unpaid FMLA leave, it is requested that eligible employees who seek an unpaid FMLA leave for any of the approved reasons complete and submit to the District Administrator a written request for FMLA leave.

Employee Certifications

Eligible employees who apply for FMLA leave to care for an immediate family member must submit DOL Form (WH-380-F; Certification of Health Care Provider for Family Member's Serious Health Condition).

Eligible employees who apply for FMLA leave for the employee's own serious health condition must submit DOL Form (WH-380-E; Certification of Health Care Provider for Employee's Serious Health Condition).

The District Administrator shall attach a statement of the essential functions of the employee's position for the health care provider to review. In order for the Certification Form to be considered sufficient, the health care provider must specify what function of the employee's position the employee is unable to perform so that the District can then determine whether the employee is unable to perform one (1) or more essential functions of the employee's position.

Eligible employees who apply for Military Caregiver Leave must submit DOL Form (WH-385; Certification for Serious Injury or Illness of Covered Service Member - for Military Family Leave or WH-385-V, Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave). The form may be completed by a Department of Defense (DOD) health care provider, Veterans Affairs health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or any health care provider as defined by 29 C.F.R. 825.125.

Additionally, with respect to Military Caregiver Leave, the District will accept the submission of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), in lieu of the DOL Form, for the time period specified in the ITO or ITA. The ITO or ITA submitted by the employee need not list the employee as the named recipient of the ITO/ITA, provided the employee is the spouse, parent, son, daughter or next of kin of the covered service member. If the covered service member's need for care extends beyond the expiration date specified in the ITO or ITA, the employee is responsible for submitting the DOL Form for the remainder of the employee's leave period. The District will also accept, with respect to Military Caregiver Leave, documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers, regardless of whether the employee is the named caregiver in the documentation. Employees are advised that the District Administrator may seek authentication and clarification of such documentation, and may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member and documentation showing that the discharge was other than dishonorable and the date of the veteran's discharge.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.

In all instances in which certification is requested, it is the employee's responsibility to provide the Board with complete and sufficient certification, and failure to do so may result in denial of FMLA leave.

Eligible employees who apply for any of the three (3) preceding types of FMLA leave must also execute and provide to the eligible employees health care provider a HIPAA-compliant release form.

If the District Administrator deems a medical certification to be incomplete or insufficient, the District Administrator shall notify the employee, in writing, what information is lacking, and the employee will have seven (7) calendar days to cure the deficiency. The District Administrator (i.e., the Board's health care provider, human resource professional, leave administrator, or other management official, but not the employee's direct supervisor) may contact the certifying health care provider for clarification concerning or to authenticate the content of a medical certification. The representative, however, shall not ask the health care provider for additional information beyond that required by the certification form.

Employees who take leave for the employee's own serious health condition, prior to returning to work, must submit to the District Administrator a Fitness-for-Duty Certification. Again, the employee will need to have executed and provided to their Health Care Provider a HIPAA-compliant form.

Eligible employees who apply for FMLA leave for Qualifying Exigency Leave must submit DOL Form WH-384; Certification of Qualifying Exigency for Military Family Leave. Specifically, the first time the employee requests Qualifying Exigency Leave, the employee must provide a copy of the qualifying family member's covered active duty orders or other documentation issued by the military that indicates that the qualifying family member is on covered active duty or call to covered active duty status, and the dates of the qualifying family member's covered active duty service. Additionally, each time that the employee requests leave for one of the above-listed qualifying exigencies, the employee must certify the exigency necessitating leave. Such certification supporting leave for a qualifying exigency includes:

A. appropriate facts supporting the need for leave, including any available written documentation supporting the request and the type of qualifying exigency;

B. the appropriate date on which the qualifying exigency commenced or will commence, and, if requested for a single, continuous period of time, the beginning and end dates for such absence;

C. where leave will be needed on an intermittent basis, an estimate of the frequency and duration of the qualifying exigency;

D. appropriate contact information if the exigency involves meeting with a third party and a brief description of the purpose of the meeting; and if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders or other documentation issued by the military that indicates the military member has been granted Rest and Recuperation leave and the dates of such leave.

Employees are advised that if the qualifying exigency involves a meeting with a third party, the District Administrator may verify the schedule and purpose of the meeting with the third party. Also, the District Administrator may contact the appropriate unit of the Department of Defense to confirm that the qualifying family member is on covered active duty or call to covered active duty status.

All of the certifications identified above must be submitted by the employee within fifteen (15) calendar days after the District provides the employee with the applicable DOL Form unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. An employee may not be held liable for administrative delays in the issuance of military documents, despite the employee's diligent, good faith efforts to obtain such documents.

Light Duty

Time spent performing light duty work does not count against an employee's FMLA leave entitlement.

District Notices to Employees (Forms are available on the U.S. Department of Labor Website: www.dol.gov)

If the information included in the Employee Rights and Responsibilities Notice changes, the District Administrator will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. The Payroll & Benefits Specialist is charged with responsively answering questions from employees concerning their rights and responsibilities.

If it is not possible to provide the number of hours, days or weeks that will be counted as FMLA leave (e.g., where the leave will be unscheduled), the District Administrator will provide this information upon request by the employee, but no more often than every thirty (30) days and only if leave was taken during the period. The notice of the amount of leave counted against the employee's FMLA entitlement may be oral or in writing. If such notice is oral, it shall be confirmed in writing, no later than the following payday that is at least one (1) week after the oral notice. Such notice may be in any form, including a notation on the employee's pay stub.

FMLA Leave and Mandatory Overtime

Employees with proper medical certification may use FMLA leave in lieu of working required overtime hours. Thus, hours that an employee would have been required to work but for the taking of FMLA leave will be counted against the employee's FMLA entitlement.

Calculating the Amount of FMLA Leave Used by an Employee

For purposes of determining the amount of FMLA leave used by an employee, the fact that a holiday may occur within the work week taken as FMLA has no effect; the week is counted as a week of FMLA leave. If, however, the employee is using FMLA leave in increments of less than one (1) week, the holiday will not count against the employee's FMLA leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, when an employee is not scheduled to work during winter, spring or summer vacation (i.e., during a period when some or all employees are not expected to work for one (1) or more weeks), the days the employee is not scheduled to work shall not count against the employee's FMLA leave entitlement.

When an employee takes FMLA leave on an intermittent or reduced leave schedule basis, the leave shall be accounted for by using an increment no greater than the shortest period of time that the District uses to account for use of other forms of leave provided that it is not greater than one (1) hour and provided that the employee's FMLA leave entitlement is not reduced by more than the amount of leave actually taken.

Maintenance of Employee Benefits

The same group health plan benefits provided to an employee prior to taking FMLA leave shall be maintained during the FMLA leave (e.g., if family member coverage is provided to an employee, family member coverage shall be maintained during the FMLA leave). Similarly, benefit coverage during FMLA leave for medical care, surgical care, hospital care, dental care, eye care, mental health counseling, substance abuse treatment, etc., shall be maintained during leave if provided in the District's group health plan, including a supplement to a group plan.

If an employee chooses not to retain group health plan coverage during FMLA leave, the employee will be reinstated, upon return from leave, on the same terms as prior to taking the leave, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc. All other employee benefits will be maintained during leave subject to applicable policy requirements and consistent with maintaining employee eligibility to receive the same benefits following leave that the employee had prior to leave in the same manner as provided to other similarly situated employees.

Costs Associated with Medical Certification and Recertification

The employee is responsible for any costs associated with obtaining the original medical certification required to qualify for the use of unpaid FMLA leave. Likewise, if the Board requires an employee to submit recertification for any of the reasons specified in Policy 1630.01, the employee is responsible for any costs associated with the recertification. Finally, the employee is responsible for the cost of a new medical certification each leave year for medical conditions that last longer than one (1) year.

Periodic Status Reports

When an employee takes a continuous unpaid FMLA leave, the District Administrator may require the employee to complete periodic status concerning the employee's intent to return to work. If the District Administrator is going to require such reports, the requirement will be specified in the Notice of Eligibility and Rights & Responsibilities that is issued to the employee at the outset of the FMLA leave.

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ag1630.01B

FMLA RECORDKEEPING REQUIREMENTS

1630.01B - **FMLA RECORDKEEPING REQUIREMENTS**

The Director of Business Services or designee is responsible for making, keeping, and preserving all relevant records pertaining to the Board of Education's obligations under the FMLA in accordance with the recordkeeping requirements of Section 11(c) of the Fair Labor Standards Act (FLSA) and in accordance with the final regulations applicable to the FMLA. Specifically, the Director of Business Services is charged with keeping/preserving the records identified below in accordance with the District's Records Retention Schedule (see AG 8310A), and under no circumstances shall said records be kept for less than three (3) years. The records shall be available for inspection, copying, and transcription by representatives of the Department of Labor upon request.

The District shall maintain records that disclose the following:

A. Basic payroll and identifying employee data, including name, address, and occupation; rate or basis of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid.

B. Dates FMLA leave is taken by FMLA eligible employees (e.g., available from time records, requests for leave, etc., if so designated). Leave must be designated in records as FMLA leave; leave so designated may not include leave required under State law or a Board plan which is not also covered by FMLA.

C. If FMLA leave is taken by eligible employees in increments of less than one (1) full day, the hours of the leave.

D. Copies of employee notices of leave furnished to the District under FMLA, if in writing, and copies of all written notices given to employees as required under the FMLA and its implementing regulations (see 29 C.F.R. Section 825.300(b) through (c)). Copies may be maintained in employee personnel files.

E. Any documents (including written and electronic records) describing employee benefits or employer policies and practices regarding the taking of paid and unpaid leaves.

F. Premium payments of employee benefits.

G. Records of any dispute between the District and an eligible employee regarding designation of leave as FMLA leave, including any written statement from the Superintendent or designee or employee of the reasons for the designation and for the disagreement.

Records and documents relating to certifications, recertifications or medical histories of employees or employees' family members, created for purposes of FMLA, shall be maintained as confidential medical records in separate files/records from the usual personnel files. If the Genetic Information Nondiscrimination Act of 2008 (GINA) is applicable, records and documents created for purposes of FMLA leave containing family medical history or genetic information as defined by GINA shall be maintained in accordance with the confidentiality requirements of Title II of GINA (29 C.F.R. 1635.9), which allow for disclosure consistent with FMLA requirements. If the ADA, as amended, is also applicable, such records shall be maintained in conformance with ADA confidentiality requirements (see 29 C.F.R. 1630.14(c)(1)), except that:

A. supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations;

B. first aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and

C. government officials investigating compliance with FMLA (or other pertinent laws) shall be provided relevant information upon request.

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ag1662A

DISTRICT RESPONSE TO ALLEGED SEXUAL HARASSMENT UNDER TITLE IX

1662A - **DISTRICT RESPONSE TO ALLEGED SEXUAL HARASSMENT UNDER TITLE IX**

This rule has been established to facilitate the District's compliance with requirements of the federal regulations issued under Title IX of the Education Amendments of 1972 ("Title IX"). Specifically, this rule establishes expectations and procedures for the prompt and equitable resolution of reports and complaints that allege unlawful sexual harassment, as defined by the Title IX regulations, within the District's education program and activities. The existence of this rule, as a reflection of federal regulatory mandates, is not intended to suggest that sexual harassment is any more or any less serious, or any more or any less of a concern to the District, than harassment that is based on any other legally-protected status (e.g., race, national origin, disability, religion, etc.).

All District officials, District employees, and other persons acting as agents of the District must keep confidential the identity of (1) any individual who has made a report or complaint of sex discrimination that would be prohibited by Title IX, including any individual who has made a report or filed a formal complaint alleging Title IX sexual harassment; (2) any complainant (i.e., any individual who is alleged to be the victim of conduct that could constitute Title IX sexual harassment); (3) any individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination under Title IX; (4) any respondent (i.e., any individual who has been reported to be the perpetrator of conduct that could constitute Title IX sexual harassment); and (5) any witness, except as may be required by law, permitted by the Family Educational Rights and Privacy Act and its implementing regulations, or reasonably necessary to carry out the purposes of the federal Title IX regulations, including the conduct of any investigation, hearing, or judicial proceeding arising under the federal Title IX regulations.

Responding to reports or other notice to the District of Title IX sexual harassment when no formal complaint has been filed

The following procedures apply any time that a District Title IX Coordinator determines that the District has notice of Title IX sexual harassment or allegations of Title IX sexual harassment, but no formal complaint of Title IX sexual harassment has been filed by a complainant or signed by a Title IX Coordinator:

1. A District Title IX Coordinator must promptly contact the complainant (i.e., the individual who is alleged to be the victim of conduct that could constitute sexual harassment) regarding supportive measures (see below) and regarding the process for filing a formal complaint.
2. In consultation with other District officials as needed, a Title IX Coordinator will coordinate the identification, offering, and implementation of appropriate supportive measures for the complainant (see below).
3. A Title IX Coordinator or any administrator with knowledge of the relevant circumstances relating to the allegations of sexual harassment may, at any time, contact the Superintendent for the purpose of evaluating whether the District will initiate the removal of the respondent from the District's education program or activity on an emergency basis, under the limited circumstances, procedures, and standards identified in the federal Title IX regulations. Procedures and standards established under other laws or District policies may also need to be satisfied in connection with any such emergency removal.
4. If an eligible complainant elects to file a formal complaint of Title IX sexual harassment at any point, the formal complaint shall be processed as provided, below, within this rule.
5. If a complainant is not eligible to file a formal complaint of sexual harassment under Title IX, or chooses not to do so, a Title IX Coordinator is authorized to sign a formal complaint regarding the alleged conduct. The following apply to the discretionary decision to sign a formal complaint on behalf of the District:
    1. The Title IX Coordinator may not delegate the determination in full to another agent or employee of the District. However, prior to making the determination, the Title IX Coordinator may consult, as needed, with appropriate persons, such as another District Title IX Coordinator, the Superintendent or District legal counsel.
    2. The primary reasons that a Title IX Coordinator would sign a Title IX complaint and initiate an investigation would be a determination, on behalf of the District, that the District's interests in safety and/or in potential sanctions for any respondent(s) make an investigation and determination of responsibility pursuant to a formal complaint reasonably necessary under the circumstances.
    3. A Title IX Coordinator shall not sign a formal complaint against the wishes of a complainant if involving an unwilling complainant in the grievance process would be clearly unreasonable in light of the known circumstances.
    4. If a Title IX Coordinator signs a formal complaint alleging Title IX sexual harassment, the complaint shall be processed as provided, below, within this rule.
    5. Upon signing a formal complaint, the Title IX Coordinator does not become a complainant or a party to the complaint, and any complainant who is identified in relation to the allegations retains his/her status as a complainant in connection with the grievance process.
6. Nothing in this rule diminishes the District's obligations to respond to Title IX sexual harassment or allegations of Title IX sexual harassment in a prompt manner that is not deliberately indifferent in all circumstances in which the federal Title IX regulations deem the District to have actual knowledge of such harassment.

Supportive measures in connection with any report, formal complaint, or other notice to the District of Title IX sexual harassment

1. "Supportive measures" are expressly defined and further described in the definitions section of this rule (see below).
2. The District will provide supportive measures to complainants to the extent required by the Title IX regulations. The District may provide supportive measures to a respondent, but it is not required to do so in all cases.
3. Any time a Title IX Coordinator becomes aware that the District has actual knowledge of Title IX sexual harassment or allegations of Title IX sexual harassment, the Title IX Coordinator shall:
    1. Promptly contact the complainant, if known, to:
        i. Discuss the availability of supportive measures;
        ii. Consider the complainant's wishes with respect to supportive measures;
        iii. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
        iv. Explain to the complainant the process for filing a formal complaint (if the complainant has not already filed a formal complaint about the conduct).
    2. Coordinate the identification, offering, and implementation of supportive measures that the District provides to a complainant or respondent, including appropriate monitoring of the implementation process, coordinating potential modifications to the measures, and, as applicable, determining the appropriate time to end specific supportive measures.

2. All District officials, employees, and other persons acting as agents of the District must maintain as confidential any supportive measures provided to a complainant or respondent to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.
3. The District is required to document any supportive measures that the District provides in response to a report or formal complaint of Title IX sexual harassment. Conversely, if the District does not provide a complainant with supportive measures for any reason, then the District is required to document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Grievance process for handling formal complaints of sexual harassment under Title IX

This grievance process applies to formal complaints of Title IX sexual harassment. Except to the extent a formal complaint is dismissed (in whole or in part), the District is obligated to investigate a formal complaint of Title IX sexual harassment pursuant to this process. The District is further obligated to treat complainants and respondents equitably by:

1. Offering supportive measures to a complainant (see above).
2. Following this grievance process before imposing disciplinary sanctions or other punitive actions against a respondent for any alleged Title IX sexual harassment, subject to the allowances made in the federal Title IX regulations for implementing supportive measures, implementing an emergency removal, and placing an employee, while a formal complaint is pending, on administrative leave.
3. Providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent.
4. Requiring its agents to adhere to the additional requirements and standards set forth below.

Standards Applicable to District Agents Involved in the Grievance Process

At the point that the Title IX Coordinator determines that a formal complaint involving allegations of Title IX sexual harassment is pending, the Title IX Coordinator shall ensure that the District assigns the roles of complaint investigator, responsibility decision-maker, and appeal decision-maker on a timely basis, whether at the outset of the process or during the process. All such individuals, whether or not District employees, must be appropriately trained to perform their role. The assigned roles shall be performed by different persons to the extent required by the federal Title IX regulations. The District may re-assign the roles or assign multiple qualified individuals to perform specific roles if deemed appropriate in a particular case.
All persons who are authorized to act as agents of the District in connection with the grievance process, including but not limited to any Title IX Coordinator, complaint investigator, decision-maker, or facilitator of an informal resolution process, are required to:

1. Engage in an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence.
2. Avoid making any credibility determinations based on a person's status as a complainant, respondent, or witness.
3. Be free from any conflict of interest that impermissibly inhibits the person's objectivity, impartiality, or independent and good-faith judgment.
4. Avoid exhibiting or applying any bias for or against complainants or respondents generally, or for or against an individual complainant or respondent.
5. Self-report any known pre-existing relationships (familial, social, etc.) to parties or material witnesses and any other known circumstances that relate to a formal complaint and that may reasonably cause the District to disqualify the person from performing a particular role as an agent of the District in the grievance process due to concerns with a conflict of interest or bias. Such a report may be made to a Title IX Coordinator or to the Superintendent. Previous interactions with a complainant, respondent, or material witness in a professional capacity, standing alone and in the absence of other specific circumstances, would normally be insufficient to raise a material concern about a conflict of interest or bias.

6. Apply a presumption, throughout the course of performing their designated role(s), that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege (e.g., attorney-client privilege), unless the person holding such privilege has waived the privilege.
8. Refrain from accessing, considering, disclosing, or otherwise using a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so for purposes of the grievance process (if a party is under 18 years old, then the District must obtain the voluntary, written consent of a parent or guardian).
9. Maintain confidentiality with respect to the identities of persons involved in the grievance process to the extent required by 34 C.F.R. §106.71(a).
10. Avoid restricting the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, except to the extent permitted or required by applicable law. This provision does not restrict the District or its agents from requiring the parties to a formal complaint (including their advisors) to refrain from disseminating certain evidence or other records to others, provided that any such requirement(s) must be lawful and must not unreasonably interfere with the purposes of this grievance process. In some situations, established law may independently prohibit any such dissemination of particular evidence/records.

The Main Procedural Steps of the Grievance Process

Subject to the provisions, below, regarding (1) voluntary informal resolution processes, and (2) the dismissal of complaints or any individual allegations within a complaint, the following steps outline the main procedures of the grievance process.

1. **Notice of the allegations, the grievance process, and certain rights.**
   Normally within [15] business days of receiving a formal complaint, and always at least [5] calendar days before a party will be required to appear for an initial investigative interview, a Title IX Coordinator or his/her designee shall provide all known parties (i.e., complainant(s) and respondent(s)) with written notice of the following:
   1. The District's grievance process for formal complaints of Title IX sexual harassment, including a description of any informal resolution process.
   2. Notice of the allegations potentially constituting sexual harassment as defined under the Title IX regulations, including sufficient details known at the time. Sufficient details include:
      1. The identities of the parties involved in the incident(s), if known;
      2. The conduct allegedly constituting sexual harassment under Title IX; and
      3. The date and location of the alleged incident(s), if known.
   3. The written notice must also:
      1. Include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
      2. Inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, who may accompany the party when the party attends any District meeting or proceeding that is part of the grievance process (including investigative interviews).
      3. Inform the parties that they will have the right to inspect and review the evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, as further provided under the Title IX regulations.
      4. Inform the parties that, by policy, the District prohibits a person from knowingly making falsE statements or knowingly submitting false information during the grievance process.

   If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that were not included in the initial notice of allegations, the Title IX Coordinator or the complaint investigator, or a designee acting on their behalf, must provide written notice of the additional allegations to all parties whose identities are known.

2. **Investigation of the allegations**
   An investigator assigned by the District will conduct an investigation of the allegations of which the parties have been notified (as provided in the previous step). The purpose of the investigation is to gather evidence.
   The District has the burden of gathering evidence, both inculpatory and exculpatory, sufficient to reach a determination regarding responsibility. In addition, because the District has the burden of proof, the District bears the burden of conducting a balanced and sufficiently comprehensive investigation such that the burden of proof is not shifted to either of the parties to affirmatively put forth the evidence that would be necessary to either prove or defeat the allegations.
   When conducting the investigation, an investigator will:
   1. Provide, to a party whose participation is invited or expected, written notice of the date, time, location participants, and purpose of any investigative interview or other meeting held as part of the investigation, with sufficient time for the party to prepare to participate.
   2. Allow any party to be accompanied to any investigative interview or other meeting held as part of the investigation by one advisor of their choice. Under any circumstances where a parent or guardian has a legal right to act on behalf of a

party (e.g., because the party is a minor), the party's parent or guardian may also accompany the party to any such meeting.

3. Conduct one or more investigative interviews of the complainant(s), the respondent(s), and such witnesses as the investigator determines may provide relevant evidence that is able to be considered and that is not unduly duplicative.
4. Offer each party an opportunity to identify fact and expert witnesses who the party believes should be interviewed as part of the investigation, along with the nature of the evidence that the party believes the witness may be able to provide. If the investigator declines to interview a witness identified by a party or is unable to interview a witness (e.g., because the witness is not willing to participate or is not reasonably available), the investigator shall document the reason for such decision or unavailability and, unless prohibited by law from doing so, provide the parties with such explanation upon request.
5. Consider such documentary and other evidence as a party may wish to proffer, except that no party or his/her advisor will be permitted to conduct direct, in-person questioning of another party or of any third-party witness at any interview or investigative meeting called by the District. If the investigator rules that any proffered evidence will not be accepted into the record of the investigation, the investigator shall document the reason for such ruling; return the evidence to the party that offered it (in the case of physical evidence); and, unless prohibited by law from doing so, provide the parties with the reason the evidence was rejected upon request.
6. Accept such other evidence into the record as the investigator deems to be relevant and directly related to the pending allegations, recognizing that nothing prohibits an investigator from initially accepting evidence that may not be relevant.

After the investigator completes the process of gathering evidence:

1. An investigator, or a designee acting on his/her behalf, must send to each party and the party's advisor, if any, the evidence obtained from the investigation that is subject to inspection and review. Such evidence may be provided in an electronic format or as a hard copy, and consists of the evidence obtained as part of the investigation that is directly related to the pending allegations, including:
    1. Both inculpatory or exculpatory evidence, whether obtained from a party or other source; and
    2. Any such evidence upon which the District does not intend to rely in reaching a determination regarding responsibility.
2. Beginning from the date that the evidence is delivered to the parties, the investigator(s) must give the parties at least 10 calendar days to submit a written response to the evidence. Providing such a response is optional.
3. After receiving and giving due consideration to any timely written responses received from the parties, the investigator(s) shall complete an investigative report that fairly summarizes the relevant evidence.
    1. In the report, the investigator may convey facts, observations, or impressions that address the credibility of particular persons or other evidence, but any such credibility assessments conveyed in the report are not binding on the decision-maker(s).
    2. The report shall not advocate for a specific determination or outcome.
4. An investigator or his/her designee shall send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy.
5. Beginning from the date that the investigative report is delivered to the parties, the parties will be given at least 10 calendar days to provide a written response to the report, which response (if any) will become part of the record to be reviewed by the decision-maker. Providing such a response is optional.
6. The investigator will forward the final investigative report and the complete investigative record to the District-designated decision-maker for a determination of responsibility.

3. **Determinations of responsibility**

A decision-maker assigned by the District will make a determination of responsibility with the respect to the allegations of which the parties have been notified and that have been subject to investigation (as provided in the previous steps), based on an analysis of the relevant evidence. During this stage of the proceedings:

1. As early as the point at which the District provides the final investigative report to the parties, or shortly thereafter, an investigator, decision-maker, or designee acting on their behalf shall inform each party that they have the opportunity to submit written, relevant questions that the party wants asked of any party or witness prior to the determination of responsibility, subject to the following:
    1. The notice of the opportunity to submit such questions shall identify a submission deadline and the allowable method(s) of submission. Beginning from the date that the notice is delivered, the District shall allow the parties at least [5] calendar days to submit any questions.
    2. If any questions are submitted by the parties, the decision-maker shall either:
        1. Pose the submitted questions to the relevant person(s) and provide each party with the answers; or
        2. Explain to the party proposing the questions any decision to exclude a question as not relevant or as otherwise impermissible in the context of this grievance process.
    3. If any questions were submitted, posed, and answered as provided immediately above, then the decision-maker shall permit a limited opportunity for the parties to submit follow-up questions. Any such follow-up questions must be reasonably related to the initial question and answers and must not be unduly duplicative of other evidence that is already in the record.

1. The decision-maker shall identify a submission deadline for such follow-up questions, which shall be a minimum of [3] calendar days from the date that the parties are provided with the answers to the initial questions.
2. The decision-maker shall either pose the follow-up questions and provide each party with the answers or explain any decision to exclude a question, in the same manner that applied to the initial questions.

2. Neither a decision-maker nor any person acting as the decision-maker's designee may hold a live, adversarial hearing involving the parties as part of this Title IX grievance process.
3. In making determinations of responsibility with respect to the allegations addressed in the relevant investigative report, the decision-maker shall, in all cases, evaluate the available evidence and apply the "preponderance of the evidence" standard to determine whether any allegation has been substantiated and whether a party has committed any misconduct with respect to such allegation(s).
4. The decision-maker must issue a written determination regarding responsibility that includes all of the following:
    1. Identification of the allegations potentially constituting sexual harassment under Title IX;
    2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and any other methods used to gather evidence;
    3. Findings of fact supporting the determination;
    4. Conclusions regarding the application of the relevant legal standards and the District's code of conduct (i.e., any District policies or rules that apply to the party in question);
    5. A statement of, and rationale for, the result as to each allegation, including all of the following:
        1. A determination regarding responsibility;
        2. Any disciplinary sanctions the District imposes on the respondent or, in cases where a particular disciplinary sanction is beyond the direct authority of the decision-maker, a statement of the disciplinary sanction(s) that the decision-maker is recommending as an appropriate consequence;
        3. Whether the District will provide the complainant with any remedies designed to restore or preserve the complainant's equal access to the District's education program or activity; and
        4. The District's procedures and permissible bases for the complainant and respondent to file an appeal under this grievance process. If a formal complaint of Title IX sexual harassment also constitutes a complaint of pupil discrimination under Chapter PI 9 of the Wisconsin Administrative Code, the District may also use this notice to inform the complainant of their right to appeal any adverse final determination of their complaint under state law to the State Superintendent of Public Instruction, as well as the procedures for making such an appeal to DPI.
5. The decision-maker or a designee acting on his/her behalf must provide the written determination to the parties simultaneously.
6. To the extent required by the Title IX regulations, disciplinary sanctions for Title IX sexual harassment and any remedies that could not be offered as supportive measure shall not be enforced until the determination of the complaint becomes final. The determination regarding responsibility becomes final, for District purposes, either:
    1. If no appeal is filed, on the date on which an appeal would no longer be considered timely; or
    2. If an appeal is filed, on the date that the District provides the parties with the written determination of the result of the appeal (see below).

4. **Appeals following a determination of responsibility**

1. A complainant or respondent may file an appeal following:
    1. Receipt of the written determination regarding responsibility; and
    2. Receipt of notice of dismissal of a formal complaint or of any allegations within a complaint.
2. Any appeal filed by a party is strictly limited to one or more of the following bases:
    1. A procedural irregularity that affected the outcome of the matter.
    2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter.
    3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest in the case or a bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. \
3. An appeal must be filed in writing and submitted either in person, via U.S. mail, or via email to the Title IX Coordinator with a copy provided to the initial decision-maker. An appeal must be delivered to the District within [5] business days from the date the written determination or notice of dismissal is delivered to the party. The notice of appeal submitted by a party must do all of the following:
    1. Clearly identify the specific bases, from those listed above, on which the party is appealing; and
    2. With reasonable specificity, state the factual basis for the appeal and the reasoning as to why the decision or dismissal being appealed from should be reversed or modified.

4. In connection with an appeal, a party may not introduce new evidence that is outside of the existing record of the complaint proceedings except as an offer of proof to support or refute a claimed conflict of interest or bias, or except in support of or in direct response to an appeal that is premised on a claim that certain new evidence was not reasonably available at an earlier time.
5. Upon receiving a notice of appeal from a party, the Title IX Coordinator, appeal decision-maker, or a designee acting on their behalf shall promptly notify the other party (or parties), if known, that an appeal has been filed and provide a copy of the appeal to such other party (or parties).
6. The appeal decision-maker will establish and inform all parties of a deadline for submitting any additional written statement the party may wish to submit in support of, or challenging, the original outcome on the grounds raised by any pending appeal. The deadline for such submissions shall be at least [5] calendar days following the date such notice is delivered to the parties.
7. An appeal decision-maker shall deny an appeal that merely asserts that the District's decision is wrong (i.e., without identifying the applicable grounds for the assertion) or that fails to present a reasonably-developed argument in support of the appeal.
8. If the appeal decision-maker determines that there is a need to open the record to obtain and consider any additional evidence in order to resolve an appeal, the appeal decision-maker may offer additional equal opportunities for the parties to address and respond to any such new evidence if doing so is necessary to preserve the fairness of the proceedings.
9. The District may continue an ongoing investigation into a formal complaint during an appeal with respect to the dismissal of a complaint in part (i.e., dismissal of specific allegations). However, the investigation shall not be concluded until the appeal over the dismissed allegation(s) is decided.
10. The appeal decision-maker shall:
    1. Issue a written decision describing the result of the appeal and the rationale for the result; and
    2. Provide the written decision simultaneously to both parties.
11. The appeal decision-maker shall render the written decision within [15] business days of the deadline that he/she established for the receipt of the parties' written statements on appeal unless he/she communicates an extension of such timeframe, as further described below.

Other Elements, Requirements, and Limitations of the Grievance Process

Supportive Measures During the Grievance Process.
The range of supportive measures available to complainants and respondents during and in connection with this grievance process does not materially change based on the fact that a formal complaint of sexual harassment under Title IX is pending. Supportive measures, as described and defined elsewhere in this rule, are available based on the District's actual knowledge of Title IX sexual harassment or allegations of Title IX sexual harassment, and the receipt of a formal complaint is one source of such knowledge. At the same time, supportive measures are intended to be individualized and context-sensitive. If the proceedings related to this grievance process create any changed circumstances or any special needs for a party, the party may contact a District Title IX Coordinator for the purpose of discussing potential modifications to supportive measures.

Dismissals of Formal Complaints. Upon receipt of a formal complaint that alleges or purports to allege Title IX sexual harassment and at other points in the grievance process while a formal complaint is pending, the District is responsible for evaluating whether, pursuant to the federal Title IX regulations, the complaint (1) must be dismissed (whether in whole or in part); or (2) may be dismissed (whether in whole or in part) as an exercise of District discretion. The District expects its Title IX Coordinator(s), complaint investigators, and decision-makers to promptly raise the issue of dismissal as needed.

1. **Mandatory dismissal:** The District must dismiss a formal complaint (or specific allegations within the complaint), for purposes of Title IX and the District's Title IX grievance process, to the extent the conduct alleged in the complaint:
    1. Even if proved, would not constitute sexual harassment as defined in the federal Title IX regulations; or
    2. Did not occur within the scope of the District's education program or activity; or
    3. Did not occur against a person in the United States.
2. **Discretionary dismissal:** At any time during the investigation of a formal complaint and prior to the determination of responsibility, the District may dismiss a formal complaint, or any allegations therein, if:
    1. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
    2. The respondent is no longer enrolled in the District or employed by the District; or
    3. The District determines that specific circumstances prevent the District from gathering evidence that is sufficient to reach a determination as to the formal complaint or any allegations therein.
3. **Dismissal procedures:**
    1. At least one of the following administrators, acting in consultation as needed with District legal counsel, must authorize the dismissal of a formal complaint of Title IX sexual harassment or any individual allegations within such a complaint: The Superintendent, Director of Special Education and Pupil Services, or the Director of Business Services.
    2. The Title IX Coordinator or a designee must promptly send written notice of the dismissal and the reason(s) for the dismissal simultaneously to all parties (to the extent known).
    3. A dismissal is an appealable decision to the extent identified elsewhere in this grievance process. If a formal complaint or any allegation within a complaint is dismissed for purposes of Title IX, the District retains discretion to take action

with the respect to the dismissed allegations under other District policies and procedures (e.g., if the alleged conduct could constitute discrimination other than Title IX sexual harassment or if the conduct could constitute a violation of any District policy or rule of conduct).

Voluntary Informal Resolution of Formal Complaints.

To the extent permitted by the Title IX regulations, the District may offer and facilitate a strictly voluntary informal resolution process which attempts to resolve the allegations of a formal complaint of Title IX sexual harassment, in whole or in part, without a full investigation and adjudication. An informal resolution process may not be used in connection with allegations that a District employee sexually harassed a student. In order to offer and attempt an informal resolution process, a formal complaint must have been filed. In addition, before conducting any informal resolution process, the District must:

1. Provide both parties with a written disclosure notice regarding the informal process, as further outlined in the federal Title IX regulations (see 34 C.F.R. §106.45(b)(9)(i)); and
2. Obtain each party's voluntary, written consent to articipate in the informal resolution process.

As examples of informal processes that may be appropriate in some circumstances, the District's agents may (1) offer to mediate a resolution between the parties identified in a formal complaint; or (2) explore the parties' willingness to voluntarily proceed without a full investigation and/or adjudication when the facts may be undisputed or where there may be an opportunity to reach stipulated facts. If a voluntary informal resolution has not reached a conclusion within [15] business days of the date that the District received the consent of the parties, the District and the parties may mutually and voluntarily agree to extend the timeframe for attempting an informal resolution. In the absence of a mutual agreement to extend the timeframe, the
District will provide reasonably prompt written notice to the parties that the informal process is being abandoned and that the District will resume the formal process.

Disciplinary Sanctions.

After a determination that a party is responsible for Title IX sexual harassment as a result of this grievance process, the disciplinary sanctions that the District may impose will depend on the nature of the misconduct and the individual's then-current status as a student, employee, or other person connected to the District's education program or activity. Disciplinary sanctions that are issued or recommended as a result of a determination of responsibility for Title IX sexual harassment are intended as consequences for past misconduct and/or as a deterrent against any future sexual harassment. To the extent the District reaches a determination using this grievance process that a party engaged in conduct that was not Title IX sexual harassment but that did violate some other law or District policy or rule, this grievance process does not directly address the disciplinary consequences for such conduct, even though the District may impose disciplinary consequences for such conduct.

1. **Students:** The range of possible disciplinary sanctions or recommended sanctions for students includes but is not limited to suspension from school, expulsion from school, and disciplinary suspension of eligibility to participate in District-sponsored extracurricular activities. The District may also prohibit the student from being present on District property or at certain District-sponsored events or activities to an extent that exceeds actions that would be allowable as supportive measures. This provision does not modify any student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973.
2. **Employees:** The range of possible disciplinary sanctions or recommended sanctions for employees includes but is not limited to a formal reprimand, an indefinite demotion or salary reduction, a disciplinary reassignment exceeding what may be allowed as a supportive measure, an unpaid suspension, contract nonrenewal, and termination of employment. At the District's discretion, such sanctions may be structured with or without special conditions, such as notice of a zero-tolerance policy for any prospective related violations, or a directive prohibiting the employee from being present on District property or at certain District-sponsored events or activities to an extent that exceeds actions that would be allowable as supportive measures.
3. **Other persons:** The range of possible disciplinary sanctions or recommended sanctions for other persons includes but is not limited to suspension from or the termination of a District-authorized role (e.g., volunteer), termination or nonrenewal of contracts, and a directive prohibiting the individual from being present on District property or at certain District-sponsored events or activities to an extent that exceeds actions that would be allowable as supportive measures.

Remedies to Benefit Complainants.

After a determination that a party to the grievance process was responsible for Title IX sexual harassment, the District may provide the complainant with remedies designed to restore or preserve equal access to the District's education program or activity, including providing for a safe educational or working environment. Such remedies may include the continuation or addition of individualized accommodations, services, and interventions that could have been provided as "supportive measures" prior to the determination of responsibility. However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

Timeframes and Extensions.

The District normally intends to conclude the grievance process within 90 calendar days of the date that a formal complaint is filed or signed by a Title IX Coordinator, recognizing that in certain circumstances it may be practical to complete the process in less time, and in other circumstances the process may reasonably require more time.

Any party or witness may, for good cause, request (1) a temporary delay in the grievance process; (2) the rescheduling of an investigative interview or other meeting; or (3) a limited extension of a deadline that applies to the party. Any such request shall be submitted in writing to the investigator, decision-maker, or appeal decision-maker, given the applicable stage of the proceedings.

The investigator, decision-maker, or appeal decision-maker (as applicable) may grant such a request, and may also self- initiate such a delay, rescheduling, or extension, upon determining that there is good cause and that approving the request would not be unduly prejudicial to any of the parties or unreasonably extend the conclusion of the grievance process.

Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the complexity of the allegations; or the need for language assistance or accommodation of disabilities. In evaluating whether good cause exists with respect to a party's request, the District may take into account the party's history of requesting delays or extensions and the reasons for any such prior requests.

Although the agents of the District are expected to make reasonable efforts to accommodate the schedules of parties and witnesses, the District also may not, without good cause, deviate from its own designated timeframe for the grievance process. Accordingly, the District retains discretion to grant a shorter delay or extension than was requested. Further, in some cases, the District may deny a scheduling request and, if necessary, proceed with the grievance process in the absence of a party, a party's advisor, a party's filing/response, or a witness.

If a formal complaint of Title IX sexual harassment also constitutes a complaint of pupil discrimination under Chapter PI 9 of the Wisconsin Administrative Code, and if a requested or contemplated delay/extension would prevent the District from reaching a determination of the complaint within 90 calendar days, the District's agents shall evaluate whether it is necessary or appropriate to request the parties' consent to the delay/extension.

The appropriate agent of the District or a designee shall provide the complainant and respondent with prompt written notice of any decision to delay the grievance process or grant an extension of a deadline. Such notice shall include the reason(s) for the action. To the extent a given deadline applies to multiple parties, any extension of the deadline automatically applies to all such parties.

Voluntary Waivers of Timeframes.
In instances where this grievance process gives the parties a minimum period of time to prepare and submit a response or prepare for an interview or meeting, a party may voluntarily waive all or part of such period of time if the party communicates their voluntary waiver to the investigator or decision-maker (as applicable) in writing.

Consolidation of Formal Complaints.
The District may consolidate formal complaints of Title IX sexual harassment where the allegations of sexual harassment in the different complaints arise out of the same facts or circumstances.

Concurrent Investigation and Consideration of Multiple Potential Grounds for a Determination of Responsibility/Misconduct.
If the allegations set forth in a formal complaint of Title IX sexual harassment also constitute or fairly encompass allegations of conduct that could constitute (1) discrimination under a different law, or (2) a violation of a District policy or rule (including any District code of conduct that may be applicable to the respondent), or (3) any other established grounds for the imposition of possible disciplinary sanctions, then the District may, at its discretion, investigate the facts and circumstances related to such other legal or policy standards using this grievance process and apply the facts, as found through the investigation, to all potential grounds for a finding of responsibility/misconduct and possible discipline. Unless otherwise required by law, the investigation and determinations reached through this grievance process shall constitute sufficient processing of any such related, overlapping, or intertwined complaint(s), allegations, or charges that may arise out of the same facts or circumstances as the allegation(s) of Title IX sexual harassment.

In all cases involving such concurrent investigation and concurrent consideration of such additional complaint(s), allegations, or charges, the District's agents in the grievance process are responsible for giving the parties adequate notice of the scope of the allegations to be investigated and of the different grounds for a potential finding of liability/responsibility (e.g., federal law, state law, or a local policy or rule). The District's agents are also responsible for adequately identifying the specific basis for any determination of responsibility or finding of misconduct. For example, a decision-maker might conclude in a given case that the facts as found do not rise to the level of Title IX sexual harassment, but that the complaint is substantiated with respect to prohibited harassment as defined under Chapter PI 9 of the Wisconsin Administrative Code and under District policy.

Restrictions on the Participation of Parties' Advisors.
An advisor of the party's choosing shall be permitted to accompany the party to any investigative interview or other meeting held in connection with this grievance process. However, no person who accompanies a party to a meeting or otherwise serves as an advisor to the party may unreasonably interfere with or unreasonably delay the District's investigation. Unreasonable interference by an advisor includes, for example:

1. Answering the District's questions on behalf of the party during an investigative interview, such that the District is denied the party's own, direct response.
2. Interrupting District questioning with the goal of prompting or suggesting responses for the party.

3. Interrupting District questioning in an attempt conduct his/her own questioning of the party. The District's agents in the grievance process may place further reasonable restrictions on the extent to which an advisor may participate in the proceedings, provided that such restrictions apply equally to both parties.

Prohibition on Retaliation.
No official, employee, or agent of the District or any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or any proceeding conducted under the auspices of the District's Title IX obligations. Complaints alleging retaliation in violation of this provision may be filed according to the reporting and grievance procedures that the District has established for general complaints of unlawful discrimination based on sex and other legally-protected classifications.

Prohibition on Bad Faith Conduct.
To the extent permitted by law, the District reserves authority to appropriately address and impose consequences for bad-faith conduct by individuals who make a report or complaint, testify, assist, or participate in any manner in a Title IX investigation or other Title IX proceeding. For example, the District may impose lawful consequences for making a materially false statement in bad faith in the course of any proceeding that is conducted under the auspices of the District's Title IX obligations. However, a determination that a report or complaint of any form of discrimination based on sex was not substantiated, standing alone, is not sufficient to conclude that any
party made a materially false statement in bad faith.

Definitions
Within the Title IX grievance process set forth in this rule:

- **Business days** means days that the main administrative office of the District is staffed, in person or virtually, for responding to regular business and public contacts. Business days never include Saturday or Sunday.

- The terms **"written"** or **"in writing"** include a notice or communication provided in hard copy format via hand delivery or via U.S. Mail to the address of record or in an electronic format via an email sent to an email address that has been issued by the District or that has been provided by the intended recipient.

- With respect to a communication sent by electronic mail, an email is deemed to be **delivered** when it was first electronically available to be accessed by the recipient, and delivery presumptively occurs on the same day as the email was sent. With respect to a communication sent by U.S. Mail, the communication is deemed **delivered** on (1) the date reflected on any confirmation of delivery or delivery receipt; or (2) three business days after the communication was sent by First Class Mail if no delivery confirmation was requested.
    - The following terms within this rule have the definitions specified in the federal Title IX regulations, including all applicable exclusions, exceptions, and clarifications of scope found in the federal regulations. Paraphrasing the applicable regulatory provisions:

- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, regardless of how the District gained actual knowledge of the alleged sexual harassment. Therefore, not every person who reports an allegation of Title IX sexual harassment is a complainant.

- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

- **Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to (1) the District's Title IX Coordinator; (2) any District official who has authority to institute corrective measures on behalf of the District; or (3) any employee of the District other than a respondent (i.e., in circumstances where the respondent is a District employee). **"Notice"** as used in this definition includes, but is not limited to, a report of sexual harassment to the District's Title IX Coordinator.

- **Education program or activity** includes any locations, events, or circumstances over which the District exercised substantial control over both (1) the respondent, and (2) the context in which the sexual harassment or alleged sexual harassment occurred.

- **Formal complaint** means a document filed by an eligible complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment under Title IX. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District. As used in this definition, the phrase **"document filed by an eligible complainant"** means a document or electronic submission (such as by electronic mail) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

- **"Supportive measures"** or **"supportive measures under Title IX"** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint of sexual harassment under Title IX or where no such formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to (1) protect the safety of all parties or the District's educational environment, or (2) deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, additional supervision or planned accompaniment, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security, supervision, or monitoring of certain areas of school grounds, and other similar measures.

- **"Sexual harassment under Title IX"** and **"Title IX sexual harassment"** mean conduct on the basis of sex in any District education program or activity, occurring in the United States, that satisfies one or more of the following:
    - An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
    - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
    - Any of the following, as defined under the Title IX regulations by reference to other federal statutes:
        - "sexual assault," as defined in 20 U.S.C. 1092(f)(6)(A)(v),to mean an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, including but not limited to rape, sexual assault with an object, and groping.
        - "stalking," as defined in 34 U.S.C. 12291(a)(30).
        - "dating violence," as defined in 34 U.S.C. 12291(a)(10).
        - "domestic violence," as defined in 34 U.S.C. 12291(a)(8).

- **Stalking,** as defined in 34 U.S.C. 12291(a)(30), means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
    - fear for his or her safety or the safety of others; or
    - suffer substantial emotional distress.

- **Dating violence** as defined in 34 U.S.C. 12291(a)(10), means violence committed by a person-
    - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
    - Where the existence of such a relationship shall be determined based on a consideration of the following factors:
        - The length of the relationship;
        - The type of relationship; and
        - The frequency of interaction between the persons involved in the relationship.

- **Domestic violence**, as defined in 34 U.S.C. 12291(a)(8), includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the state's domestic or family violence laws, or by any other person against an adult or youth victim who is protected from that person's acts under the state's domestic or family violence laws.

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ag1662B

EXPECTATIONS FOR EMPLOYEES TO REPORT DISCRIMINATION AND HARASSMENT

1662B - **EXPECTATIONS FOR EMPLOYEES TO REPORT DISCRIMINATION AND HARASSMENT**

The guidelines and expectations established in this rule apply to all District employees and to all non-employee authorized agents of the District who perform a compensated role for the District that requires a DPI license (e.g., licensed professionals working for the District in the capacity of contracted service provider). The District may further apply this rule to other non-employees who provide services to the District by including appropriate provisions in any applicable contract, memorandum of understanding, or other agreement, or by issuing any other sufficient notice or directives to such persons.

In the remainder of this rule:

A. "Agent" means any non-employee agent, contractor, or service provider to whom the guidelines and expectations established in this rule apply.

B. "District nondiscrimination policy" includes the following policies of the School Board: 5517, Student Anti Harassment, 5517.01, Bullying, 1662, Employee Anti Harassment, 2260, Nondiscrimination and Access to Equal Educational Opportunity, 1442 Nondiscrimination and Equal Employment Opportunity, 1442.02 Nondiscrimination Based on Genetic Information of the Employee.

Reporting Responsibilities

Any employee or agent of the District who has knowledge of conduct by any other person that constitutes, or is reasonably suspected to constitute, unlawful discrimination in violation of a legal obligation of the District, or in violation of any District nondiscrimination policy, is responsible for promptly reporting such conduct. Similarly, an employee or agent who reasonably suspects that any District policy or District operating procedure unlawfully discriminates against any person in violation of a legal obligation of the District, or in violation of any District nondiscrimination policy, is also responsible for promptly reporting that knowledge, claim, or concern.

The District's established procedures for making a report or complaint of prohibited discrimination, or alleged discrimination, are found within this policy. Employees and agents of the District may, and generally should, use those established methods to satisfy the reporting obligations established in this rule. However, an employee or agent may also satisfy the reporting obligations established in this rule if they submit the relevant report directly to the Superintendent, Director of Special Education and Pupil Services, or the Director of Business Services, provided that the person to whom the report is made is someone other than a person who is alleged to be responsible for the reported discrimination. Particularly if such a report was not submitted in person (e.g., it was submitted via mail or electronic mail), employees and agents are strongly encouraged to personally contact the intended recipient to confirm that the report was received as intended.

The obligation established in this Rule to report conduct by any other person that constitutes, or that is reasonably suspected to constitute, unlawful discrimination (including unlawful harassment) applies to such conduct occurring within any aspect of the District's programs, activities, or operations and also applies regardless of:

A. Whether the person alleged to be responsible for the conduct is a student, an employee, a supervisor/administrator, a School Board member, or other person over whom the District exercises relevant authority, control, or responsibility;

B. Whether the person alleged to be the victim of the conduct is a student, an employee, or other person who is legally protected from the alleged discrimination;

C. How the employee or agent obtained their knowledge of the conduct or alleged conduct (e.g., as a direct witness to the conduct/incident, as a victim or target of the conduct, or after receiving a report or other relevant information from a third-party); and

D. Whether the employee or agent making the report considers (or does not consider) themselves to be an alleged victim or target of the conduct, or to have been otherwise harmed in some way by the conduct, except that an employee or agent who is an alleged victim of conduct that could constitute sexual harassment, as defined under section 106.30 of the federal Title IX regulations, is permitted, at their discretion, to make their report in a manner that either does, or does not, constitute a "formal complaint" of sexual harassment, as defined in section 106.30.

As further established in the Board's nondiscrimination policies, an employee or agent is protected from any form of unlawful retaliation for making a good-faith report of known, alleged, or reasonably suspected discrimination under this rule.

The reporting obligations established in this Rule do not apply when the employee or agent has direct and certain knowledge that the relevant conduct or other allegations of unlawful discrimination have already been reported to at least one of the District's designated nondiscrimination coordinators and/or the Superintendent. For example, an employee or agent is not required to submit another report of the same conduct, incident, or allegation when they have knowledge that the District has already started an investigation into (or otherwise initiated an appropriate response to) the same matter.

To the extent applicable to the employee's or agent's position/role and to the facts of a specific situation, employees and agents of the District remain responsible for adhering to any other mandatory reporting requirements established under a District policy and/or under state or federal law (e.g., reports of child abuse or neglect, threats of school violence, or educator misconduct).

In the course of their duties and in attempting to adhere to the expectations established by this rule, employees and agents will witness or otherwise become aware of incidents involving conduct that may be inappropriate, but that may or may not also constitute unlawful harassment or some other form of discrimination that is prohibited by law and/or District policy. In some situations, the relevant conduct (or alleged conduct) will be so severe or pervasive, or present such a significant threat to someone's health, safety, or well-being, that reporting as required by this rule will clearly be the necessary course of action. However, it is also the case that not every unkind action, statement that someone might find offensive, ill-advised attempt at humor, or incident of interpersonal conflict, teasing, or name-calling amounts to unlawful harassment that requires a report to be submitted under this rule.

Due to the continuum of potentially problematic incidents and conduct that employees and agents may encounter, the District recognizes that there will be borderline situations where employees and agents will need to exercise reasonable professional judgment when deciding whether the situation should be further reported as possible discrimination under this rule. In exercising such judgment, under a reasonable person standard for someone holding the employee's or agent's position/role, the employee or agent is expected to:

A. Make efforts to be reasonably consistent in making such reporting decisions;

B. Refer to and apply any policy-based standards that may be relevant to the situation, including considering whether policies in addition to the District's nondiscrimination policies may be relevant as well as any reporting expectations that may apply with respect to such other policies;

C. Seek assistance from appropriate supervisory or administrative personnel, including but not limited to any District-designated nondiscrimination coordinator, whenever the employee or agent encounters any questions regarding the scope or application of this rule, and the employee or agent is unsure how to fully assess or otherwise handle the situation; and

D. Follow any lawful supervisory or administrative directives or guidance that they may receive.

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ag1662C

INITIAL DISTRICT SCREENING OF REPORTS OR COMPLAINTS OF SEXUAL HARASSMENT

1662C - **INITIAL DISTRICT SCREENING OF REPORTS OF COMPLAINTS OF SEXUAL HARASSMENT**

Any time a District Title IX Coordinator has notice of sexual harassment or allegations of sexual harassment that, if substantiated, would be prohibited by any law or by any applicable District policy, rule, or code of conduct, including as a result of receiving any report or complaint, the Title IX Coordinator is expected to promptly screen the information provided by the person(s) who originated the report or complaint and make the following determinations:

A. Whether the report, complaint, or other information, taken at face value, either 1) alleges conduct that could plausibly constitute unlawful sexual harassment under Title IX; or 2) reasonably purports to be, or appears to qualify as, a formal complaint of unlawful sexual harassment under Title IX.

    1. If so, the District shall process the report or complaint under the District rule/procedure that establishes the "District Response to Alleged Sexual Harassment under Title IX." In addition, the Title IX Coordinator is expected to make reasonable efforts to coordinate with other appropriate District officials regarding:

        a. Any related disciplinary processes that may have been (or may soon be) initiated, including determining whether it may be necessary or appropriate to delay such related processes;

        b. Any potential decisions regarding administrative leave (for an employee) or emergency removals, as further provided under the Title IX regulations; and

        c. Whether any of the circumstances or allegations known by the District raise any issues or concerns that are sufficiently independent of the Title IX sexual harassment allegations such that the District may or must pursue a separate response or intervention.

    2. If not, continue with the subsequent determinations in this list.

B. Whether the report, complaint, or other information, taken at face value, alleges conduct or circumstances that could plausibly constitute some form of unlawful discrimination (including unlawful harassment) other than sexual harassment under Title IX.

    1. If so, the District shall process the report or complaint under the appropriate discrimination complaint procedures and/or other procedures, as established separately from this rule. In addition, the Title IX Coordinator is expected to make reasonable efforts to coordinate with other appropriate District officials regarding:

        a. Any related disciplinary processes that may have been (or may soon be) initiated, including determining whether it may be necessary or appropriate to delay such related processes; and

        b. Whether any of the circumstances or allegations known by the District raise any issues or concerns that are sufficiently independent of the alleged discrimination such that the District may or must pursue a separate response or intervention.

    2. If not, continue with the subsequent determinations in this list.

C. Whether the report, complaint, or other information, taken at face value, alleges 1) conduct or circumstances that could plausibly constitute a violation of District policy or District rules, including but not limited to any rules, directives, or expectations set forth for students or employees; or 2) conduct that may be inappropriate and that would be a legitimate subject of supervisory/administrative inquiry and possible intervention.

    1. If so, the District shall either inform the person(s) who originated the report or complaint of their options for proceeding or directly route the report or complaint for appropriate further processing, which may or may not relate to any established complaint/grievance procedure.

    2. If not, the District shall inform the person(s) who originated the report or complaint that 1) the District was not able to discern a basis for proceeding or has determined that the person has attempted to report an issue or raise a concern that does not appear to be amenable to resolution through established District procedures; and 2) the District was not able to discern another basis for proceeding on the report or complaint.

The determinations called for in this initial screening procedure may be made acting in consultation as needed with another District Title IX Coordinator, the Superintendent, or District legal counsel. If a designated Title IX Coordinator is unavailable, or if a report or complaint alleges that the Title IX Coordinator engaged in or was responsible for the conduct/action, then an alternate Title IX Coordinator (if any has been designated), or the Superintendent or his/her appropriately-qualified designee shall conduct the initial screening called for in this rule.

When determining if a written or electronic submission reasonably purports to be, or appears to qualify as, a formal complaint of sexual harassment under Title IX, the Title IX Coordinator may contact the filing party to correct any minor technical deficiencies in the filing, or to confirm that the filing party is currently participating in or attempting to participate in the education program or activity of the District. The Title IX Coordinator may also request sufficient clarification of the basic allegations so that the District is able to 1) make any initial determinations with respect to the Title IX standards for dismissal of allegations in a formal complaint; and 2) if applicable, provide adequate notice to the respondent of the allegations presented in a formal complaint. However, the purpose of any such initial contact with the filing party shall not be to conduct an investigation into the merits of the allegations or to evaluate the strength or weakness of the filing party's evidence.

This rule is intended to provide general guidance in connection with the initial screening of reports or complaints of possible sexual harassment. The rule reflects a typical analysis, yet still involves the application of professional judgment. It is not a rigid workflow that can be applied without sensitivity to potentially overriding facts or circumstances or in a manner that necessarily yields only one reasonable analysis.

Nothing in this rule diminishes the District's obligations to respond to Title IX sexual harassment or allegations of Title IX sexual harassment in a prompt manner that is not deliberately indifferent under all circumstances in which the federal regulations deem the District to have actual knowledge of such harassment. Further, after the initial screening expressly contemplated by this rule, the District retains obligations to 1) continue to evaluate the known and alleged circumstances as they develop or change; and 2) appropriately adjust the District's response pursuant to applicable legal and/or policy-based standard(s).

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ag2120

THE SCHOOL IMPROVEMENT PROCESS

2120 - **THE SCHOOL IMPROVEMENT PROCESS**

The District has established a school improvement process which will function under the leadership of the District School Improvement Team. The Team will consist of:

A. the Director of Director of Teaching and Learning from District administration;

B. the principal, and appropriate staff members from the elementary school level;

C. the principal, and appropriate staff members from the middle school level;

D. the principal, and appropriate staff members from the high school level.

There will be a School Improvement Team at each building under the leadership of the principal and consisting of professional staff members.

The team may also include when necessary:

A. support staff members;

B. parents;

C. students;

D. members of the community.

The purpose of the School Improvement Teams is to focus on programs and procedures which can help the District achieve its educational mission and which meet one (1) or more of the following criteria:

A. will result in a more effective use of existing resources

B. will strengthen students' and/or staff members' willingness to participate productively in the academic and other activities of the school

C. will articulate effectively with programs and/or activities which students will need to participate in at the next learning level in order to successfully accomplish their educational goals

D. are sustainable using existing resources or those that the school or District can obtain for long-term use

In developing the school's plan, the school improvement team should make use of the following administrative guidelines:

A. AG 2250 for preparing proposals for new or revised programs and projects

B. AG 2210C for analyzing the quality of the school's current learning programs to determine needed changes and/or additions to programs

C. AG 2252 for developing plans

D. AG 2605 and AG 2624B for providing authentic assessment of student learning

E. AG 2210A and AG 2131 for designing or redesigning learning programs

F. develop alternative means and methods for providing reliable and valid assessment of each student's ability to demonstrate achievements, skills, and competencies;

G. provide strategies for integrating evolving technology into the school's curriculum;

H. provide age-appropriate opportunities for structured on-the-job learning to be combined with classroom instruction.

In developing the school's plan, the school improvement team should make use of the following administrative guidelines;

A. AG 2250 for preparing proposals for new or revised programs and projects

B. AG 2210C for analyzing the quality of the school's current learning programs to determine needed changes and/or additions to programs

C. AG 2252 for developing plans

D. AG 2210D for identifying adult roles and identifying prerequisite knowledge and skills for fulfilling adult roles

E. AG 2605 and AG 2624B for providing authentic assessment of student learning

F. AG 2210 and AG 2131 for designing or redesigning learning programs

All proposals for new programs or extensive revision of existing programs are to be developed according to AG 2250 and submitted by school improvement teams to the District Improvement Team, which in turn, shall submit them to the District Administrator and the Board for final approval by no later than August 1st. Once approved by the Board, each school's plan will be submitted to the State Department of Public Instruction prior to September 1st of each year.

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ag2131

CHARACTERISTICS OF AN EFFECTIVE STATEMENT OF EDUCATIONAL BENCHMARKS

2131 - **CHARACTERISTICS OF AN EFFECTIVE STATEMENT OF EDUCATIONAL BENCHMARKS**

The following characteristics should be true of the educational benchmarks that will guide the District's curriculum.

A. Each benchmark should be concise and understandable to staff, students, parents, and the community.

B. Each benchmark should encompass previous learnings and require the student to integrate and then apply certain knowledge, skills, and attitudes in order to demonstrate achievement of the objective.

C. Each benchmark should constitute learning that is:

1. durable - will be useful to the student for a considerable period of his/her lifetime;

2. significant - will have a major effect upon how the student will function;

3. transferable - will be useful in meeting needs in other educational programs, the world of work, and/or the student's personal life.

D. Each benchmark should be feasible for the staff and students to accomplish.

E. Each benchmark should be measurable on a cumulative basis and at different stages of the student's career in the District and the measurement should be both valid and reliable.

F. Each benchmark should be accompanied by both the criteria by which the learning will be judged and the standards of quality which will apply.

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ag2210A

CURRICULUM DEVELOPMENT

2210A - **CURRICULUM DEVELOPMENT**

The District's curriculum development will be managed through the leadership of the Director of Teaching and Learning.

Responsibilities

A. continually evaluate selected areas of the District's curriculum

B. establish priority areas for revision

C. establish working committees in the selected areas

D. maintain liaison with working committees to determine progress and assist with possible problems

E. determine how best to implement a newly developed or revised course of study including faculty orientation

F. develop or advise on in-service programs and seminars needed to strengthen and enrich the District's program

G. establish procedures for effective evaluation of courses of study

The Director of Teaching and Learning may establish curriculum working committees, define their purpose, and select their members. Each committee will serve as long as deemed necessary and may be reactivated as needed.

Upon approval of the Director of Teaching and Learning and Building Principal, all new or revised programs, courses of study, and/or course guides will be forwarded to the District Administrator and then to the Board for final approval.

Guidelines for Program Development

In developing or redesigning a learning program, a working committee should use the following questions as planning guidelines to prepare each component designated by the Board in its curriculum policy:

Component #1 - Intended Program Outcomes (Applied Learning)

What are the expected results of this program? and/or

What will students be able to accomplish as a result of properly completing this program? and/or

What kinds of "products" or performances will a student be able to produce or what kinds of situations will a student be able to effectively deal with through integration and application of the knowledge, attitudes, and skills this program should develop?

Component #2 - Intended Learnings (Knowledge, Attitudes, Skills)

SKILLS

What are the skills needed to accomplish the program outcome?

Which are new skill areas and which are applications of skills learned earlier?

What are the standards (result, time, process, etc.) for performance of each skill needed by the student in order to accomplish the intended program outcome?

How will the skills be sequenced?

What will be the means for initial assessment of each skill?

Is the means both reliable and valid?

ATTITUDES

What particular actions must a student be willing to take consistently, if s/he is to accomplish what this program intends?

Which of these are applications of previously formed attitudes and which need to be developed in this program?

KNOWLEDGE

What concepts and cause/effect principles must a student be able to use in order to accomplish the intended program outcomes? Which of these should the student already have learned? Which will need to be learned or extended during this program? What level of understanding of each is needed for a student to accomplish the program outcomes?

Component #3 - Learning Activities

SKILLS

What will be the nature and frequency of practice? What opportunities will be provided for the student(s) to critique performance of each skill against the established standards?

ATTITUDES

What will be the means for initial assessment? What activities will be needed to reinforce the current attitudes?

What activities will be needed to develop the new attitudes?

What opportunities will be provided for the student(s) to assess progress in forming/applying these attitudes?

KNOWLEDGE

What will be the means for initial assessment?

Is this means both reliable and valid?

What activities are needed for the student to form or extend his/her understanding of the concepts and cause/effect principles?

What will be done to provide evidence that the student has developed the necessary level of understanding?

ROTATION

How will the activities be rotated within a unit between introduction, data-gathering, processing of information, synthesis, and application to ensure maximum opportunity for a student to develop the intended learnings?

What are the contingencies when a student fails to accomplish the intended learning(s)?

How will the components of the program be sequenced?

Is the particular sequence critical to the outcomes or are variations appropriate? If so, what are some of the feasible, appropriate variations in sequence?

Component #4 - Methods of Instruction

What particular instructional strategies are needed for students to develop each type of learning and then make appropriate applications?

Which of these strategies and techniques are the instructors currently able to employ at the needed proficiency level?

What kind of assistance will be provided either through the program or through staff development?

Will staff development sessions be provided or are instructors expected to make program applications of the strategies on their own?

Component #5 - Materials and Resources

What materials/resources will be used to provide students with the information needed to develop the knowledge, attitudes, and skills?

Will texts and other selected materials/resources be analyzed to ensure they contain the appropriate information for these particular learnings?

To what extent do the materials/resources allow the student to develop and apply his/her own learning as opposed to memorizing those of the author?

Do the materials/resources meet the selection criteria for texts and other learning resources established in the District's administrative guidelines AG 2510 and AG 2521A, AG 2521C, and 8390?

Component #6 - Evaluation

See guidelines for Program Evaluation in AG 2605.

Component #7 - Financial Needs and Constraints

How closely did the actual costs of development/revision match the budgeted costs?

Will the costs for implementation stay within those in current and estimated budgets?

Introduction of New and Revised Courses of Study and Course Guides

In planning for the introduction of a new or revised course of study, it is essential that teachers are properly oriented and prepared to make effective use of the course. In-service programs, provided by District personnel or outside consultants, should include activities related to both the use of the course and the criteria and standards required for proper evaluation of both student outcomes and course utilization.

Supervision of Courses of Study

The primary responsibility for the supervision of instruction rests with the individual building principal in accordance with Board policies and administrative guidelines related to the District's curriculum. The Director of Teaching and Learning shall be available at the request of the principal to assist in the proper utilization of courses of study. Principals and other supervisory personnel are to monitor how well each teacher is using the courses of study, help them overcome any difficulties they are encountering, and obtain their suggestions for improvement of the courses. All such suggestions are to be submitted to the Director of Teaching and Learning.

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ag2210C

ASSESSING THE DISTRICT'S LEARNING PROGRAMS

2210C - **ASSESSING THE DISTRICT'S LEARNING PROGRAMS**

There is a continuing need to assess the courses of study and other programs that comprise the learning plan for the District. Knowing the strengths and weaknesses of the total curriculum and of each learning program is the first step in producing a quality revision or update.

Scope and Sequence

It is essential that, periodically, an analysis be done of the learning objectives for each subject and skills area to ensure that:

A. the learning objectives (intended learnings) for each grade or level are building cumulatively toward student accomplishment of the learning outcomes at each grade or level and for the entire curriculum area;

B. there are no gaps in the learning objectives that would inhibit a student from accomplishing the learning outcomes;

C. there are no unnecessary duplications or redundancies in the learning objectives or the learning outcomes.

Learning Programs (Courses of Study)

Prior to a working committee undertaking the revision of a course of study or any other learning program offered by the District, the committee should conduct an analysis of each of the six (6) components that should comprise any effective program or course. These components are:

A. EXPECTED LEARNING OUTCOMES

B. INTENDED LEARNINGS

C. LEARNING ACTIVITIES

D. METHODS OF INSTRUCTION

E. MATERIALS AND RESOURCES

F. ASSESSMENT

If the assessment is conducted properly, it should yield valuable information about both the strengths and weaknesses of the program. This information can then serve as a guide to the revision process along with other guidelines provided in AG 2210A and AG 2605.

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ag2210D

PREMISES ABOUT LEARNING

2210D - **PREMISES ABOUT LEARNING**

In designing or revising any of the District's learning programs, recommended teaching and learning strategies should be based on the following convictions about learning and the instructional process.

_____All learning is self-generated. It cannot be given or received.

_____The only evidence of learning is the learner's demonstrating his/her ability to do something (mentally or physically) that s/he could either not do
or do as well before instruction.

_____Learning comes in three (3) forms:

Knowledge (facts, concepts, cause-effect principles)

Skills (result-producing actions which are improvable through practice)

Attitudes (mind-sets-for-action directed toward a referent)

_____Each form of learning requires the learner to use a different sequence of thinking and physical actions (knowledge is not learned in the same
way as skills, etc.)

_____Knowledge is usually a prerequisite for learning attitudes and skills, knowledge and skills are prerequisites to learning attitudes.

_____Students learn some things without being aware of what they are learning (mannerisms, some habits, etc.)

_____Students generate *conscious*learning by using specific thinking skills to gather and process information.

_____Information consists of facts and inferences used to generate knowledge, skills, and attitudes.

_____Someone else's knowledge is only information to the learner. Such information can be given and received in three (3) forms:

real (information containing *all*of the characteristics or dimensions the learner needs to acquire, e.g. a live, on-site demonstration of a procedure);

representational(information containing *some but not all*of the characteristics the learner needs to acquire, e.g. a videotaped demonstration of a procedure);

symbolic(information containing *none*of the characteristics of what the learner needs to acquire, e.g. a written description of a procedure).

_____Information is meaningless unless the learner can relate it to personal experience. For a learner to develop knowledge about something, s/he
must have personal experience with what the knowledge deals with.

_____Learning is useful only when the learner can apply it properly in new situations to achieve needed results.

_____The quality of learning is only as good as the *quality of the result it produces*.The quality of the result is only as good as the mental and
physical actions that produce it.

_____Instruction is the *process*for generating learning and its application through the learner's use of appropriate thinking skills and physical actions
to gather, retrieve, and process relevant information.

The quality of instruction is only as good as:

1. the quality of defined learning it allows students to produce;

2. the quality of the *confirmation* of the learning.

_____Instruction can produce *intended learnings* (means) or *learning outcomes* (applied learnings or ends). For instruction and learning to be effective, "means" learnings should build *cumulatively* toward learning outcomes.

_____Learning outcomes of an educational program should be *durable, significant, and transferable*.

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ag2220

PREPARATION FOR THE WORLD OF WORK

2220 - **PREPARATION FOR THE WORLD OF WORK**

One of the desired educational outcomes of the District is for students to have the prerequisite knowledge, attitude, and skills with which to enter the world of work at some later time in their lives. Board of Education Policy 2220 directs that the administration and staff include as a learning outcome for each course of study that students can demonstrate both willingness and ability to be punctual, to be present regularly at the learning site, to participate in the learning activities, and to complete assignments on time and as directed.

For students to develop these basic "workplace behaviors", teachers will need to emphasize their importance as they conduct learning activities. Such reminders can be part of directions, assignments, learning reviews, and feedback sessions on how well students functioned during activities.

As with other types of learning, one of the most effective strategies for helping students realize the importance of these "workplace behaviors" is for staff to model the behaviors that will be expected of the students.

Since the development of good work habits takes time, effort, and continued reinforcement, such learning should start at the elementary level and build with increasing emphasis through the high school programs. The relative grading weight for these behaviors should also increase commensurately.

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ag2230

COURSE GUIDES

2230 - **COURSE GUIDES**

Any guides developed as an outcome of a new or revised course of study should incorporate the following features:

A. **The General Purpose and Outcome of the Course**

These should be broadly stated and should include the purposes, philosophy, and expected learning outcomes of the course.

B. **The Learning Goals of the Course**

These are the particular behaviors the students should demonstrate when the purpose of each unit or section of the course is being achieved at the desired level of performance.

C. **Content/Concept**

The content should be organized in ways that will provide for applied learning of the concepts involved in the learning outcomes.

D. **Methodology**

The guide should include learning activities that ensure the students can achieve the outcomes of the course. Suggested teaching strategies should relate directly to helping students participate properly in learning and applying the important concepts contained in the content. It also should indicate the resources necessary for the learning activities to function as intended.

E. **Student Evaluation**

Procedures for student evaluation should be included in the guide. Procedures may include pencil and paper tests if such tests will confirm that students are achieving the desired learning.

F. **Resources**

A listing of the people, materials, equipment, etc. that will be available to help students/teachers accomplish the course objectives.

G. **Physical Appearance of the Guide**

The cover of the guide shall be printed wherever possible. On it should appear the School District emblem. A written preface should introduce the guide and clearly state the purpose and rationale for the program. A list of the committee members should also be included as well as the date of publication.

Each guide shall be consistent with the course of study of which it is a part.

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ag2231

GUIDELINES FOR PLANNING EFFECTIVE LEARNING ACTIVITIES

2231 - **GUIDELINES FOR PLANNING EFFECTIVE LEARNING ACTIVITIES**

	WHAT	WHY	HOW	WITH WHAT	RESULT
1.	Determine and justify specific learning need.	Unless the teacher is clear about what students need to learn and why, the learning time is easily wasted and there is no focus to the students' learning effort.	Determine what learners need to know or be able to do. Compare need with what they currently know or can do. Select first essential learning gap to be filled.	Course of Study, direct observation, staff input, teacher guides, etc.	A concise statement of the learning need (links the content with learning task).
2.	Describe the needed or desired learning result.	Unless teacher/learners have a clear picture of the outcome, needed achievement cannot be confirmed nor can the learning be adequately justified.	Form a mental picture of the situation that it would be like if the learning need has been met both appropriately and sufficiently.	Personal knowledge of such a result or a description of the learning result as provided by a competent resource.	A complete, accurate description of what learners will have said or done at the completion of the learning task.
3.	Decide on the learning and associated teaching strategies needed to produce the learning result.	This decision circumscribes the necessary sequence of events so that time/effort are not wasted on unproductive actions.	Analyze the learning result by asking "What do learners need to do to achieve this result?" Then ask, "What do I need to do for them to participate properly in the learning?"	Previous experience or reference to effective learning/teaching strategies.	A listing of the teaching strategies, or if necessary, a listing of the essential actions.
4.	Select needed materials and/or resource people.	Without the information available in appropriate forms, learners/teachers do not have the content necessary to produce the learning result.	Refer to Course of Study or other resources that provide the essential data. Examine carefully to confirm data is complete, accurate, and appropriate for the particular learners.	Course of Study, task analyses, personal knowledge of related situations, media centers, etc.	A complete, accurate description of the critical information as well as the means for its presentation.
5.	Determine the procedures for managing and organizing materials and learners.	Because any learning activity can take place in a variety of ways, it is economical and efficient to determine ahead of	Decide how students will be organized first. Ask yourself, "What are the most effective ways for students to be organized so they can achieve the result?" Then consider	Notes from previous lessons, references which describe how to establish a productive	A description of the physical arrangements of students and materials plus the schedule for conducting the

		time the most favorable, possible conditions for achieving the learning result.	materials --- how many, when, where, etc.	learning environment, etc.	learning activities.
6.	Decide on the Initiating Procedure.	Essential to establishing focus and relevance for learners.	Refer to learning result for designing a lesson overview. Refer to Teacher Guides for general focus procedures and adapt for a particular situation. Examine to be sure the procedure will initiate relevant, on-focus learning behavior.	Step 2 of your plan. Course of Study, course guides, etc.	A statement students will understand concerning what is to be done, why, and the intended result. A question or direction that meets the criteria for initiating focused, relevant learning.
7.	Determine follow through procedures needed to ensure the learning result.	The learning result will not occur from only the Initiating Procedure. Without well-planned follow-through, the prospects for students achieving the needed result is almost nil.	Anticipate what could occur during the activity that could interfere with students achieving the learning result. Design questions/directions that would effectively eliminate each of the identified learning roadblocks.	Previous experience with such activities, colleagues' advice, teacher guides, etc.	A list of questions and direction that ensure achievement of the intended learning.
8.	Check internal consistency of each element in the plan.	It is easy to think of different elements as separate entities and not as a necessary part of the whole process for achieving the needed result. If elements are not related, the result is in jeopardy.	Analyze the assessed needs relative to the expected result and ask, "If this result were achieved, would the needs of the situation be met satisfactorily?" Then relate the result to the lesson strategy, - "If students do what is planned, could the result be achieved?" Then relate materials/preparation to the result, "Do the materials and conditions provide what is needed to best ensure the students can achieve the learning?" Relate the Initiating Procedure to the result,	Notes from teacher training and this plan.	An appropriate and sufficient plan that maximizes the likelihood that the learners will achieve the needed learning result.

			"If I did this, could students get started on focus?" Lastly, relate follow through procedures to result, "Is there anything I haven't anticipated that could interfere with students achieving the needed learning result?"		
9.	Design follow-up activities.	If students achieved the result, the learning lesson should be used to apply or reinforce, or to develop new, related learnings. If not, lack of learning needs to be addressed.	Plan additional lessons using these guidelines and the experiences of this lesson.		

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ALTERNATIVE LEARNING ACTIVITIES FOR OPT-OUT STUDENTS

2240B - **ALTERNATIVE LEARNING ACTIVITIES FOR OPT-OUT STUDENTS**

Situations may arise in which the parent has requested that their child not participate in a particular instructional activity. Board of Education policy authorizes that such requests are to be honored if the reason relates to a conflict between the subject matter and religious or philosophical beliefs held by the parents. Requests may not be honored, however, if the reason relates not to subject matter but to pedagogy or other concerns. In such cases, the parent should be referred to the Director of Teaching and Learning.

When a student is to be excused from an activity, the teacher should:

A. prepare an alternative activity in the general subject area which the student can work at on his/her own to reinforce and/or extend acquired learning of content and/or skill or develop new knowledge or skill;

B. arrange for a work location for the student that is properly supervised and provides access to help, if and when needed;

C. try to ensure that there are no repercussions for the student either academically or socially as a result of not participating in the regularly- scheduled activity;

D. keep a record of the alternative activity for communication with the parents, if such information is requested.

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ag2240

CONTROVERSIAL ISSUES IN THE CLASSROOM

2240 - **CONTROVERSIAL ISSUES IN THE CLASSROOM**

A teacher may express a personal opinion as long in the course of the staff members duties in accordance with Policy 2240 - Controversial Issues in the Classroom.

The following guidelines are designed to assist teachers in the instruction of controversial issues in the classroom:

A. If a controversial issue is part of a course of study, any questions about the appropriateness for use in the classroom shall be discussed first with the Principal.

B. Differing viewpoints regarding a controversial issue should be respectfully explored so that students are engaged in a balanced discussion that is focused on developing critical thinking skills.

C. Before introducing a controversial issue, teachers should consider:

1. the chronological and emotional maturity of the students;
2. the appropriateness and timeliness of the issue as it relates to the course and the students;
3. the extent to which they can successfully handle the issue from a personal standpoint;
4. the amount of time needed and available to examine the issue fairly.

D. The teacher should encourage student views on issues as long as the expression of those views is not derogatory, malicious, or abusive toward other student views or toward a particular group.

E. Teachers should help students use a critical thinking process such as the following to examine different sides of an issue:

For each stated position:

1. What is the person (group) saying?
2. What evidence is there that what is being said is true?
3. What is said that would lead you to think the position is valid?
4. What are the strengths and weaknesses of this position?
5. What do you think would happen if this point of view was accepted and was put into practice?

For reaching conclusions:

1. On balance, what do you think is the most reasoned statement? the most valid position?
2. What is there in the statements that supports your conclusion? What other things, beside what is being said, leads you to your conclusion?

(See also Policy 3310 – Employee Expression in Noninstructional Settings)

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ag2250

INNOVATIVE PROJECTS

2250 - **INNOVATIVE PROJECTS**

A school improvement team or any professional staff member, through a school improvement team, may submit a proposal for an innovative program.

When a proposal is presented, it should be forwarded to the Building Principal, Director of Pupil Services, Director of Business Services, Director of Teaching and Learning, and the District Administrator.

Each proposal should contain a clear, adequate statement on each of the following:

A. **Need**- including importance relative to District/school goals.

B. **Expected Result**- including a description of how students, staff, or the District will be different as a result of the project.

C. **Time Requirements**- including any suggestions on how requirements can be met.

D. **Personnel Requirements**- including types, qualifications, costs, and possible availability.

E. **Facilities/Equipment Requirements**- including type, costs, and possible availability.

F. **Strategies/Methodologies**- including evidence of effectiveness in other settings.

G. **Schedules**- including suggestions for ameliorating any disruptions to current programs and schedules.

H. **Evaluation**- including what criteria and standards will be used to judge the success or worthiness of the project.

I. **Follow-Up**- including what could or should happen if the project results do or do not meet expectations.

After all of the above has been completed and the written approval or denial forwarded to the District Administrator, s/he shall review the proposal with relevant parties. If appropriate, a presentation to the Board may be arranged.

If approval is forthcoming and the project is implemented, a written evaluation by the professional staff involved will be prepared at a stage mutually agreed upon.

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ag2260D

NOTICE OF NONDISCRIMINATION

2260D - **NOTICE OF NONDISCRIMINATION**

The full notice of nondiscrimination including the District's complete pupil discrimination complaint procedure, including the designated employee's name, address and phone number is to be disseminated at least annually to students, parents, employees, and the general public.

A pupil nondiscrimination statement is to be placed in all of the following documents prepared by the District:

Parent/Student Handbooks

Staff Handbooks

Course Catalogs

Application Forms for Enrollment and Employment

Recruitment Materials for Students and for Staff

To inform the general public, the notice should be sent to the local newspaper(s).

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ag2260.01A

SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY, INCLUDING PROCEDURES FOR THE IDENTIFICATION, EVALUATION, AND PLACEMENT OF STUDENTS SUSPECTED OF HAVING A DISABILITY, AND THE RIGHT TO FAPE

2260.01A - **SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY, INCLUDING PROCEDURES FOR THE IDENTIFICATION, EVALUATION, AND PLACEMENT OF STUDENTS SUSPECTED OF HAVING A DISABILITY, AND THE RIGHT TO FAPE**

The District Administrator establishes these administrative guidelines for the identification, evaluation, and educational programming and placement of students with disabilities who qualify under Section 504/ADA. These guidelines, along with AG 2260.01B, further fulfill the Board's directive to adopt a system of procedural safeguards that includes the right to have a due process hearing.

Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504") prohibit discrimination against qualified persons with a disability in any program or activity receiving Federal financial assistance. No discrimination against any qualified person with a disability will be knowingly permitted in any of the programs, activities, and/or practices in the District.

Building principals shall serve as Building Section 504/ADA Compliance Officers (hereinafter referred to as the "Building CO").

A person with a disability is anyone who:

A. has a physical or mental impairment that substantially limits one (1) or more major life activities;

B. has a record of (i.e., has a history of, or has been misclassified as having) a physical or mental impairment that substantially limits one (1) or more major life activities; or

C. is regarded as having a physical or mental impairment that substantially limits one (1) or more major life activities (i.e., has a physical or mental impairment that does not substantially limit major life activities but is treated by the District as constituting such a limitation, or has a physical or mental impairment that substantially limits major life activities only as a result of the attitude of others toward such impairment, or has none of the physical or mental impairments recognized by Section 504 but is treated as having such an impairment).

Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, eating sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

Physical or mental impairment means:

A. any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one (1) or more of the following body systems:

1. neurological;

2. musculoskeletal;

3. special sense organs;

4. respiratory, including speech organs;

5. cardiovascular;

6. reproductive;

7. digestive;

8. genito-urinary;

9. hemic and lymphatic;

10. skin;

11. endocrine;

B. any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Physical or mental impairments that are episodic in nature or in remission may constitute a disability for the purposes of Section 504/ADA if the impairment would substantially limit a major life activity when active, such as asthma, allergies, or cancer.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

Individual with a disability does not include the following (i.e., Section 504 specifically **excludes**):

A. individuals who currently are engaging in the use of illegal drugs, when the District acts on the basis of such use

B. an individual on the basis of homosexuality or bisexuality

C. an individual on the basis of:

1. transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairment, or other sexual behavior disorders;

2. compulsive gambling, kleptomania, or pyromania; or

3. psychoactive substance use disorders resulting from current use of illegal drugs.

Individual with a disability includes an individual who:

A. has completed a supervised drug rehabilitation program successfully and is no longer engaging in the illegal use of drugs, or otherwise has been rehabilitated successfully and is no longer engaging in such use;

B. is participating in a supervised rehabilitation program and is no longer engaging in such use; or

C. is erroneously regarded as engaging in the use of illegal drugs, but is not engaging in such use.

Notwithstanding the preceding, for purposes of programs and activities, providing educational services, the District may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student who is an individual with a disability and who currently is engaging in the use of illegal drugs or in the use of alcohol to the same extent that such disciplinary action is taken against students who are not individuals with disabilities.

The District will not discriminate against otherwise qualified students with disabilities (i.e., students who otherwise meet eligibility criteria – e.g., age – for participation in the educational program and/or activities) in the provision of its educational programs and activities. The District further will provide a free appropriate public education (FAPE) to qualified students with disabilities (i.e., students who have a physical or mental impairment that substantially limits one (1) or more major life activities). Said education shall entail the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met. This includes providing academic and non-academic services to students with disabilities in the same setting as their peers without disabilities to the maximum extent appropriate. In addition to its provision of educational services, the Board will not discriminate against otherwise qualified students with disabilities in its provision of non-educational academic and extra-curricular services and activities such as counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students, and will provide students with disabilities an equal opportunity to participate in such services and activities. Qualified students with disabilities will be afforded accommodations/modifications/interventions to the District's non-academic and extra-curricular services and activities, unless such accommodations/modifications/interventions would impose an undue financial burden, or service or activity. A

determination that a particular accommodation/modification/intervention would constitute an undue burden must be made by the District Administrator after considering all resources available for use in the funding and operation of the service or activity, and accompanied by a written statement of the reasons for reaching that conclusion. In the event the District Administrator determines that an undue burden would result, the District will take any other action that would not result in such burden but would still allow, to the maximum extent possible, individuals with disabilities to receive the benefits of the District's non-academic and extra-curricular services and activities on an equal basis as individuals without disabilities.

If a parent disagrees with a determination made by the District's professional staff concerning the identification, evaluation, or placement of a student with a disability, the parent may request a hearing before an impartial hearing officer that is not employed by the District (see AG 2260.01B).

Alternatively, the parent may file an internal complaint. (See Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability). A parent does not need to first exhaust the internal complaint process in order to file a request for a due process hearing. In fact, a due process hearing may be requested at any time and the parent does not waive that right if the parent first opts to try to resolve the dispute through the internal complaint process. (see Policy 2260.01)

Procedures Applicable to Section 504 Referrals/Evaluations/Plans

Annually, the District will undertake efforts designed to identify and locate every qualified person with a disability residing in the District who is not receiving a public education, and notify the person and their parents of the District's duties and responsibilities under Section 504.

Referral

Referrals may be made by anyone (e.g., parents, teachers, or other knowledgeable professionals). Referrals shall be made on the Suspected Disability Referral form and submitted to the Building CO. Referrals may be made at any time. Parents may request a referral form by contacting the Building CO or a District CO.

Generally, a staff member should refer a student for an evaluation under Section 504 if the staff member suspects that the student has a mental or physical impairment which substantially limits one (1) or more major life activities. Examples:

A. A teacher knows only that a student has asthma, without any other information. Refer? No.

B. A teacher knows that a student has asthma and has an inhaler that is kept in the nurse's office that the student occasionally uses, without any other information. Refer? No.

C. A teacher knows that a student has asthma, uses an inhaler in school, is frequently absent for asthma-related illnesses, and is having trouble in gym. Refer? Yes.

Assessment/Evaluation

Upon receipt of a Suspected Disability Referral Form, the Building CO will notify the appropriate 504 Case Manager who will collect all relevant information on the student (e.g., medical reports, grade cards/report cards, school history, disciplinary action, etc.) to assist in documenting whether the student has a physical and/or mental impairment that substantially limits one (1) or more major life activities.

The 504 Case Manager should contact school staff who perform assessments and have them review existing pertinent information and determine whether additional assessments are needed. If an evaluation is needed, written parental consent shall be obtained within thirty (30) calendar days of the referral for an evaluation. A copy of the Notice of Section 504/ADA Procedural Information and Rights shall be sent to the parents upon the referral and before obtaining written parental consent for the evaluation.

The evaluation must be sufficient to accurately and completely assess the nature and extent of the disability, and the recommended services and/or accommodations. Evaluations that are more limited than a full special education evaluation may be adequate in some circumstances. The evaluation or review of assessment information should include consideration of any behaviors that interfere with the otherwise qualified student's regular participation in the educational program and/or activities.

If the District does not suspect that a student has a mental or physical impairment that substantially limits one (1) or more major life activities and therefore determines not to evaluate, it will notify the parents of that decision through the issuance of a prior written notice and provide them with a copy of the Notice of Section 504/ADA Procedural Information and Rights.

Before any action is taken with respect to Section 504 accommodations for a student with a disability, an evaluation shall be conducted or assessment information reviewed to determine if the student has a disability under Section 504.

Parents will be afforded the opportunity to meaningfully participate and provide input in the evaluation process. The assessment information may include, but will not be limited to, medical reports that document a physical/mental impairment, aptitude and achievement test scores, teacher observations, recommendations, and other data, including information on social or cultural background and adaptive behavior. The information obtained from all such sources shall be documented and carefully considered. Additionally, if an evaluation is conducted, the Building CO, in conjunction with the designated 504 Case Manager is responsible for verifying that:

A. tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;

B. tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient; and

C. tests are selected and administered so that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

Re-Evaluations

Reevaluations are not required at specific intervals; however, assessments will be updated so that eligibility and accommodation planning is based on information that accurately defines the student's disability and reflects the student's current strengths and needs. At least every three (3) years appropriate school staff should determine whether updated evaluations are needed. A re-evaluation will be completed prior to a significant change in placement. When a reevaluation is needed, parents will be sent prior notice and a copy of the Notice of Section 504/ADA Procedural Information and Rights. Consistent with initial evaluations, parents will be afforded the opportunity to meaningfully participate and provide input in the re-evaluation process.

Eligibility Determination

Within a reasonable period of time (generally no more than sixty (60) calendar days), the Building CO will convene a Section 504 Conference. The student's parents will be sent a letter inviting them to attend and participate in the Section 504 conference. The letter to the parents should be sent at least seven (7) calendar days prior to the Conference. Parents will also be sent a copy of the Notice of Section 504/ADA Procedural Information Rights. The Section 504 Team shall be composed of persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, and should at a minimum include the Building CO, the designated 504 Case Manager, and the parents. The Section 504 Team may also include general education teacher(s), the student, guidance counselor, school psychologist, the District's Health Coordinator, school nurse, Director of Pupil Services/Special Education, and other persons with knowledge of the student or the suspected disability, and any other individual the parents may wish to bring to the Conference. The purpose of the Conference is to discuss the information gathered, determine whether the student has a disability that makes him/her eligible for specialized services and/or accommodations/modifications/interventions under Section 504 (i.e. review the impairment/condition and determine whether it substantially limits one (1) or more major life activities), and, if so, determines whether the student requires specialized services and/or accommodations/modifications/interventions in order to receive a FAPE and to access the District's programs and activities on an equal basis to students without disabilities.

The Building CO will serve as the Chairperson of the Section 504 conference. The Chairperson has the following responsibilities:

A. at each Section 504 conference, to verbally explain and offer a written copy of the Notice of Section 504/ADA Procedural Information and Rights

B. gather information

C. organize the presentation of the data

D. coordinate the deliberation of Section 504 eligibility:

1. Does the student have a physical or mental impairment?

2. Does that impairment "substantially limit one (1) or more major life activities"?

3. Does the team have the data to justify a disability determination?

4. Is the student a qualified individual with a disability within the meaning of Section 504?

At the Section 504 conference, the Section 504 Team will determine the needs, accommodations/modifications/interventions, services and placement for the student, which may include, but are not limited to:

A. adjusting testing procedures;

B. individualize classroom assignments, homework;

C. provide staff interventions;

D. utilize assistive technology;

E. provide a buddy to take notes;

F. provide an interpreter (for students or adults);

G. modify materials;

H. modify the student's day;

I. facilitate or modify parents/student/teacher/staff communication;

J. modify school procedures (e.g., provide additional time for passing between classes, adjust transportation, or approve early dismissal);

K. develop and implement appropriate medical plans (e.g. emergency, asthma, seizure, or allergy plans) for eligible students whose physical or mental impairment impacts a major life activity other than learning.

The special education or related services, including any accommodations/modifications/interventions, will be individualized to meet the needs of the student.

In interpreting data and making placement decisions, the District will draw upon information from a variety of sources, including aptitude and achievement tests, teacher observations and recommendations, medical reports that document a physical/mental condition, social or cultural background, and adaptive behavior. The information obtained from all such sources shall be documented and carefully considered.

Possible Outcomes of the Section 504 Conference

A. Student is eligible for a Section 504 Plan. The Section 504 Team documents this determination on the Section 504 Summary Evaluation Report. Section 504 Plan is developed by the Section 504 Team. Parents will be given a copy of the Notice of Section 504/ADA Procedural Information and Rights.

B. Student is ineligible for a Section 504 Plan. The Section 504 Team documents this determination on the Section 504 Summary Evaluation Report. Parents will be given a copy of the Notice of Section 504/ADA Procedural Information and Rights.

1. The Section 504 Team determines if the student needs interventions pursuant to a RtI Plan. If RtI is determined to be appropriate, the Section 504 Team will develop strategies to provide necessary interventions. The interventions should be documented on RtI paperwork. A copy of the RtI plan should be filed in the student's cumulative record folder. A copy of the RtI plan is NOT required to be sent to the District CO.

2. Student will be served appropriately in the general education program without written interventions.

C. The Section 504 Team determines that it needs to collect more information before making an eligibility determination.

The Summary Evaluation Report shall reflect the determination on the issue of whether the student has been identified as having a disability under Section 504. This document should be reviewed periodically.

Section 504 Plan

If a student is identified as having a disability pursuant to Section 504, and the Section 504 Team determines the student requires specialized services and/or accommodations/modifications/interventions in order to receive a FAPE and to access the District's programs and activities on an equal basis to students without disabilities, the Section 504 Team will develop and complete the Section 504 Plan. Aside from the description of the student's disability and the special education or related services and aids needed, the Section 504 Plan will specify how the student will be provided a FAPE. The Section 504 Plan will specify the accommodations/modifications/interventions necessary so that the student's needs are met as adequately as the needs of nondisabled students. The purpose of the Section 504 Plan is to provide the student with equal access to school activities, to remove barriers to educational opportunity, and provide, to the degree possible, a level playing field. The Section 504 Plan should be signed by the members of the Section 504 Team, including the parents. A copy of the Section 504 Plan will be sent to both of the District's

COs (designated in Policy 2260.01) and the Building CO **as soon as possible**. A copy of the Section 504 Plan also will be placed in the student's cumulative folder and given to school personnel who work with the student. If the parents are present, the Building CO will request written permission from the parents to implement the Section 504 Plan. For initial plans, parent consent is required prior to implementation by the District. If the parents do not attend the meeting to develop a Section 504 Plan, the District will make reasonable efforts to obtain parental input prior to finalizing the plan and (a) submitting the Plan to parents for consent or (b) implementing a subsequent Section 504 Plan. After parents consent to the initial Section 504 Plan, the District may implement subsequent plans without written parental consent, but the parents must be provided with a copy of the Notice of Section 504/ADA Procedural Information and Rights that explains their right to challenge the District's actions. Regardless of whether it is an initial or subsequent plan, a copy of the Section 504 Plan must be sent to the student's parents.

With respect to Section 504 Plans, the designated 504 Case Manager is responsible for:

A. informing staff that the Section 504 Plan is a legal document;

B. writing and distributing the Section 504 Plan;

C. encouraging staff to request a Section 504 review if they are concerned about or unable to follow the Section 504 plan;

D. ensuring that reviews of Section 504 plans are held annually by October 15th, and that the results of the annual review are sent to a District CO.

Upon completion of the Section 504 Plan, the Building CO should follow the Additional Procedures Applicable to Students with Section 504 Plans (see below).

Additional Procedures Applicable to Students with Section 504 Plans

A. Prior to the beginning of each school year:

1. The Building CO is responsible for identifying the students in his/her building who have had Section 504 Plans in the past and designating a 504 Case Manager.

2. The designated 504 Case Manager or his/her designee is responsible for obtaining a copy of the previous school year's Section 504 Plans and distributing them to all appropriate staff members.

B. Within the first two (2) months of the school year:

1. The Building CO must notify the student's parents that the Section 504 Team needs to meet to review the Section 504 Plan and to determine whether it is still necessary/appropriate for the new school year.

2. The Building CO must schedule a Section 504 Team meeting to formulate a Section 504 Plan for the student for the new school year. The Section 504 Plan Review form must be completed at the meeting. The Section 504 Team, including the parents, is charged with deciding whether to continue the existing Plan, discontinue the current Section 504 Plan, or develop a new Section 504 Plan.

3. If there is an "active" Section 504 Plan, a copy of the Section 504 Plan needs to be forwarded to the District CO by October 15th of each school year and a copy of the Plan placed in the student's cumulative record folder.

4. Updated copies of the student's Section 504 Plan will be distributed to all of the students' teachers after review by the 504 Case Manager.

C. During the school year:

The Section 504 Plan can be reviewed by the Section 504 Team at any time if concerns develop as to the appropriateness of the specialized services and/or accommodations/modifications/interventions being used with the student. This review can be initiated by staff or parents.

D. Procedural Safeguards:

Any time the written results of a Section 504 Team meeting are provided to a student's parents, they should also be offered a copy of the Notice of Section 504/ADA Procedural Information and Rights.

Parents' Options If They Disagree with the District's Identification, Evaluation and/or Placement of Their Child

The parents may challenge the actions of the Section 504 Team regarding identification, evaluation or placement of their child by filing a request for an impartial due process hearing. Alternatively, the parents may file an internal complaint. If the parents elect the former, the Board must provide a due process hearing before an impartial hearing officer ("IHO") that is not employed by the District. See AG 2260.01B - Section 504/ADA Parents' Procedural Rights, including Due Process Hearing. A parent does not need to first exhaust the internal complaint process in order to file a request for a due process hearing. In fact, a due process hearing may be requested at any time and parents do not waive that right if they first opt to try to resolve their dispute through the internal complaint process. If a parent is not satisfied with the IHO's decision, the parent may appeal it to a Federal Court of competent jurisdiction.

The parents may also file a complaint with the U.S. Department of Education, Office for Civil Rights (OCR). The OCR, however, is not part of the District's internal complaint process or the system of procedural safeguards, and, absent extraordinary circumstances, will not review the results of individual placement and other educational decisions so long as the District complied with the "process" requirements of Section 504 (concerning identification and locations, evaluation, and due process procedures).

Facilities

With regard to accessibility of facilities, the District will meet its obligations through such means as redesign of equipment, reassignment of classes or other services to accessible building, assignment of aides to beneficiaries, alteration of existing facilities and/or construction of new facilities, or any other method that results in making its programs and activities accessible to persons with disabilities. In choosing among available methods for meeting its obligations, the District will serve persons with disabilities in the most integrated setting appropriate.

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SECTION 504/ADA PARENTS' PROCEDURAL RIGHTS, INCLUDING DUE PROCESS HEARING

2260.01B - **SECTION 504/ADA PARENTS' PROCEDURAL RIGHTS, INCLUDING DUE PROCESS HEARING**

Procedural Information and Rights – Students and Parents

In accordance with various Federal laws (including Section 504, the Americans with Disabilities Act of 1990, as amended (ADA) and Family Educational Rights and Privacy Act (FERPA)), the following procedural safeguards will be provided with respect to decisions or actions regarding the identification, evaluation, educational program or placement, and content of a Section 504 Plan of a student who is or may be disabled under Section 504, but not also disabled under the Individuals with Disabilities in Education Improvement Act (IDEIA):

A. students with disabilities have the right to take part in, and receive benefits from, public education programs without discrimination because of their disabilities;

B. parents have the right to be advised of their rights under Section 504;

C. parents have the right to receive written notice of any decision regarding the identification, evaluation, or educational placement of their child;

D. parents have the right to have their child receive a free appropriate public education (FAPE) if the child has a physical or mental impairment that substantially limits one or more major life activities;

This includes the right to be educated with students without disabilities to the maximum extent appropriate (i.e., the student's education will be provided in the general education classroom unless it is demonstrated that education in the general education environment with the use of supplementary aids and services cannot be achieved satisfactorily) and to receive regular or special education and related aids/services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met.

E. parents have the right to have their child educated in facilities and receive services comparable to those provided to students without disabilities;

F. parents have the right to have evaluation and educational placement decisions made based upon a variety of informational sources, and by persons who know the student, and are knowledgeable about the evaluation data and placement options;

G. parents have the right to have their child transported in a non-discriminatory manner;

If the District refers a student for aids, benefits, or services outside the District, the District will ensure that adequate transportation is provided at no greater cost to the parents than if the aids, benefits, or services were provided within the District.

H. parents have the right to place their child in a private school or alternative educational program;

However, if the District makes a FAPE available to the student that conforms to the requirements of Section 504 and the parents nevertheless choose to place the student elsewhere, the District is not required to pay for the student's education at the private school or alternative program, including costs associated with transportation.

I. parents have the right to have their child receive an equal opportunity to participate in nonacademic and extracurricular activities offered by the District;

J. parents have the right to examine all relevant education records, including, but not limited to, those documents related to decisions regarding their child's identification, evaluation, educational program and placement;

K. parents have the right to obtain, at their own expense, an independent educational evaluation of their child;

L. parents have the right to obtain copies of education records at a reasonable cost unless the fee would effectively deny the parents access to the records;

M. parents have the right to a response from the District to reasonable requests for explanations and interpretations of their child's education records;

N. parents have the right to receive all information in the parents' native language and mode of communication;

O. parents have the right to periodic re-evaluations and a reevaluation before any significant change in program/service modifications;

P. parents have the right to request amendment of their child's education record(s) if there is reasonable cause to believe that information contained in the record(s) is inaccurate, misleading or otherwise in violation of the privacy rights of their child;

If the District refuses to amend the record(s), the parents have the right to request a hearing and/or to attach to the record(s) a statement of why they disagree with the information it contains.

Q. parents have the right to request mediation or an impartial due process hearing related to decisions or actions concerning their child's identification, evaluation, educational program or placement;

R. parents have the right to file an internal complaint;

S. parents have the right to be represented at any point in the process by an attorney;

T. parents have the right to recover reasonable attorney fees as authorized by law (i.e., if the parents are successful on their due process claim);

U. parents have the right to be notified of their Section 504 rights:

1. when evaluations are conducted;

2. when consent for an evaluation is withheld;

3. when eligibility is determined;

4. when a Section 504 Plan is developed; and

5. before there is significant change in the Section 504 Plan.

Reports and Complaints of Discrimination and Retaliation

Students and District employees are required, and all other members of the District community and Third Parties are encouraged, to promptly report incidents of discrimination and/or retaliation to an administrator, supervisor, or other District official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the Compliance Officer (hereinafter CO(s)) within two (2) business days. (NOTE: While students are advised to report discrimination/retaliation to administrators, supervisors, or other District officials, the Board recognizes that some students may report discrimination/retaliation to a teacher. When a teacher receives such a report, the teacher must file it with the CO as indicated above.)

Members of the District community, which includes students or Third Parties, who believe they have been discriminated/retaliated against on the basis of disability are entitled to utilize the complaint process set forth in Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

A student and/or parent may initiate the investigation and complaint procedures when they believe that a violation, misapplication or misinterpretation of Section 504 has occurred. Additionally, the investigation and complaint procedure may be used for any disagreement with respect to actions regarding the identification, evaluation, or educational program or placement of students who are identified as having a disability or believed to have a disability pursuant to Section 504 and are not eligible under the IDEA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the investigation and complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the Office for Civil Rights (hereinafter OCR) or requesting an impartial due process hearing.

If during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying, the Principal believes that the reported misconduct may constitute discrimination based on disability, the Principal shall report the act to one of the COs, who shall investigate the allegation in accordance with Policy 2260.01 - Section 504/ADA Prohibition Against

Discrimination Based on Disability. While the CO investigates the allegation, the Principal shall suspend the Policy 5517.01 investigation to await the CO's written report. The CO shall keep the principal informed of the status of the Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability investigation and provide the Principal with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to discrimination/retaliation. COs shall accept reports of discrimination/retaliation directly from any member of the District community or a Third Party and such reports that initially are made to another District employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation) or designate a specific individual to conduct such a process.

The CO will provide a copy of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the District Administrator or oversee the preparation of such recommendations by a designee. All members of the District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any District employee who directly observes discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the CO s within two (2) business days. Additionally, any District employee who observes an act of discrimination/retaliation is expected to intervene to stop the misconduct unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other District employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO/designee must contact the Complainant if age eighteen (18) or older or the Complainant's parents/guardians if the student is under the age eighteen (18) within two (2) school days to advise of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedures (See Form 2260-E)

Any person who alleges to have been subjected to discrimination or retaliation on the basis of disability may seek resolution of the complaint through the procedures described in Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability. The formal complaint procedures involve an investigation of the individual’s claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth in Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability are not intended to interfere with the rights of any individual to pursue a complaint of discrimination or retaliation with the OCR, the Wisconsin Civil Rights Commission or the Equal Employment Opportunity Commission (EEOC).

Impartial Due Process Hearing

A. Students and their parents will be advised of their right to request an impartial due process hearing before an Impartial Hearing Officer (IHO) regarding the identification, evaluation or educational placement of persons with disabilities, including the right to participation by the student's parents and representation of counsel, and their right to examine relevant education records.

   When a request for a due process hearing is received, the aggrieved party will have the opportunity to receive a hearing conducted by an impartial hearing officer (IHO) (i.e., by a person not employed by the Board, not involved in the education or care of the child, and not having a personal or professional interest that would conflict with his/her objectivity in the hearing).

B. The District will maintain a list of trained IHOs that may include IDEIA hearing officers, attorneys, and Directors of Special Education outside the District. The District Compliance Officer will appoint an IHO from that list, and the costs of the hearing shall be borne by the District. The appointment of an IHO will be made within fifteen (15) school days after the request for a due process hearing is received.

C. A party to such a due process hearing shall have:

   1. the right, at his/her/their own cost, to be accompanied and advised by legal counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;

   2. the right to present evidence, and confront, cross-examine and compel the attendance of witnesses;

3. the right to a written or electronic verbatim record of such hearing; and

4. the right to written findings of fact and the reasons for the decision.

D. The IHO shall conduct the due process hearing within a reasonable period of time (i.e., not to exceed ninety (90) calendar days of the request for such a hearing, unless this time-frame is mutually waived by the parties or is determined by the IHO to be impossible to comply with due to extenuating circumstances).

E. The IHO will give the parent and/or student written notice of the date, time and place of the hearing. Notice will be given no less than twenty-one (21) calendar days prior to the date of the hearing, unless otherwise agreed to by the parent and/or student. The notice shall include:

1. a statement of time, place and nature of the hearing;

2. a statement of the legal authority and jurisdiction under which the hearing is being held;

3. a reference to the particular section of the statutes and rules involved;

4. a statement of the availability of relevant records for examination;

5. a short and plain statement of the matters asserted; and

6. a statement of the right to be represented by counsel.

F. The IHO shall conduct the hearing in a manner that will afford all parties a full and fair opportunity to present evidence and to otherwise be heard. The parent and/or student may be represented by another person of his/her choice, including an attorney.

G. The IHO shall make a full and complete record of the proceedings.

H. The IHO shall render a decision in writing to the parties within thirty (30) calendar days following the conclusion of the hearing. The decision will be based solely on the testimony and demonstrative evidence presented at the hearing and include a summary of the evidence (i.e., findings of fact) and the reason for the decision.

The notification shall include a statement that either party may appeal the decision.

I. Appeal of the IHO's decision may be made to a Federal court of competent jurisdiction.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made by any Federal or State civil rights law, made a report/formal complaint, testified, assisted or participated, or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability, or exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth in Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability.

Education and Training

The District Administration shall provide appropriate information to all members of the District community related to the implementation of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability and shall provide training for District students and staff where appropriate. All training and information provided regarding the Board's policy and discrimination in general will be age and content appropriate.

Retention of Investigatory Records and Materials

The CO is responsible for overseeing retention of all records that must be maintained pursuant to Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability. All individuals charged with conducting investigations under Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability shall retain all documents, electronically stored information (ESI), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but are not limited to:

A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability;

B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability;

C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and the District's response to the alleged violation of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability;

D. written witness statements;

E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;

F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability (i.e., not after-the-fact commentary about or media coverage of the incident);

G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;

H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability;

I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability;

J. documentation of any supportive measures offered and/or provided to the Complainant or the Respondent, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;

K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

L. copies of the Board policy and procedures/guidelines used by the District to conduct the investigation and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability (e.g., Student Codes of Conduct and/or Employee Handbooks);

M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

N. documentation of any training provided to District personnel related to Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability, including but not limited to notification of the prohibitions and expectations of staff set forth in Policy 2260.01 and the role and responsibility of all District personnel involved in enforcing Policy 2260.01, including their duty to report alleged violations of Policy 2260.01, and/or conducting an investigation of an alleged violation of Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability.

Additionally, the CO shall retain copies of any written request for an impartial due process hearing, the IHO’s notices to the parties, the evidence entered in the hearing, any transcript of the hearing, and the IHO’s decision.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law, such as student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years and longer if required by the District's records retention schedule.

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PROCEDURE FOR COMPLAINTS OR APPEALS UNDER THE ESSA

2261 - **PROCEDURE FOR COMPLAINTS OR APPEALS UNDER THE ESSA**

The following complaint resolution guidelines are established pursuant to the Every Student Succeeds Act (ESSA), which amended and reauthorized the Elementary and Secondary Education Act of 1965 (ESEA), and the applicable Federal and Department of Public Instruction (DPI) regulations (the Department). They are created for the use of individuals or organizations who wish to register a complaint that the State Education Agency (SEA) (DPI) or local education agency (school district) has violated laws and/or regulations governing State-administered programs funded under ESSA.

Filing an Appeal or Complaint

The following procedures for filing a complaint or appeal alleging a violation of Federal law or regulation by the DPI or the District in the administration or implementation of the State-administered programs funded under the ESSA shall be followed.

A. The DPI will respond to all written signed complaints filed with the department; it will respond to all requests to review a problem referred by the United States Department of Education (USDE).

B. The written complaint or appeal must include:

1. a statement that the State or the District has violated a requirement of a Federal statute or regulation that applies to any applicable program listed above;

2. the facts on which the statement is based, i.e. sufficient information as to when, where, and the nature of activity that is perceived to be in violation of law and/or regulation;

3. a description of any relief sought.

C. If the complainant or appellant is a minor, the complaint or appeal shall also be signed by his/her parent, unless the statute or rule under which the complaint or appeal is filed prohibits this requirement. Appeals shall be directed to:

Federal Policy Advisor
Wisconsin Department of Public Instruction
P.O. Box 7841
125 S. Webster Street
Madison, WI 53707-7841

Administrative Review of Appeal or Complaint

The following procedures will be used in the administrative review of any appeal or complaint filed pursuant to "Filing an Appeal or Complaint" above.

A. If the complaint relates to an alleged violation by the District, and the School Board has not ruled on the complaint, the Wisconsin Department of Public Instruction (DPI) may remand the complaint to the Board for its disposition. If the complainant is not satisfied with the Board’s determination on remand, the complainant may file an appeal of that decision with the DPI within thirty (30) days of the date of the Board's decision.

B. Upon receipt of a complaint, the DPI shall conduct an internal review.

C. After completion of the internal review, the DPI will arrange for an on-site investigation when deemed necessary. Prior to the on-site investigation, the DPI shall, by letter, establish, schedule, and clarify the fact-finding process including:

1. personnel to be interviewed; time; location;

2. material/records, documentation to be reviewed;

3. informing all parties that they may recommend other appropriate personnel to be interviewed that are directly related to the allegations contained in the complaint. Appropriate verbal and written assistance for limited English proficient individuals, hearing and/or visually impaired individuals should be included in the procedure.

D. If the complaint or appeal concerns implementation of the State Assessment Program, there is a preliminary indication of District non-compliance, and the Board requests a hearing or a petition signed by the proper number of electors under Secs. 8.10(3)(i)(km) or (ks) Stats. has been filed, the State Superintendent shall conduct a public hearing in the School District as provided in Sec. 121.02(3) Stats. The provisions of Sec. 121.02(3) Stats. shall apply, except that the results of examinations under the State Assessment Program shall not be used in determining general or categorical State aids.

E. The DPI may apply any of the procedures available under P.I. 1.04 Wis. Admin. Code, including a hearing, the granting of protective orders, or mediation under P.I. 1.06 Wis. Admin. Code, and order such relief as authorized by law or determined appropriate.

Timelines of Appeal and Complaint Procedure

The following timelines to resolve an appeal or complaint filed under this procedure are established.

A. The time limit for resolving the complaint in writing, including a provision for carrying out an independent on-site investigation, if necessary, after the DPI receives a complaint shall not exceed sixty (60) State agency workdays.

B. An extension of the time limit under paragraph (A) of this section applies only if exceptional circumstances exist with respect to a particular complaint.

1. Should exceptional circumstances exist with respect to the nature of the particular complaint filed, an extension of time may be necessary and will be granted or denied as determined by the DPI. Complainant and other involved parties will be advised accordingly.

2. When the complaint is related to a short-term program, the DPI will employ an emergency status timeline and make every effort to resolve the complaint within a period of ten (10) days from receipt.

Review of DPI's Final Decision

A. Complainants shall be notified and have the right to request the Secretary (of the United States Department of Education) to review the final decision of the DPI, at the Secretary's discretion.

B. In matters involving violations of Title VIII, Part F, Section 8501 (participation by private school children and teachers), the Secretary will follow the procedures in Section 8503.

C. The DPI reserves the right to request the Secretary of Education to review the final decision of the State.

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NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES

2266 - **NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES**

All information below supplements Board Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities. To the extent, there is a conflict between these guidelines and Policy 2266, the policy controls.

General Information

Sexual Harassment: Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

A. A Board employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);

B. Unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature that is determined by a reasonable person to be so severe, pervasive, ***and*** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Sexual Harassment may involve the behavior of a person of any gender against a person of the same or another gender.

The following conduct – if sufficiently severe, pervasive, ***and*** objectively offensive – may constitute sexual harassment (this list provides examples and is not meant to be exhaustive or exclusive):

A. unwelcome sexual propositions, invitations, solicitations, and flirtations;

B. unwanted physical and/or sexual contact;

C. threats or insinuations implying that a person's conditions of education or employment may be adversely affected by not submitting to sexual advances;

D. unwelcome sexual verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; unwelcome sexually degrading language, profanity, jokes, or innuendoes;

E. sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature;

F. unwelcome and inappropriate touching, patting, or pinching;

G. asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities;

H. speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;

I. giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; and

J. leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.

Sexual assault, for purposes of Policy 2266, refers to any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent (e.g., due to the person's age, intellectual or other disability, or use of drugs or alcohol). Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape. All such acts of sexual assault are forms of sexual harassment and, in turn, sex discrimination prohibited by Title IX and Policy 2266.

Title IX Coordinator(s)

The following individual(s) serve as the District Title IX Coordinator(s) and are responsible for overseeing and coordinating the District's efforts to comply with Title IX and its implementing regulations:

Director of Business Services
920-675-1044
206 South Taft Avenue
Jefferson, WI 53549
tixcoordinator@sdoj.org

Director of Pupil Services
920-675-1062
206 South Taft Avenue
Jefferson, WI 53549
tixcoordinator@sdoj.org

The Title IX Coordinator(s) reports directly to the District Administrator except when the District Administrator is a Respondent. In such matters, the Title IX Coordinator shall report directly to the Board Attorney. Questions about Policy 2266 and/or this administrative guideline should be directed to the Title IX Coordinator(s).

Notices

The Title IX Coordinator's(s') name(s), title(s), and contact information – including office address(es), telephone number(s), and email address(es) - must be published:

A. On the District's website and on each individual school's website;

B. In the student, parent, and staff handbooks;

C. In the District's Annual Report to the public.

Board Policy 2266 must also be published on the District's website and in each handbook or catalog that the District makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board.

Reports of Sexual Harassment

All students and Board employees share responsibility for avoiding, discouraging, and reporting sexual harassment.

The Title IX Coordinator(s) shall be available during regular school/work hours to discuss Title IX questions, including questions related to sexual harassment, and assist students, parents/guardians, employees, other members of the School District community, and Third-Parties with any issues they may have related to Policy 2266. The Title IX Coordinator(s) shall accept reports of sexual harassment directly from any member of the School District community or any Third Party. Reports may be submitted in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') published contact information, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-work hours).

The District will be considered to have actual knowledge of sexual harassment or an allegation of sexual harassment if: (1) a formal complaint is filed by a Complainant (or a parent/guardian on behalf of a minor child); (2) a Board employee receives a report or otherwise has notice of an incident of sexual harassment or allegations of sexual harassment; or (3) a Board employee witnesses the misconduct. The District may also receive notice about sexual harassment in an indirect manner from a member of the local community, social networking sites, the media, or if the information is shared by survivors during public awareness events or campaigns.

When a Board employee files a report of sexual harassment or allegations of sexual harassment with the Title IX Coordinator, the employee is required to report all known details about the alleged sexual harassment including: (1) the name of the alleged Respondent; (2) the person who experienced the alleged sexual harassment (i.e., the Complainant); (3) other persons involved in the alleged Sexual Harassment; and (4) any other relevant facts, such as date, time, and location.

When possible, before a reporting student or parent/guardian discloses the above information, the Board employee should inform the student and/or parent/guardian of the employee's obligation to report the information to the Title IX Coordinator.

The employee will also inform the student and/or parent/guardian of the student's and/or parent's/guardian's right to file a Formal Complaint with the school and a separate complaint with local law enforcement.

Upon receiving a report of sexual harassment or allegations of Sexual Harassment, the Title IX Coordinator will provide the appropriate notice to the Complainant, discuss supportive measures with the Complainant, and explain the formal complaint

process. The Title IX Coordinator will also inform the Complainant that s/he is available to assist the Complainant in filing a formal complaint if that is what the Complainant wants to do. The Title IX Coordinator will further explain to the Complainant that Federal law includes protections against retaliation and that the District will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

When it comes to allegations of stalking, the Title IX Coordinator will inform the Complainant that it is important to take steps to preserve evidence in cases of Stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, etc. rather than evidence of physical contact and violence. This type of non-physical evidence will also be useful in all types of sexual harassment investigations.

If the report involves a student Respondent, the Title IX Coordinator will determine whether the circumstances warrant consideration of emergency removal of the student Respondent.

If the Title IX Coordinator decides that the situation calls for possible emergency removal of the student Respondent, the Title IX Coordinator will direct the Principal to convene a team of educators and other appropriate staff members (e.g., school psychologist, guidance counselor, mental health counselor, etc.) to conduct an individualized safety and risk analysis. The team will be tasked with determining whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment that justifies removal.

If the team determines the student Respondent poses such a threat, it will recommend to the Principal that the District implement an emergency removal (i.e., removal of the student Respondent from the school premises). If the Principal agrees with the recommendation, the Principal will notify the student Respondent, remove the student Respondent from the school premises for the remainder of the school day, and begin the process of suspending or expelling the Respondent pursuant to Wis. Stat. Sec. 120.13. The student Respondent will have an opportunity to challenge the team's recommendation and the Principal's corresponding decision to remove the student Respondent immediately following the implementation of the removal. The challenge may be filed directly with the District Administrator – even before any recommendation for expulsion is processed by the District Administrator – or by following the due process procedures outlined in Policy 5120 - Assignment within District, Policy 5605 - Suspension/Expulsion of Students with Disabilities, Policy 5610 – Suspension and Expulsion, and Policy 5611 – Due Process Rights.

Formal Complaint of Sexual Harassment

The Complainant (or the Complainant's parent/guardian if the Complainant is a minor) may file a formal complaint with the Title IX Coordinator. Alternatively, the Title IX Coordinator may sign a formal complaint to initiate an investigation contrary to the wishes of the complainant in situations where doing so is not clearly unreasonable in light of the known circumstances. When deciding whether to sign a formal complaint, the Title IX Coordinator should consider a variety of factors including, but not limited to: (1) circumstances that suggest an increased risk of repeated sexual harassment, such as the alleged Respondent's previous history of threats; (2) whether the sexual harassment was perpetrated with a weapon; (3) the age of the student subjected to the sexual harassment; and (4) whether the school can obtain relevant evidence through other means, such as from security cameras or witnesses.

The District will honor a student's or a parent's request to inform an alleged Respondent that the Title IX Coordinator made the decision to proceed with signing the formal complaint without the student's or parent's consent.

The Title IX Coordinator must balance the student's or parent's request that a formal complaint not be initiated with the District's obligation to provide a safe and non-discriminatory environment for all students.

Even when the Title IX Coordinator signs the formal complaint, the Title IX Coordinator is not a Complainant; the Complainant remains the individual who is alleged to be the victim of conduct that could constitute sexual harassment.

Upon receipt of a formal complaint, the District will follow its grievance process and procedures and undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence. The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Grievance Process

The District's grievance process and procedures are detailed in Policy 2266. The grievance process seeks a prompt and equitable resolution of the formal complaint.

It is critical that the Title IX Coordinator, and any investigator, decision-maker, or person designated to facilitate an informal resolution, does not have a conflict of interest or bias for or against complainants and respondents generally or any individual Complainant(s) or Respondent(s).

The Title IX Coordinator shall appoint an investigator (unless the Title IX Coordinator intends to serve as the investigator) and a decision-maker to assist the District in resolving the formal complaint. Upon being assigned to conduct an investigation or to serve

as a decision-maker, the investigator and the decision-maker shall confirm in writing that they do not have a conflict of interest or bias for or against complainants and respondents generally. The investigator and decision-maker shall also – after learning the name(s) of the Complainant(s) and Respondent(s) – confirm in writing that they do not have a conflict of interest or bias for or against the individual Complainant(s) and Respondent(s) involved in the specific formal complaint.

In appropriate circumstances, the Title IX Coordinator may appoint/assign a person to facilitate an informal resolution process. The facilitator must confirm in writing that the facilitator does not have a conflict of interest or bias for or against complainants and respondents generally, and does not have a conflict of interest or bias for or against the individual Complainant(s) and Respondent(s) involved in the specific formal complaint.

Within two (2) days of learning of the identity of the investigator, decision-maker, and/or facilitator of the informal resolution process, the Complainant and/or Respondent may submit a written objection to the Title IX Coordinator concerning the investigator, decision-maker, and/or facilitator of the informal resolution process, based upon an actual or perceived conflict of interest or bias for or against complainants and/or respondents generally or either party to the Formal Complaint. The objecting party must explain the basis for the contention that the investigator, decision-maker, and/or facilitator of the informal resolution process has a conflict of interest or is biased and submit any substantiating evidence. Within two (2) days of receiving the written objection, the Title IX Coordinator will decide whether to replace the investigator, decision-maker, and/or facilitator of the informal resolution process and notify the parties of the decision, including the reasons for it.

If there is an ongoing criminal investigation involving the incident that is the subject of the formal complaint, the Title IX Coordinator will seek to implement the District's grievance process in a manner that does not unduly impact the criminal investigation. To the extent appropriate, the Title IX Coordinator and/or the District-assigned investigator will consider whether information can be shared among the criminal investigators and the District-assigned investigator so that the Complainant(s) is/are not unnecessarily required to give multiple statements about an alleged traumatic event. If the investigation includes forensic evidence, the District-assigned investigator may consult with local law enforcement or a forensic expert to ensure that the District-assigned investigator is correctly interpreting the evidence.

While the District will not wait for the conclusion of a criminal investigation or criminal proceeding to begin its own Title IX investigation, it may temporarily delay the investigation portion of the grievance process while the police are gathering evidence. During this delay in the Title IX investigation, the Title IX Coordinator will implement supportive measures. The Title IX Coordinator will also continue to provide reasonable updates to the parties on the status of the investigation and inform the parties when the school resumes its Title IX investigation.

If the Title IX Coordinator delays the investigation portion of a Title IX investigation due to an ongoing criminal investigation, it will promptly resume and complete the investigation once the District learns that the applicable law enforcement has completed its evidence-gathering stage of the criminal investigation. The District will not unreasonably delay its investigation or the determination of responsibility until the ultimate outcome of the criminal investigation or the filing of any charges. The District may work with its local law enforcement and the local prosecutor's office to learn when the evidence-gathering stage of the criminal investigation is complete.

Off-Campus Sexual Harassment

The District is required to investigate a formal complaint that involves conduct that occurred in the District's education program or activity, even if the conduct occurred off school property. The District's education program or activity includes locations, events, and circumstances in the United States over which the Board exercises substantial control over the Respondent and the context in which the sexual harassment occurs. The Title IX Coordinator shall determine whether any alleged off-campus sexual harassment occurred in an educational program context or school activity. If it did, the grievance process and procedures shall apply and are implemented in the same manner as with an on-campus complaint. Whether the alleged misconduct occurred in this context may not always be apparent from the initial complaint so the Title IX Coordinator may need to gather additional information to make such a determination. Off-campus educational programs and activities include school-sponsored field trips, athletic team travel, and school club events.

Upon receipt of a report of sexual harassment made pursuant to Policy 2266, the Title IX Coordinator will conduct a preliminary assessment to determine:

A. Whether the alleged conduct, as reported, falls, or could fall, within the scope of Policy 2266; and

B. Whether the alleged conduct, as reported, constitutes, or could constitute sexual harassment.

If the Title IX Coordinator determines that the alleged conduct could not fall within the scope of Policy 2266, and/or could not constitute sexual harassment, even if investigated, the Title Coordinator will close the matter and notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act ("FERPA"). The Title IX Coordinator may refer the report to the Principal or another staff member, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of Policy 2266, and/or could constitute sexual harassment, if investigated, the Title IX Coordinator shall contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant if such identity is not apparent from the report.

Upon receipt of a formal complaint, the Title IX Coordinator will confirm whether the alleged conduct falls within the scope of Policy 2266, including whether the conduct, as reported, constitutes or could constitute sexual harassment, and whether the incident(s) occurred within the context of the District's education program or activity. If the Title IX Coordinator determines the conduct did not occur in the context of an educational program or activity or could not constitute sexual harassment, even if investigated, the Title IX Coordinator will dismiss the Formal Complaint but may refer the matter to the Principal to consider whether the alleged misconduct, while not a Title IX violation, may still involve the creation of an impermissible hostile or discriminatory environment that is prohibited under the Board's other nondiscrimination and anti-harassment policies.

Supportive Measures

Supportive measures involve non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent. Supportive measures must be offered to the Complainant after a report of sexual harassment is made and regardless of whether a formal complaint is filed, and to both the Complainant and the Respondent after a formal complaint is filed.

The District will implement supportive measures that are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment or deter sexual harassment. The District will contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint.

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), and other similar measures (e.g., instituting changes to extracurricular activities, transportation, and lunch in order to allow the Complainant and Respondent to avoid contact; informing the Complainant of other available resources, such as victim advocacy, academic support, disability services, health and mental health services, the right to report a crime to local law enforcement, the right to seek judicial no-contact, restraining and protective orders, and other forms of legal assistance).

The Title IX Coordinator will determine appropriate supportive measures on a case-by-case basis.

Notice Provided Prior to a Meeting, Interview, or Hearing

In advance of any interview, meeting, or hearing, the Title IX Coordinator, investigator, and/or decision-maker will transmit a written notice to the Complainant and Respondent that includes:

A. A physical copy of Policy 2266 or a hyperlink to Policy 2266;

B. Sufficient details known at the time so that the parties may prepare for an initial interview with the investigator, including the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident (if known);

C. A statement that the Respondent is presumed not responsible for the alleged sexual harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;

D. Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice;

E. Notifying the Complainant and Respondent of their right to inspect and review evidence;

F. Notifying the Complainant and Respondent of the District's prohibitions on retaliation and false statements; and

G. Information about resources that are available at the District and in the community.

Should the Title IX Coordinator decide, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the Title IX Coordinator will provide a supplemental written notice describing the additional allegations to be investigated.

Role of Advisors

All parties are entitled to have an advisor of their choosing to assist them throughout the grievance process. The advisor may be a parent/guardian, relative, friend, attorney, or any other supporter that the party chooses to advise them who is eligible and available. A party may not select a person who is identified as or may be called as a witness to serve as an advisor, with the exception of a parent/guardian.

The parties are expected to notify the Title IX Coordinator, investigator, and/or decision-maker of the identity of their advisors at least two (2) days before any meeting, interview, or hearing. A party may change advisors during the grievance process but needs to provide a minimum of a two (2) day advance notice to the Title IX Coordinator, investigator, and/or decision-maker, as appropriate.

A party's advisor is permitted to accompany the party in all meetings and interviews at which the party is entitled to be present, including intake, investigative interviews, hearings, and appeals. Advisors should help their advisees to prepare for each meeting or hearing.

Advisors are expected to conduct themselves in a professional and ethical manner, with integrity and in good faith.

All advisors are subject to the same rules, regardless of whether they are an attorney or not. The Title IX Coordinator, the investigator, and the decision-maker shall have the discretion to determine whether advisors may be permitted to present on behalf of the Complainant or Respondent in a meeting, interview, or hearing. Under no circumstances would a parent/guardian be prevented from doing so. Any limitations placed on the advisors shall apply to the advisors for all parties. If it is determined the advisors are not permitted to present on behalf of the Complainant or Respondent, the advisor should request or wait for a break in the proceeding before interacting with District officials. Advisors may confer quietly with their advisees as necessary, as long as they do not disrupt the process. Advisors may request breaks, as needed, in order to confer with their advisees.

Prior to the first meeting, interview, or hearing, the Title IX Coordinator, the investigator, or the decision-maker will meet or speak with the advisors to clarify their roles and answer any questions they may have.

Advisors are prohibited from interfering with the investigation or the grievance process. If an advisor acts in a disruptive manner or outside the role at a meeting, interview, or hearing, the District official in charge of the meeting, interview, or hearing will warn the advisor. If the advisor continues to disrupt the proceeding or act in an unprofessional manner, the advisor will be asked to leave and will be dismissed from the meeting, interview, or hearing. Except with respect to a hearing, the meeting or interview will typically continue after the advisor is excused. The Title IX Coordinator will subsequently decide whether the original advisor will be reinstated or will need to be replaced by a different advisor.

In order for the District to share documentation related to the allegations pertaining to a student with the student party's advisor, the eligible student or the student party's parent/guardian must provide written consent authorizing such sharing.

The parties are not restricted from discussing or sharing information related to the allegations with their advisor or others who may support or assist them in the process.

Consistent with the Title IX regulations, advisors are required to maintain the privacy of records shared with them by the District during the grievance process; pursuant to FERPA, the records may not be shared with third parties, disclosed publicly, or used for purposes unrelated to the grievance process.

If an advisor is unable to attend a meeting in person, the District official in charge of the meeting will attempt to arrange for the advisor to participate by telephone, video, and/or virtual meeting. However, an advisor's inability to attend a meeting will ordinarily not excuse or prevent the meeting from occurring.

If a party is a Board employee who is entitled to a union representative, the Board employee may be accompanied by both a union representative as well as another advisor at any meeting, interview, or hearing.

Remedies

If the decision-maker(s) determines the Respondent is responsible for violating Policy 2266, the District will take prompt and effective steps to end the sex discrimination/sexual harassment, eliminate the hostile environment, prevent its recurrence, and remedy its effects. The decision-maker's(s') written determination should recommend to the Title IX Coordinator and the District Administrator appropriate remedies that may include, but are not limited to:

A. providing an escort for the Complainant to move safely between classes and activities;

B. ensuring the Complainant and Respondent do not share classes or extra-curricular activities (e.g., re-arranging schedules at the Complainant's request);

C. moving the Respondent or Complainant to another school within the District;

D. providing medical, counseling, and academic support services to the Complainant and/or Respondent;

E. affording/arranging for the Complainant to have extra time to complete or re take classes or exams without academic penalty (e.g., the Complainant is provided extensions on due dates for papers, assignments, quizzes, tests, etc.);

F. reviewing disciplinary proceedings/actions against the Complainant to see if there is a causal connection between the sexual harassment and the misconduct that may have resulted in the Complainant being disciplined;

G. initiating evaluations for special education or accommodations/modifications under the Individuals with Disabilities Education Improvement Act (IDEA) or Section 504 of the Rehabilitation Act of 1973;

H. imposing disciplinary sanctions/consequences, up to and including expulsion or permanent exclusion on a student Respondent and termination on an employee Respondent; and

I. ordering other global remedies such as:

1. training or re-training employees;

2. developing and distributing materials on sexual harassment;

3. conducting sexual harassment prevention programs; and/or

4. conducting climate checks/surveys.

Training

All Employees

Given that the District is considered to have actual knowledge of sexual harassment or allegations of sexual harassment if any District employee has notice of same, all District employees shall receive training in:

A. the definition of Sexual Harassment (as that term is used in Policy 2266) and practical information about preventing and identifying sex discrimination and Sexual Harassment;

B. the behaviors and conduct that lead to and result in Sexual Harassment;

C. the attitudes of bystanders allowing the misconduct to continue;

D. the impact of trauma on victims;

E. the person(s) to whom such misconduct must be reported, including the contact information for the Title IX Coordinator(s); and

F. what information should be included in a report, the consequences for failing to report, and what information must be provided to the student and/or parent. For example, District employees will be trained to inform students about: (1) the employee's reporting responsibilities; and (2) their right to file a Title IX complaint with the school and to report a crime to local law enforcement. District employees shall be trained to report to the Title IX Coordinator(s) both allegations of and actual incident(s) involving sexual harassment, without determining first whether the incident or allegations meet the applicable definition of sexual harassment or are substantiated.

Title IX Coordinator(s)/Investigator(s)/Decision-Maker(s)/Facilitators of Informal Resolution Process

The District's Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or persons designated to facilitate an informal resolution process, shall receive training on the definition of sexual harassment (as that term is used in Policy 2266), the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

The training shall include information on the following topics:

A. working with and interviewing persons subjected to sexual harassment;

B. particular types of conduct that constitute sexual harassment;

C. the proper standard of review for formal complaints;

D. consent, incapacity, coercion, force, and the role age, mental or physical disability, and/or drugs or alcohol can play in a person's ability to consent;

E. the importance of accountability for Respondents determined responsible for engaging in sexual harassment;

F. the need for remedial actions for the Respondent, Complainant, and school community;

G. how to determine credibility;

H. how to evaluate evidence and weigh it in an impartial manner;

I. how to conduct investigations;

J. confidentiality.

Decision-makers must also receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on how to prepare an investigative report that fairly summarizes relevant evidence.

Any materials used to Train IX Coordinators, investigators, decision-makers, and any persons who facilitate an informal resolution process must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Students

The District shall provide age-appropriate education about sexual harassment to students. In the younger grades, the District will cover these topics in its anti-bullying and harassment training. In the older grades, students will receive training in specific topics including:

A. Title IX and what constitutes sexual harassment under the school's policies;

B. The school's definition of consent applicable to sexual conduct, including examples;

C. How the school analyzes whether the conduct was unwelcome under Title IX;

D. How the school analyzes whether unwelcome sexual conduct creates a hostile environment;

E. Reporting options, including how to file a formal complaint and any timeframes set by the school for reporting;

F. The school's grievance process and procedures used to address reports of and formal complaints alleging sexual harassment;

G. Disciplinary code provisions relating to sexual harassment and the consequences of violating those provisions;

H. Effects of trauma, including neurobiological changes;

I. The role alcohol and drugs often play in sexual harassment incidents, including the deliberate use of alcohol and/or other drugs to perpetrate sexual harassment;

J. Strategies and skills for bystanders to intervene to prevent possible sexual harassment;

K. How to report sexual harassment to school officials and local law enforcement and the ability to pursue law enforcement proceedings simultaneously with a Title IX grievance; and

L. Title IX's protections against retaliation.

The training will also encourage students to report sexual harassment, even if they are unsure whether the incident meets the definition of sexual harassment contained in Policy 2266. The District will emphasize that its primary concern is student safety, and that use of alcohol or drugs never makes the alleged victim at fault for sexual harassment.

The District shall specifically inform students that all Board employees are responsible for reporting information involving Sexual Harassment to the Title IX Coordinator(s), including the need to report the names of the alleged Complainant and Respondent, as well as relevant facts including the date, time and location. The issue of confidentiality will be discussed during the training.

Further, the District shall identify the individuals with whom students can speak confidentially and offer information about resources such as victim advocacy, academic support, counseling, disability services, and health and mental health services.

The District shall provide the above training on a regular basis and periodically review their efficacy.

Retaliation

Federal law strictly prohibits retaliation against a Complainant, Respondent, or witness. The Title IX Coordinator will inform the Complainant, Respondent, and other individuals who participate in the grievance process of this prohibition and direct the Complainant to report any retaliation, whether by students, Board employees, or other members of the School District community or Third Parties. Upon learning of alleged retaliation, the Title IX Coordinator and/or the District Administrator will take strong responsive action as appropriate.

Contact Information for the Office of Civil Rights

Individuals may submit questions or file complaints relating to Title IX with the U.S. Department of Education's Office for Civil Rights at any time. OCR's regional office in Chicago has jurisdiction for all of Wisconsin:

U.S. Department of Education
Office for Civil Rights
Chicago Office
John C. Kluczynski Federal Building
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
(312) 730-1560
Fax: (312) 730-1576
Email: OCR.Chicago@ed.gov
Web: http://www.ed.gov/ocr

Retention of Investigatory Records and Materials

The Title IX Coordinator is responsible for overseeing the retention of all records that must be maintained pursuant to Policy 2266. All investigators, decision-makers (including decision-makers of appeals), and facilitators of informal resolution processes shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, determination of responsibility, or informal resolution process, which may include, but are not limited to:

A. all written reports, allegations, formal complaints, statements, and responses pertaining to an alleged violation of Policy 2266;

B. any narratives that memorialize oral reports, allegations, formal complaints, statements, and responses pertaining to an alleged violation of Policy 2266;

C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation, determination of responsibility, and/or the District's response to an alleged violation of Policy 2266;

D. written witness statements;

E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;

F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of Policy 2266 (i.e., not an after-the-fact commentary about or media coverage of the incident);

G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;

H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of Policy 2266;

I. dated written determinations of responsibility/investigative reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of Policy 2266;

J. documentation of any supportive measures offered and/or provided to Complainants and/or Respondents, including no-contact orders issued to both parties, the dates the no-contact orders were issued, and the dates the parties acknowledged receipt of the no-contact orders;

K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of Policy 2266 (e.g., Student Code of Conduct and/or Employee/Administrator Handbooks);

M. copies of any documentation that memorializes any informal resolution to a formal complaint of sexual harassment.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., Wis. Stat. § 118.125) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation or proceeding related to the determination of responsibility shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than seven (7) calendar years, but longer if otherwise required by the District's records retention schedule.

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EARLY COLLEGE CREDIT PROGRAM

2271 - **EARLY COLLEGE CREDIT PROGRAM**

The Board recognizes the value to students of participating in programs offered by institutions of higher education under the State's Early College Credit Program. The following guidelines have been established to ensure that the Early College Credit Program operates efficiently and in accordance with State law and the administrative rules of the Department of Public Instruction. To the extent that these guidelines are ambiguous or inconsistent with applicable law or administrative rules, the law or rules shall govern.

Enrollment in Institutions of Higher Education

Any student may enroll in one (1) or more nonsectarian courses in an institution of higher education, which includes institutions in the University of Wisconsin system, a tribally controlled college or a private, nonprofit institution of higher education located in the State, that has notified the State Superintendent of its participation in the program and complies with 118.13(1) (non-discrimination). The student may take courses for high school credit, postsecondary credit, or both.

Eligibility

To be eligible to participate in the program, a student must be enrolled in high school and not attending a technical college under Sec. 38.12(14) or 118.15, Wis. Stats.

Application for Enrollment

A. The student is responsible for submitting an application for enrollment to the institution of higher education. The application must indicate whether the course(s) will be taken for high school or postsecondary credit. The student must also specify on the application that if admitted, the institution of higher education may disclose the student's grades, course(s) and attendance record to the School District.

B. A student or his/her parent must also complete and submit the Intent To Participate Form available from the Student Services Office or the Department of Public Instruction to the high school administration by: February 1st for summer session attendance; by March 1st for Fall Semester attendance; or by October 1st for Spring semester attendance.

C. Failure to meet these deadlines shall exclude the student from the program for that session or semester.

Counseling Services

The student and parents must participate in the following counseling services provided by the high school counselors:

A. **Program Eligibility and Credit Options**

B. **Responsibilities and Potential Consequences**

Among the responsibilities and potential consequences of participation the student must be willing to accept are:

1. increased student responsibility for learning because of less instructional guidance;
2. reduced opportunities to participate in high school co-curricular and extra-curricular activities;
3. increased financial obligations for tools, calculators, instruments, and incidental fees, unless the School Board agrees to loan such equipment to the student;
4. potential loss of after-school employment opportunities;
5. possible effect on grade point average and class standing;
6. possible delay of graduation; and
7. increased time for travel, study, etc.

C. **Potential benefits are:**

1. expanded curriculum offerings;
2. opportunities to study in more depth those areas of special interest or need;
3. opportunities to earn both high school and postsecondary credits while still in high school;
4. opportunities for financial support for taking postsecondary courses while still in high school; and
5. opportunities to experience postsecondary level work and life prior to making final decisions about whether and/or where to attend a postsecondary institution.

D. **Admission and Scheduling**

A student will be admitted to an institution of higher education only if the institution has space available and the student meets the admission criteria of the institution.

The District will assist the student in the admission process by providing transcripts and other related documents. However, the institution of higher education shall have the sole discretion whether to admit the student. Students who are awaiting acceptance should register for high school classes as if they were not participating in the program. Schedule changes will then be made prior to the start of each semester for those students who receive notice of admission. The institution of higher education must notify the District, in writing, within thirty (30) days after the beginning of classes that a student has been accepted and for which courses.

Reasonable efforts will be made in scheduling to accommodate the needs of students who will be leaving the high school campus in order to participate in this program. However, scheduling conflicts are not the responsibility of the District. Revising the master schedule and/or unduly overloading classes are not required in order to accommodate schedule requests.

E. **High School Credit for Postsecondary Coursework Under the Program**

A student may be granted one-fourth (1/4) high school credit per one (1) semester credit offered by a postsecondary course. To receive high school credit, the student must complete the postsecondary course and receive a passing grade.

In addition, the postsecondary course must meet a requirement for graduation and satisfy one (1) or more of the following conditions:

1. The postsecondary course is complementary to, consistent with, or expands on the course offered by the District.
2. The postsecondary course offers the opportunity for the student to move to another level of academic or vocational study.
3. The postsecondary course content meets or exceeds the same standards for rigor and substance as other such courses approved, but not offered, by the District for graduation.
4. The postsecondary course supports rather than prevents the student from completing his/her high school graduation requirements, including by fulfilling any core or elective requirement for graduation.

F. **Effect on Completion of Graduation Requirements**

Credit for coursework at an institution of higher education under this program may constitute credit toward high school graduation. However, it is the responsibility of participating students and parents to be sure that the courses undertaken will meet the graduation requirements of the School District. Upon acceptance by the institution of higher education, students should schedule an appointment with a high school counselor to develop a written schedule showing courses to be taken at the high school and at the institution of higher education as well as all graduation requirements remaining to be met. No high school graduation requirements shall be waived for any student as a result of participation in this program.

G. **High School Diploma**

The District will grant a diploma to a student who has satisfied all of its high school graduation requirements under Wisconsin Stats. 118.33(1) regardless of whether the student has satisfied all or a portion of the requirements while attending a participating institution under the Early College Credit Program.

H. **Available Student Services**

Students enrolled in the postsecondary program will be entitled to all student services provided to any other of the District's high school students (counseling, health, etc.). However, these services will be provided only while the students are on the high school campus and only upon request. It is also the students' responsibility to stay informed of academic and other requirements for all students who attend the high school.

I. **Student's Transcript**

If a student withdraws from the postsecondary course within ten (10) school days of the start of the course, s/he will be rescheduled for the appropriate high school courses, and no record of the postsecondary course will appear on the student's transcript. However, if the student withdraws from the postsecondary course later than ten (10) school days of the start of classes, the course will appear on the transcript and will carry a grade of Withdrawn/Failing, which will be computed in the same manner as a failing grade on the high school transcript.

J. **Academic and Social Responsibilities of Students and Parents**

1. When attending either regular classes or co-curricular/extra-curricular activities at the high school, students participating in this program will be expected to abide by all District policies and the Student Code of Conduct. Students and their parents assume all responsibility and liability related to attendance at an institution of higher education and must agree to hold harmless the Board, the administration, and the staff for any incidents arising out of participation in this program.

2. Students must meet all requirements and standards established by the institution of higher education and assume responsibility for attendance and behavior.

K. **Encouragement of Students**

Counselors should encourage the participation of those students who have been identified as academically gifted and talented or as otherwise identified as potentially successful in such postsecondary course work.

L. **Grade Point Computation and Reporting of Grades**

For those postsecondary courses taken for high school credit, the grade for that course will be computed at the end of the next regular grading period at the high school following the receipt of an official transcript from the institution of higher education. All grades to be entered on the high school transcript must be taken from an official transcript from the institution of higher education. Should there be an urgent need for a letter grade, notification on official letterhead from the institution of higher education's instructor advising of the grade will be accepted to verify the grade.

Financial Responsibilities and Limitations

Courses Taken for High School Credit/No Comparable Course

The School District shall pay for the course, on behalf of a student taking a course at an institution of higher education, and which the Board (or the State Superintendent on appeal) has determined qualifies for high school credit and which is not comparable to a course already offered in the School District. However, the student shall be responsible for providing consumable or personal materials (examples include: scrubs, pens, pencils, notebooks, etc.) which are typically used and paid for by the student while taking a course at the School District. Further, any equipment purchased by the School District for use by the student in the course (e.g., calculator, computer, tools) shall be the property of the School District and shall be returned to the School District upon completion of the course. The District is not responsible for the costs of admission tests such as a background check or medical requirements.

Postsecondary Credit

The District shall pay seventy-five percent (75%) of the cost of a postsecondary course or courses that are taken solely for postsecondary credit. The Board shall waive the cost to the student if it is informed by the Department of Public Instruction that payment of the costs would pose an undue financial burden on the student's family. The student shall pay the remaining twenty-five percent (25%) of the tuition in advance of the start of the course.

High School Credit/Comparable Course

A student taking a postsecondary course or courses, which the Board has determined is comparable to a course offered in the School District, is solely responsible for the tuition and fees for the postsecondary course. The District has no responsibility for these costs.

Reimbursement for Failing Grade or Failure to Complete a Course

If a student receives a failing grade in a course or fails to complete a course, the student's parent, or the student if an adult, shall reimburse the School District the amount paid on the student's behalf under this program. If the Board is not reimbursed as requested, the student shall not be eligible for further participation in the program. A grade that constitutes a failing grade in the School District shall constitute a failing grade under this section of the guideline.

Report of Fees Paid

The District shall file a report with the Department by June 15th of each year with an itemized report of the amount of tuition paid under this program.

Transportation

The School District is not responsible for transporting a student attending an institution of higher education under this program to or from the institution that the student is attending.

A student's parent, who is unable to pay for transportation, may, however, seek reimbursement for such costs from the State Superintendent in a manner and by the deadlines established by the State Superintendent.

The principal may deny high school credit for any of the following reasons:

A. The postsecondary course is comparable to one offered or that will be offered by the School District between the date the student submits notice of intent to enroll in a postsecondary course and the term of the student's expected high school graduation date. A course will be considered comparable if at least eighty percent (80%) of its content is consistent with a course that is or will be offered by the District, as determined by comparing course curriculum guides, expectations, course goals, and the scope and sequence of course syllabi and course descriptions.

B. At least eighty percent (80%) of the content of the postsecondary course repeats the content of a course for which the student has already received a passing grade and high school credit.

C. The course repeats the content of a postsecondary course the student has already taken and failed.

Any denial of high school credit shall be given in writing to the student and/or parent.

Appeal Process

A student may appeal the written determination of the Board concerning satisfaction of high school graduation requirements, the number of high school credits to be awarded, or the comparability of courses as they relate to this program, to the State Superintendent within thirty (30) days after the principal's decision, in accordance with the process stipulated by the Department of Public Instruction.

Inapplicability

The procedures in this guideline and related policy are not applicable if all of the following conditions are present for the receipt of postsecondary credit:

A. there is an agreement for enrollment of students between the Board and the particular University of Wisconsin System institution or a private, non-profit higher education institution;

B. the instruction takes place at a facility in the District or owned by the District; and

C. instruction is given by a teacher employed by the District and approved by the applicable credit-granting institution.

Notice

Annually, by October 1st of each year, the high school principal shall provide information regarding the Early College Credit Program to students currently enrolled in grades 8, 9, 10, and 11 and their parents.

This information is electronically emailed and posted in newsletters and learning management platforms. A record should be kept of the mailing list and the date of the mailing to confirm compliance with State rules.

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ag2330

HOMEWORK

2330 - **HOMEWORK**

The following guidelines have been developed to assist principals in working with staff to establish appropriate homework assignments:

A. All homework assignments should have a specific purpose related to the learning objectives of a program or course.

B. Homework assignments should be appropriate to the grade level and the abilities of the students involved.

C. Assignments should involve application of knowledge, reinforcement of communication, research and other skills, and should provide experiences which strengthen attitudes and allow for creativity.

D. Punishment assignments should never be given.

E. The purpose of homework, in terms of the goals of a program, should be clear to the student when assigned, the work corrected when returned, and both the strengths and weaknesses of his/her work communicated in ways which provide for improved performance.

F. As part of the process of using homework as a learning tool, students should be involved in learning how to critique their own and each others' work based on clearly-defined criteria related to the particular program or course of study.

G. The time limits for the completion of homework should:

1. be reasonable and consistent with the nature of the assignments given;

2. provide for interim appraisal of progress where assignments involve blocks of time;

3. include a reasonable time for make-up of missed homework assignments and/or improvements based on teacher comments.

H. Parents should be made aware of the District's homework guidelines as well as the way each of their child's teachers will be using homework as a learning activity.

I. The guidelines listed above also apply to the District’s Summer School Program.

SUMMER VACATION HOMEWORK ASSIGNMENTS

A. Staff members may assign homework during the summer.

B. All summer vacation school homework assignments require the prior approval of the building principal.

C. The student’s parents are to be notified in writing of all non-summer school homework assignments approved by the building principal.

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ag2340A

FIELD TRIP GUIDELINES

2340A - **FIELD TRIP GUIDELINES**

Field trips, as defined in Board of Education policy, must be related to a course of study and therefore are a required part of instruction. If the trip cannot be directly related to a course of study, it should be considered a co curricular or extra curricular activity. The following guidelines have been provided to help ensure the effectiveness of all field trips.

General Procedures

A. All requests shall be submitted to the principal on the Field Trip Request Form in advance of the scheduled trip with the names of all staff members and chaperones who will accompany the students.

B. Upon approval of a trip, the principal shall forward a copy of the pretrip proposal to the nurse and the Director of Business Services.

C. The pretrip proposal shall include a proposed Parental Permission Form.

D. Parental Consent Forms must be returned to the administration before the trip. No student will be allowed to participate if the parental consent form is not received prior to the trip.

E. The list of participating students must be communicated to staff members three (3) days prior to the trip.

F. A copy of AG 5771, Search and Seizure, is to be provided to the person in charge of the trip for his/her use if a search of a student's possession becomes necessary.

G. For trips that can be completed before the end of the school day, the following procedure is to be used. If it becomes necessary to take a student to a hospital for emergency treatment, contact the nearest hospital or local law enforcement agency. Call the school office, or if after hours, the school's emergency number and request the secretary or emergency person to fax the student's Emergency Medical Authorization Form to the hospital right away. Be sure to provide the name and location of the hospital, and if possible its telephone or fax number. The secretary or emergency person is responsible for obtaining the hospital's fax number, if not provided, and for ensuring that the EMA Form reaches the hospital immediately.

   The secretary or emergency person should then contact the parents, if possible, and inform them of the situation.

H. Field trips may be denied for any one of the following reasons:

   1. failure to comply satisfactorily with pretrip requirements
   2. excessive cost or limited financial resources
   3. the students involved have generally been involved in other field trips or school activities that have kept them out of class in the weeks preceding or following the scheduled trip
   4. excessive number of students taking trips on that particular day
   5. lack of availability of transportation
   6. inadequate arrangements for student safety and welfare

I. Each principal is to develop and publish a list of times during the school year when field trips will not be approved.

J. Problems with the field trip should be brought to the attention of the principal immediately upon return. The principal shall inform the District Administrator of any major problems.

K. For every field trip there must be a ratio of teachers and chaperones to students as determined by the principal.

L. Prior to arrival at the destination, students are to be made aware of:

   1. how they are to conduct themselves;

2. what time the bus will leave for the return trip;

3. where the bus will be located for the departure;

4. any specific information that the students should know with reference to the area being visited.

M. At no time are students to be left **ON THEIR OWN** during the course of the field trip, unless approved by the parents.

N. At least one (1) staff member is to remain at the school after the return trip until all students have been picked up.

O. Any disciplinary problems are to be reported to the principal immediately upon returning to the school for appropriate action.

In the event of any emergency during a field trip, the bus driver should contact appropriate persons from his/her emergency list and the teacher in charge should contact the principal.

Because field trips are considered an integral part of a course of study and represent a significant cost to the District, it is essential that each trip be carefully planned, conducted according to the plan, and then evaluated in terms of how well the learning purpose was accomplished.

Planning for Field Trips

A. Will this proposed trip provide a valid learning experience and contribute directly to accomplishing an important learning objective **within the course of study**?

B. What environmental conditions at the site might make it difficult to gather important information?

C. What facilities or resources will be available for guiding the data gathering and answering questions?

D. What health and safety risks are involved?

E. Will it be worth the time and expense? i.e.

1. Would another activity be just as effective?

2. Can the trip be made within the time available?

3. Will the experience provide a significantly new learning experience for a majority of the class?

4. Can the purpose be realized without undue inconvenience to students, parents, teachers, and places visited?

5. Will the selection of places to visit produce ill-feeling in the community? (e.g., visit to chain store as against visit to corner store)

6. Will the trip have parental and community support?

Preparation for Field Trips

A. **Teacher Preparation**

1. Arrange through administration for consent to make trip prior to parental consent.

2. Make arrangements with authorities at the place of destination.

3. Plan transportation route, in detail, and arrange financing with the Director of Business Services, if necessary.

B. **Student Preparation**

1. Make clear to students the learning purposes of the trip and how it will contribute to their accomplishing particular learning objectives.

2. Provide a transition from what they have been learning to what they will be learning through the trip.

3. Work out with students the focus of their observations and questions for each category of information they are to gather on the trip.

4. Help students organize any materials or references they may be using during the trip.

5. Set up with students the standards of behavior and safety and emphasize that the Code of Conduct applies to the trip.

Conduct of Field Trips

A. **Gathering and Recording the Information**

1. Provide the guide with a clear idea of the purpose of the trip (set of questions prepared by teacher and students).

2. Make sure all students are in a position to observe and to hear the guide's explanations.

3. Arrange for questions to be asked periodically and be sure all students hear the responses to the questions.

4. Provide opportunities for all or selected students to properly record the observations and information for later use in the classroom.

B. **Classroom Follow Through**

1. Guide students in the preparation of what they remember and what they recorded and then organize the information into useful categories.

2. Have the students examine their data to correct any misinformation and to locate any gaps in the information that they will have to deal with through further research and data gathering.

3. Ask students to analyze the data and form relevant conclusions based on their analysis.

4. Provide a transition from these new learnings to what they will be learning next.

5. Make sure students send appropriate thank you letters to the people in charge of the site they visited and to the bus drivers and other adults who helped make the trip possible.

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ag2340B

DISTRICT-SPONSORED TRIPS (Co-Curricular and Extra-Curricular)

2340B - **DISTRICT-SPONSORED TRIPS (Co-Curricular and Extra-Curricular)**

These trips include athletic trips and are considered part of the total educational program of the District but not part of a course of study. The following general procedures are to be followed for all such trips.

A. All requests shall be submitted to the building principal on the Trip Request Form in advance of the scheduled trip with the names of all staff members and/or chaperones who will accompany the students.

B. The description of how any finances connected with the trip will be handled must be attached to the trip request form.

C. Upon approval of a trip, the principal shall forward a copy of the pretrip proposal to the Director of Business Services.

D. The pretrip proposal submitted to the Director of Business Services shall include a proposed Parental Permission Form.

E. Parental Consent Forms must be returned to the administration no later than two(2) days before the trip. No student will be allowed to go on the trip unless this form is returned to the administration with the parent's signature. No student will be allowed to participate if the parental consent form is not received prior to the trip.

F. For every trip there must be a ratio of teachers and chaperones to students as determined by the principal.

G. The list of participating students should be provided to the principal's office prior to the trip.

H. For trips that can be completed before the end of the school day, the following procedure is to be used. If it becomes necessary to take a student to a hospital for emergency treatment, contact the nearest hospital or local law enforcement agency. Call the school office, or if after hours, the school's emergency number and request the secretary or emergency person to fax the student's Emergency Medical Authorization Form to the hospital right away. Be sure to provide the name and location of the hospital, and if possible its telephone or fax number. The secretary or emergency person is responsible for obtaining the hospital's fax number, if not provided, and for ensuring that the EMA Form reaches the hospital immediately.

The secretary or emergency person should then contact the parents, if possible, and inform them of the situation.

I. A copy of AG 5771, Search and Seizure, is to be provided to the person in charge of the trip for his/her use if a search of a student's possession becomes necessary.

J. Permission may be denied for any one of the following reasons:

1. failure to comply satisfactorily with pretrip requirements
2. excessive cost or inadequate funds
3. excessive number of students taking trips on that particular day
4. lack of availability of transportation
5. inadequate provision for student safety and welfare

K. Any problems that arise during the trip should be brought to the attention of the District Administrator immediately upon return.

L. At least one (1) staff member is to remain at the school after the return trip until all students have been picked up.

M. In the event of any emergency during a trip, the bus driver should contact appropriate persons from his/her emergency list and the teacher in charge should contact the principal.

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OVERNIGHT TRIPS (District-Sponsored)

2340C - **OVERNIGHT TRIPS (District-Sponsored)**

In compliance with Board Policy 2340 - District-Sponsored Trips, the following guidelines are to be followed whenever a staff member seeks Board approval for a trip on which the students will be away from home for one (1) or more nights.

The District Administrator will not recommend approval by the Board unless a plan based on answers to the questions on the Proposal Form for Overnight/Extended Student Trip (Form 2340 F5) has been prepared and approved by the principal(s) of the school(s) which the students attend. In addition, if the trip involves the use of a travel company to arrange for transportation, rooms, or any other aspect of the trip, the staff member submitting the proposal must confirm that the company is:

A. licensed to operate in this State;

B. registered and bonded;

C. properly insured for the proposed trip and the policy covers the District, the staff members and chaperones involved in the trip, and all phases of the trip from the point at which the trip begins to the point at which it ends;

D. in compliance with Federal laws regarding accessibility for and rights of those with disabilities.

This information must be confirmed, in writing, and attached to the trip proposal. No trip involving a travel company will be approved without this confirmation and, therefore, will be considered a nonsponsored trip subject to AG 2340D.

It is essential that no discussion of a trip with students is to occur until the trip proposal has been submitted and a determination made as to whether it will be sponsored by the District.

All such requests are to be submitted to the District Administrator eight (8) weeks prior to the Board meeting at which approval will be sought. The professional staff member who will be in charge of the trip is responsible for preparing the proposal, reviewing it with the relevant principals, and obtaining written approval from each.

The proposal will be reviewed by the District Administrator and submitted to the Board with his/her recommendation for or against approval.

Once approved, the professional staff member in charge will be responsible for conducting the trip as planned (See AG 2340F - Chaperones for Trips). If changes in the plan are necessary, such changes are to be submitted to the principal(s) for approval and/or for subsequent approval by the District Administrator or Board.

Prior to the start of an approved overnight trip, the staff member in charge must comply with the procedures for any District-Sponsored Trips (Co-Curricular and Extra-Curricular (AG 2340B). In addition, each participating student and his/her parent is to sign the Responsibility Contract (Form 2340 F6) and submit it to the trip leader(s) prior to the trip.

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NONDISTRICT-SPONSORED TRIPS

2340D - **NONDISTRICT-SPONSORED TRIPS**

Any staff member who wishes to take one or more students of the District on any type of trip which would not normally be considered a field trip or school-related trip as defined in Policy 2340, must obtain permission from the District Administrator prior to initiating any discussion of the trip with the student or his/her parents.

Permission to solicit may or may not be granted, depending upon the purpose and nature of the trip and the willingness of the staff member to comply with the conditions set forth for such solicitation. As indicated in Policy 2340, permission to solicit does not imply sponsorship by the District. Such sponsorship shall be granted in accordance with AG 2340C.

Should a staff member take any student of the District on a trip that is not sponsored by the Board, s/he assumes all liability for the welfare of the student. Under no circumstances may the staff member use the name or good offices of the District in any manner which would associate it with the trip or any person or group involved in the trip. If a staff member does not wish to comply with the guidelines for District sponsorship of a trip or the District does not wish to sponsor the trip, the following conditions will apply:

A. In order to discuss on District premises any aspects of a nondistrict-sponsored trip, it is necessary for the staff member or any other person involved to follow the District's procedures for Use of Facilities (see AG 7510A) which require that an application be submitted for use of a facility during nonschool hours.

B. The District will not allow:

1. use of any staff member's time while on duty and on District premises;

2. use of any District facilities except in accordance with AG 7510A;

3. use of any names which would associate the trip with the District or any of its school programs.

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ag2340E

TRIP LEADER RESPONSIBILITIES

2340E - **TRIP LEADER RESPONSIBILITIES**

Each chaperone of a field or other District-sponsored trip is to be provided with a copy of the following guidelines for fulfilling his/her responsibility.

A. Students are to be made aware that the regular bus rules will apply for the trip. Since some of the students may not be regular bus riders, the rules should be reviewed with the group prior to departure.

B. The trip leader or designated staff member is responsible for student behavior while on the bus.

C. The driver is responsible for the bus and has ultimate authority over routes and operations. If s/he deems that conditions constitute a safety hazard, the driver has the authority not to proceed.

D. If any discipline problems develop while on the trip, the problems are to be reported to the appropriate principal as soon as feasible.

E. The trip leader should report to the Transportation Supervisor any cases of poor judgment or improper behavior on the part of the driver.

F. The trip leader should:

1. review with the bus driver the destination and route;

   If there is any question about the route, it should be resolved prior to departure so there is no confusion in communication during the trip. The driver has the final decision on the route.

2. make sure the emergency medical forms are on the bus in the possession of a designated person;

3. introduce chaperones to the driver prior to the trip and review the District's policies and guidelines on discipline (including corporal punishment) prior to the trip;

4. assist the driver in enforcing the rules of the bus and the rules and directions for the trip;

5. when necessary or requested by the driver, place himself/herself and any chaperones strategically in the middle and rear portions of the bus;

6. conduct a head-count each time there is an unloading and reloading of passengers to ensure no one is left behind;

7. when the bus returns to the District, make sure all students have proper rides home and have left the District before considering the trip to be completed.

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ag2340F

CHAPERONES FOR TRIPS

2340F - **CHAPERONES FOR TRIPS**

All chaperones must be at least twenty-one (21) years of age and be affiliated with the District as a parent, school volunteer, part-time or full-time employee, or Board member.

The list of chaperones must be submitted with the trip request. Any additions or replacements must be submitted to the building principal for approval prior to the trip.

The trip leader is to provide each chaperone, prior to the trip, a copy of Form 2340 Form (8) describing the applicable policies and procedures with which the chaperone will comply. Each chaperone must sign the Volunteer Release Form prior to the trip in which s/he agrees to abide by all applicable District policies and administrative guidelines (see Form 2340 Form (8). The form should be submitted to the Director of Business Service's office.

Chaperones are not to invoke any kind of discipline on a student except in cases of imminent threat to that student's or other people's safety or well-being. A chaperone is to report any student behavior problems or inappropriate conduct of a chaperone or staff member to the trip leader(s) as soon as possible.

Each chaperone, as well as the trip leader(s), should model the behaviors expected of students throughout the times on the trip when s/he is associated with the students. When a chaperone is on free time away from the students, his/her behavior should be such that it would not create problems for or embarrassment to the trip leader(s) or the District.

The trip leader(s) is responsible for the conduct of the chaperones during the trip and should be knowledgeable of their whereabouts at all times and how they can be contacted in case of an emergency.

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ag2370A

INDEPENDENT STUDY

2370A - **INDEPENDENT STUDY**

Independent study is available to staff to better meet the needs of students. Its purposes are to:

A. broaden curriculum content when the regular school program limits student growth and learning;

B. provide students with an opportunity to make decisions (to select from a series of options) about their activities in school;

C. place students in a more active role in the learning process;

D. provide learning experiences tailored to individual interests, talents, and needs.

Level I - The selection and the study is largely **teacher-directed**. Frequent review and discussion with the teacher is required. Subject matter is closely related to class instruction.

Level II - The selection and the study is more student-directed. The students must confer with the teacher once each week.

Level III - The student is responsible for selecting the areas and directing their own learning. The student reports to their teacher by appointment. Projects may range far afield from a regular course.

Projects may be interdisciplinary in nature. Opportunities to work or study in other areas (laboratories, shops, etc.) or off-campus may be arranged through the School Counseling Office.

A student (group of students) who desires to participate should meet the following criteria:

A. expressed interest in undertaking the work

B. ability to identify goals or purposes

C. ability to manage time and resources

D. achievement in current coursework

Students who fail to maintain self-discipline and accomplishment both in course work and the option program will be phased out.

A completed option program project may take many forms, such as a term paper, an essay, a script, a film, an audio or visual recording, an oral recording, etc. The final report may include:

A. a log showing how time was utilized;

B. a bibliography of materials used - print and nonprint;

C. an evaluation of the project.

The contract-application for the selected option will be filed with the school counselor and approved by the building principal.

When a student has initiated and successfully completed the program, it is to be noted in the student's permanent record and transcript.

A completed copy of the project will be kept with the classroom teacher and the application-contract will be kept on file in the counseling office.

Role of Teacher

As in all learning, the role of the teacher in any educational option program is crucial. Specifically, the teacher must:

A. demonstrate working knowledge of the current literature concerning that type of activity and be properly certified;

B. provide instruction in the skills necessary to successfully complete the project;

C. assist students in defining the purpose and intended outcomes of their projects and in selecting methods which best ensure the purposes and outcomes are achieved;

D. meet with students involved on a regular basis to counsel, review progress, and to provide constructive feedback.

Such feedback should specify:

1. strengths of the work completed;

2. strategies to improve the quality of the project;

3. assistance in defining the next steps of the project timeline;

4. direct instruction for areas where assistance is needed;

5. self-assessment by the student based on project outcomes.

Independent study is to be evaluated on the basis of how well the goals of the program are being accomplished and how well each student is achieving the expected results of the student's individual project. Assessment shall provide evidence of:

A. increased application of knowledge;

B. acquisition and application of needed skills and techniques;

C. formation of attitudes needed for such learning;

D. fulfillment of pre-defined project outcomes.

Teacher-student conferences throughout an option project can serve an evaluative function. Each should be recorded indicating dates, time, and results. A final conference involving the student, teacher, and parent is necessary for all level three projects.

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ag2411

SCHOOL COUNSELING AND ACADEMIC AND CAREER PLANNING

2411 - **SCHOOL COUNSELING AND ACADEMIC AND CAREER PLANNING**

School counseling services play a significant role in the operation of the District and in the lives of the students. School counseling services are provided to support students in the many facets of their lives while in the school system to cover their academic concerns, personal/social matters, and career goals. Academic and career planning (ACP) is intended to help students understand postsecondary options, connect their goals to coursework and career interests, and take part in long-term planning.

The purpose of the counseling service is to help students:

A. select and participate in academic and other school activities that will best ensure achievement of defined educational and personal goals;

B. identify, analyze, and make contact with those agencies and institutions that can provide follow-up programs or services related to the student's goals and plans for the future;

C. identify and assist students with career and college ready planning;

D. resolve problems and overcome obstacles that are preventing them from achieving their educational and personal goals;

E. maintain productive relationships with other students, staff members, and other school resource personnel.

Counselors are to provide individualized support and access to internal and external resources to assist in the development of academic and career plans which result in self awareness, career exploration, academic preparation, career planning, and career management for each student.

Each counselor is to guide students in course selection and career planning in such a way that there is no discrimination or bias nor any predictions of success or failure based on a student's race, color, national origin, gender, or disability. If any materials or resource people are used to recruit students to a particular career path or vocational choice, the counselors and teachers must be sure that such materials and/or presentations do not indicate or imply racial, gender, or disability stereotypes. Efforts should be made, when applicable to a program, to use resource people who represent the special populations contained within the body of students being recruited or guided toward the program or career path.

Staff Responsibility

Since the effectiveness of both of these services depends on close interpersonal interaction with students, no staff member other than certified counselors, school psychologists, school social workers, or registered nurses are to conduct programs or activities that are not curriculum-related, in which confidentiality of information is involved or shared. Other members of the professional staff, as well as those on the support staff, should be as helpful and caring to the students as possible, and when they become aware that a student needs counseling help, take whatever steps are necessary to ensure the student has made productive contact with members of the counseling staff.

Confidentiality

It is incumbent upon all staff members to be knowledgeable about the laws regarding confidentiality of information, whether it be part of a student's record or of a communication with a student. AG 8330 describes in detail the requirements concerning information in student school records.

With regard to confidentiality of communications, parents have an expectation of privacy with regard to their family relationships, which may be superseded, however, in certain situations where the rights of a minor student would prevail such as one-on-one counseling situations with a licensed counselor. Upon receiving confidential information regarding a student or his/her family's personal relationship, a staff member who is not a licensed professional counselor or who has a limited counseling license should consult with the building principal regarding disclosure. This will be important not only in situations such as group counseling sessions, health classes, crisis intervention activities, and the like, but also in ad hoc situations when a student shares such information with the staff member (see Policy 1213, Policy 3213, and Policy 4213). Information shared with a licensed counselor is to be considered privileged information and not to be shared with anyone unless the counselor believes the student's health and/or well-being is in jeopardy. In such cases, the counselor should contact the appropriate agency and consult with the principal prior to making any contact with the student's parents.

In determining whether or not to disclose the information, the principal must consider:

A. the student's need to maintain confidentiality in order to obtain and benefit from assistance balanced against the parents' rights to the care, custody, and control of their child;

B. if there is a compelling need involving the immediate health, safety, or welfare of the student or others;

In balancing these concerns, the principal must also consider:

A. the nature of the relationship between the student and his/her parents;

B. potential benefits and risks of maintaining confidentiality versus disclosure;

C. the best interests of the student.

Referrals to Outside Agencies

The District will maintain a list of outside resource people and organizations.

Counseling Students who are Limited English Proficient Students and/or Sensory Impaired

Provisions set forth in Policy 2260.02 regarding school counselor services shall be followed.

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HUMAN GROWTH AND DEVELOPMENT SCOPE & SEQUENCE

2414 - **HUMAN GROWTH AND DEVELOPMENT SCOPE & SEQUENCE**

Philosophy and Vision: The School District of Jefferson strives to provide all students with a comprehensive curriculum reflecting high standards and quality instruction that builds the skills necessary to secure accurate information, make informed responsible decisions, communicate effectively and succeed in living productive, healthy lives as adults. We have four main goals of our instruction:

A. To provide accurate information about human sexuality

B. To provide an opportunity for young people to develop and understand their values, attitudes, and beliefs about sexuality

C. To help young people develop relationships and interpersonal skills, and

D. To help young people exercise responsibility regarding sexual relationships, including addressing abstinence, pressures to become prematurely involved in sexual intercourse, and the use of contraception and other sexual health measures.

Rationale for HGD Instruction:

A. **Statutory support** - Wisconsin Statute 118.019 encourages all school boards to provide students in grades Kindergarten to 12 with human growth and development instruction. The purpose is "to promote accurate and comprehensive knowledge in this area and responsible decision making and to support and enhance the efforts of parents to provide moral guidance to their children."

B. **Public health plan** - Healthiest Wisconsin 2020: A Partnership Plan to Improve the Health of the Public is the Wisconsin state health plan for the decade 2010–2020. The reduction of high-risk sexual behavior is one of eleven health priorities identified in the plan.

C. **Youth risk behaviors** - Data documents an unacceptably high number of Wisconsin youth engage in sexual behavior, resulting in negative health outcomes. Young people need accurate information, motivation, and skills to avoid or reduce risks and promote their emotional and physical health.

D. **Academic standards** - Wisconsin's model standards, especially in health education and family and consumer education, provide guidance about what students should know and be able to do at certain points in time. Human growth and development curriculum and instruction can be used to prepare students to meet these standards.

    1. Wisconsin's Health Education Standards

    2. Wisconsin's Family and Consumer Education Standards

E. **Parents and students want it** - National surveys consistently find parental support for school-based sexuality education. Eighty percent (80%) to eighty-five percent (85%) of parents indicate they want their children to receive comprehensive, medically accurate, age-appropriate sex education. Parents see such courses and content as supplementing, not supplanting, their discussions at home, and parents want their children to be taught about the maturity and responsibility required of healthy intimate relationships so that they can delay sexual activity until they are older. Parents also want children to receive information about condoms and contraception so that they have the skills and knowledge they need when they do decide to become sexually active.

HGD Instruction Guidelines

In tandem with parents and other family related community organizations, school based human growth and development instruction will be structured to provide all students with the comprehensive knowledge and skills that promote their health and well-being as they mature into adulthood.

A. **Curriculum:** Human growth and development instruction will follow a written detailed curriculum that is part of the District's Health Education curriculum and encompasses topics that are based on:

    1. State statutes and administrative rules

2. Wisconsin Department of Public Instruction standards and recommendations

3. Board of Education policy and guidelines

4. High learning standards and best practice research concerning human growth and development content, materials, assessments, and instructional delivery methods

5. Expert knowledge about the intellectual, physical, social, and emotional development of children

6. An instruction framework that is age appropriate

7. Content that is medically accurate

8. Planning, design, and implementation input from the District's Ad Hoc Advisory Committee

9. A curriculum and instructional topics that are inclusive of all students

B. Instruction: Human growth and development instruction shall be taught by school personnel who have proper certification and training or by community/public health care professionals that have official agreements with the district such as Jefferson County Human Services or Fort HealthCare. Volunteers will not be used for any student instructional purposes. Human growth and development instruction provided to students will:

1. adhere to the Board-approved curriculum content and instructional topics;

2. utilize a variety of teaching methods including lecture, discussion, projects, simulations, etc.;

3. utilize a variety of teaching materials and resources that are based on the district's materials selection process;

4. be integrated within and across other school subjects in an interdisciplinary manner as appropriate;

5. follow the district's policy on teaching controversial topics; F. encompass instruction in an inclusive and non-discriminatory manner

6. where noted in the Human Growth and Development Instruction policy and Board-approved curriculum, teach identified topics in the same course and same year;

7. be age appropriate at all times and in all circumstances;

8. focus only on medically accurate information whether it be in presentations, materials, or discussions;

9. provide for gender separation in grades four and five as related to the topics of human body systems and male/female growth; and

10. encourage and facilitate further parent and student communication and discussion.

C. **Parent(s)/Guardian(s) Information, Notification, and Rights:** Parent(s)/guardian(s) are critical to student success in school. Everyone shares the goal of helping students learn and mature into happy, healthy adults. Parent(s)/guardian(s) also have the right as well as responsibility to be involved in their child's(ren's) education. They need an active role in those things which affect their child(ren). In the area of human growth and development instruction, parent(s)/guardian(s), through a variety of methods, will be:

1. kept informed of human growth and development instruction, the curriculum/topics to be taught, activities to be carried out, and the materials or resources to be utilized;

2. invited to review the human growth and development curriculum at any time upon request;

3. communicated with on an on-going basis through school newsletters, parent/teacher conferences, and teacher e-mails about current classroom human growth and development activities;

4. provided an annual notice directly to them as per the Board's policy and state law;

5. provided information and procedures in the annual notice for exempting their child(ren) from human growth and development instruction;

6. encouraged by the district's human growth and development teachers to communicate with them about general comments, issues, suggestions;

7. requested to be involved in open discussions and collaborative decision making about human growth and development instruction; and

8. recruited for possible membership appointment to the district's Ad Hoc Advisory committee.

Annual Notice to Parent(s)/Guardian(s)

A. Send notice prior to September 30 by District Office to Parents/Guardians of students in grades 4-9 (Example attached)

B. Each teacher will send individual letters to Parents/Guardians prior to instruction

Human Growth & Development Scope and Sequence

Grade	Content/Topics	Key Content Specific Vocabulary	Resources (Videos, books, etc)
K - 3	Students are not separately taught Human Growth and Development content and skills in grades K-3. Age and developmentally appropriate content and skills are directly taught in Health Education and Guidance (Social Emotional Learning - SEL). In addition, skills and concepts are indirectly embedded in everyday learning opportunities in all school environments including the classroom, lunchroom, hallway and recess to assist students in developing health relationships and learn about themselves. 1. Growth Mindset/Goal Setting* 2. Emotional Management* 3. Empathy & kindness* 4. Problem-solving* & Conflict Resolution 5. Life-skills (Self Image, Communication) 6. General Safety *Universal SEL learning continues in all grades moving forward		• K-5 Health-Healthy Life to Scope and Sequence • Social Emotional Learni Second Step Elementary
4th Grade	Instruction is provided in gender separated settings. Females: This is an introduction to the changes that the females will experience as they begin puberty. 1. Preparing for Adulthood a. A time for physical, emotional, intellectual and social changes 2. Body Changes During Puberty a. Body, hair, breast growth b. Skin/hair changes, perspiration c. Mood swings --Pituitary gland/hormones 3. Female Reproductive System a. Parts and functions - ovaries, fallopian tubes, uterus, ovulation/menstruation 4. Personal Hygiene Practices a. Showering/bathing b. Use of deodorant c. Hair care d. Skin care and treatment e. Menstruation/sanitary care f. Changing and washing clothes g. Brushing teeth 5. Healthy Habits a. Exercise	Females: Emotional changes, intellectual changes, physical changes, pituitary gland, reproductive system, ovaries, fallopian tubes, uterus, ovulation, menstruation, hormones, male sperm, pregnancy, pubic hair, breast, tampons/sanitary napkins/pads, cramps, premenstrual syndrome (PMS), hygiene changes, body odor, acne, oily hair, bad breath, anti-perspirant/deodorant	• Just Around the Corner f Marsh Media • You're Not a Little Kid A boys, Marsh Media

		b. Health eating c. Sleep Males: 1. Healthy Habits a. Exercise b. Health eating c. Sleep 2. Personal Hygiene Practices a. Showering/bathing b. Use of deodorant c. Hair care d. Skin care and treatment e. Changing and wearing clean clothes f. Brushing teeth	Males: Emotional changes, intellectual changes, physical changes, hygiene changes, body odor, acne, oily hair, bad breath, anti-perspirant/deodorant, nutrition	
	5th Grade	Instruction is provided in gender separated settings. Females: This is a review of the changes that the females will experience as they begin puberty. 1. Preparing for Adulthood a. A time for physical, emotional, intellectual and social changes 2. Body Changes During Puberty a. Body, hair, breast growth b. Skin/hair changes, perspiration c. Mood swings 3. Female Reproductive System a. Parts and functions - ovaries, fallopian tubes, uterus, ovulation/menstruation/estrogens/progesterone 4. Personal Hygiene Practices a. Showering/bathing b. Use of deodorant c. Hair care d. Skin care and treatment e. Menstruation/sanitary care f. Changing and washing clothes g. Brushing teeth 5. Healthy habits a. Exercise b. Health eating c. Sleep d. Social Interactions- Dangers and consequences of using social media as bullying or sexual harassment Males: This is an introduction to the changes that the males will experience as they begin puberty. 1. Preparing for Adulthood a. A time for physical, emotional, intellectual and social changes 2. Body Changes During Puberty a. Body and voice change b. Hair growth c. Mood swings d. Skin changes/acne e. Production of testosterone and estrogen f. Apocrine gland/perspiration 3. Healthy habits a. Exercise b. Health eating c. Sleep	Females: Emotional changes, intellectual changes, physical changes, pituitary gland, apocrine gland, eccrine gland, reproductive system, ovaries, fallopian tubes, uterus, ovulation, menstruation, estrogens, progesterone, male sperm, pregnancy, pubic hair, breast, tampons/sanitary napkins/pads, cramps, premenstrual syndrome (PMS), hygiene changes, body odor, acne, oily hair, bad breath, anti-perspirant/deodorant Males: Emotional changes, intellectual changes, physical changes, pituitary gland, sperm, testicales, nocturnal emission, erection, penis, apocrine gland, eccrine gland, testosteron, estrogen, pubic hair, hygiene changes, body odor, acne, oily hair, bad breath, anti-perspirant/deodorant	• Always Changing and G Procter & Gamble, Girls Boys only

	d. Social Interactions- Dangers and consequences of using social media as bullying or sexual harassment 4. Personal Hygiene Practices a. Showering/bathing b. Use of deodorant c. Hair care d. Skin care and treatment e. Changing and wearing cleaning clothes f. Brushing teeth		
6th Grade	Starting in 6th grade and beyond students are taught in mixed gender classrooms. 1. Puberty 2. Male and female reproductive system 3. Path of the sperm 4. Path of the egg 5. Menstrual cycle 6. In addition to these topics, the 6th graders focus on general communication strategies, goal setting, refusal skills, and relationship building that can be used in any situation, not just a situation related to human growth and development.	Penis, scrotum, testicles, vas deferens, epididymis, urethra, prostate gland, seminal vesicle, bladder, testosterone, erection, sperm, pubic hair, vagina, cervix, dilation, uterus, fallopian tube, fimbria, egg or ovum, ovary, puberty, fraternal twins, identical twins, conception, first, second, and third trimesters, fertilization, menstruation, period, embryo, fetus, zygote, umbilical cord, placenta, amniotic sac, pad, tampon, ovulation, endometrium	• www.amaze.org • Sex Education Activities Rizzo Toner • Video: Beginnings of Lif Conception to Baby, www.learningseed.com

7th Grade	1. Puberty 2. Reproductive system for both male and females 3. Effective communication skills related to the development of positive relationships 4. Resistance skills 5. Aspects of healthy monogamous relationships 6. Risks of teenage marriage 7. General costs of having a baby 8. Concept of abstinence as the preferred choice in relationships and its reliability for reducing or not obtaining sexually transmitted infections 9. Consequences of intercourse (physical, legal, mental, and emotional) 10. Path of the egg and sperm 11. Menstrual cycle 12. Developmental stages of pregnancy, prenatal development, and childbirth (including shaken baby syndrome/child abuse) 13. Birth control methods and other forms of contraception 14. Socio-economic benefits of marriage 15. Criminal penalties for engaging in sexual activities involving a child 16. Sex offender registration requirements, reporting, and implications 17. Sexually transmitted infections including but not limited to HIV/AIDS and HPV	Vocabulary in the 6th grade section will be reviewed in addition to: abstinence, withdrawal, male and female condom, birth control pills, , semen, ejaculation, nocturnal emission, wet dream, vulva, hymen, labia, clitoris, progesterone, foreskin, circumcision, cowper's gland, sexual harassment, sexual abuse, sexual assault, felony, misdemeanor, human papiloma virus, sexually transmitted infections, herpes, HIV, gonorrhea, syphilis, chlamydia, pubic lice, hepatitis, scabies, sex offender registry, monogomy	• www.amaze.org • Sex Education Activites Rizzo Toner • Video: HPV: What every to know (human relatio • Video: The Latest about AIDS: What every stude to know (human relatio
8th Grade	1. Puberty (review) 2. Reproductive system for both male and females (review) 3. Effective communication skills related to the development of positive relationships 4. Resistance skills 5. Path of the egg and sperm (review) 6. Other forms of birth control 7. Love vs. infatuation 8. Healthy and unhealthy relationships 9. What a healthy marriage consists of 10. Aspects of love 11. HIV/AIDS (review) 12. Sexually transmitted infections (review)	Vocabulary in both the 6th and 7th grade section will be reviewed in addition to: love, lust, passion, commitment, infatuation, intimacy, homosexuality, gay, lesbian, bisexual, questioning, transgender, (other inclusive language) sex trafficing, love language	• www.amaze.org • Tools for Teaching Com Human Sexuality Educa (Dominick Splendorio a Reichel) • Coming Out: What ever still needs to know (hun media) • Teen Romantic Relation they see it (human relat
9th Grade	1. Male reproductive system (review) a. Parts and functions (diagram with functions listed) b. Pathway of sperm out of the body during ejaculation c. Protecting male reproductive health 2. Female reproductive system (review) a. Parts and functions (diagram with functions listed) b. Pathway of the egg out of the body during the Menstrual cycle c. Menstrual cycle lesson d. Protecting female reproductive health 3. Puberty (review) a. Secondary sex characteristics for males and females - physical, emotional, mental, social changes 4. Effective communication skills related to the development of positive relationships a. How to ask someone out on a date? b. How to talk to a significant other about sex?	Erection Ejaculation Circumcision Nocturnal Emission Semen Vasectomy Orgasm Secondary Sex Characteristics Primary Sex Characteristics Ovulation Conception Ectopic Pregnancy Amenorrhea Dysmenorrhea Menarche Menstruation Menstrual Cycle Abstinence Contraception	• Male Reproductive Syst Teens) - Nemours KidsH • Female Reproductive Sy Teens) - Nemours KidsH • Female & Male Reprodu and Sexual Anatomy • Everything You Wanted About Puberty (for Teen KidsHealth • Puberty: Stages for Boys • loveisrespect.org • CDC.GOV • Characteristics of Health Unhealthy Relationships • HIV.GOV • Child Sexual Assault Lav • Sex Offender Reporting Requirements (2014) • https://smart.ojp.gov/so law

	5. Characteristics of healthy relationships 6. Characteristics of unhealthy relationships a. Codependency b. Characteristics of abusive males c. How to decide if the relationship is over or should be over? 7. Abstinence as the preferred choice in relationships 8. Contraception - Condom use and Birth Control pills 9. Consequences of intercourse (physical, legal, mental and emotional consequences) 10. How to break up with someone in a healthy manner 11. HIV/AIDS/HPV Information 12. Criminal penalties for engaging in sexual activities involving a child 13. Sex offender registration requirements, reporting and implications	Ova Ovarian Codependency Interdependence Transmission Superinfection Antiretroviral Therapy Antigen Antibody Opportunistic Infection Pathogen	• Sex Offender Registratic Wisconsin: Know The Ba

*Note: All Human Growth and Development (HGD) Instruction in the School District of Jefferson is in compliance with Wisconsin Statutes. All topics and concepts taught are age appropriate, utilize medically accurate information and resources, and are taught as part of the Health curriculum. All instruction is provided by highly qualified certified District employed personnel.

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ag2416

PROCEDURES FOR INSPECTION OF SURVEYS, ADMINISTERED OR DISTRIBUTED TO STUDENTS

2416 - **PROCEDURES FOR INSPECTION OF SURVEYS, ADMINISTERED OR DISTRIBUTED TO STUDENTS**

This guideline describes the procedure for parents to use when requesting a survey created by a third party or a survey containing any one (1) or more of the following items:

A. political affiliation(s) or beliefs of the student or his/her parents;

B. mental or psychological problems of the student or his/her family;

C. sex behavior or attitudes;

D. illegal, anti-social, self-incriminating or demeaning behavior;

E. critical appraisals of other individuals with whom respondents have close family relationships;

F. legally-recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;

G. religious practices, affiliations, or beliefs of the student or his/her parents;

H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

Parents who want to inspect a survey should report to the school office where a copy of the survey is kept and provided for parents to review. The survey may not be copied or removed from the school office.

Where written consent is not required prior to administering or distributing the survey, the parent shall submit any objections to having their child participate in the survey to the building principal within five (5) days of inspecting the survey. The parent may also submit any concerns or complaints about the survey as provided under Policy 9130 and AG 9130A.

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ag2430A

STUDENT PARTICIPATION IN SUMMER CAMPS/PROGRAMS

2430A - **STUDENT PARTICIPATION IN SUMMER CAMPS/PROGRAMS**

If a summer camp/program is related to a curricular or extra-curricular offering of the District, all relevant policies and guidelines of the District will be applicable, including the following.

Policy 3121 - Criminal History Record Check

All people who may have care, control, or custody of the students have been cleared through the criminal background check.

Policy 3213 - Student Supervision and Welfare

Proper supervision of students at all times in accordance with this policy should be an essential aspect of each staff member's responsibilities.

AG 2340B or AG 2340C - Nonfield Trips and Overnight Trips

If participating students will be involved in day trips or overnight trips while attending the summer camp or program, the conditions established in these guidelines should be adhered to, especially written parental consent.

Policy 5517/AG 5517 - Student Harassment

The summer camp or program should ensure that it has the harassment-protection procedures in place and they have been communicated to all staff and participants.

Policy 5530/AG 5530 - Drug Prevention

There should be a strict policy communicated to students prohibiting possession, use, and distribution of any controlled substance or drug paraphernalia.

Finances

All funds associated with the summer camp/program are to be managed by the Director of Business Services in accordance with District guidelines.

NONDISTRICT-RELATED CAMPS/PROGRAMS

If a summer camp/program is not District-related, the following guidelines will apply.

Permission

Any staff member who manages or is a participant in the camp/program must confer with the building principal prior to talking with any student on District property about participation in the activity. The conditions described in AG 2340D - Nondistrict- Sponsored Trips will apply.

Under no circumstances is a student to be told that his/her chances to participate in a District program will be influenced by if or how well s/he participates in the summer camp/program.

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ag2430

DISTRICT-SPONSORED CLUBS AND ACTIVITIES

2430 - **DISTRICT-SPONSORED CLUBS AND ACTIVITIES**

Since the policy of the Board is to maintain a co-curricular activities program sufficiently varied to meet the wide range of vocational, recreational, social, and cultural needs and interests of the students, all students should be urged to join at least one club or activity.

All activities described in this administrative guideline are sponsored by the District and are authorized to use the District name, logo, mascot, or any other name which would associate an activity with the District, provided such use is consistent with other applicable District policies.

A. **Existing Clubs or Activities**

At the start of the school year, all students should be provided with information on existing clubs, and all co-curricular and extra-curricular activities and encouraged to participate.

B. **New Activities**

All new activities shall be approved in the following manner:

1. Requests for new activities should be submitted to the building principal and contain the following:
    a. purpose and rationale
    b. intended outcomes for students
    c. participation
    d. plan of operation
    e. costs
    f. persons in charge
2. The building principal will review each request and either reject or submit each forDistrict Administrator approval.
3. Upon approval, an activity will be listed as a part of the co-curricular or extra-curricular program, and its fiscal account established by the Director of Business Services.

C. **Fiscal Compliance**

Both co-curricular and extra-curricular activities need to comply with financial and bookkeeping controls established by the Director of Business Services.

Each activity advisor is to provide the building principal with a periodic update on the fiscal status of the activity.

D. **Operating Guidelines**

The principal shall prepare and publish operating procedures for all co-curricular/extra-curricular activities which ensure that:

1. students participate in ways that do not interfere with their academic programs;
2. the safety and welfare of the students is adequately safeguarded;
3. all activities have proper faculty planning, direction, and supervision;
4. faculty members work cooperatively so that some activities do not interfere with the operations of others;
5. faculty members and students are encouraged to attend activities involving student performances;

6. each activity is assessed continuously relative to its stated purpose and goals;

7. building facilities and equipment are being used safely and as intended, and being maintained in proper condition.

Eligibility Requirements

All students who participate in interscholastic athletics shall meet the eligibility requirements described in the Athletic Handbook.

Eligibility requirements for participation in other activities shall be specified in the student handbooks.

No student who has been absent for a school day may participate in an extra-curricular activity scheduled for the afternoon or evening of that school day without the approval of the principal.

Schedule Conflicts

Many students have multiple talents and interests they wish to develop or pursue through participation in District-sponsored activities and groups. Since the District's policy is to encourage such participation, the following guidelines have been established for dealing with potential schedule conflicts a student could experience when participating in more than one activity.

A. At the beginning of each semester or season, each staff member in charge of a credit course, co-curricular, or extra-curricular activity is to prepare a schedule for any practices, performances, or other after-school obligations involved in participation. This information is to be sent to the school office and the guidance department when completed.

B. By the first day of an activity, students are to be made aware of the schedule of any practices and performances as well as other obligations. Each staff-member-in-charge is to determine which, if any, students will have conflicts with other activities in which they wish to participate.

C. If such conflicts exist, the staff-members-in-charge of the activities in conflict are to meet for the purpose of resolving the conflict. The emphasis should be on modifying the requirements so the student can participate in both activities.

D. If it is not possible to resolve the conflict without seriously undermining the integrity of the activity program, the following procedure is to be followed:

1. If one of the activities provides the student with credit and the other one doesn't, the student and his/her parents are to be made aware of the possible consequences of not enrolling in each activity and of not meeting the obligations for participation.

2. If both activities are credit activities, the student is to be advised to contact his/her counselor to work out a solution that does not penalize the student.

3. If one of the activities is an after-school, off-shoot of a credit activity but is not, itself, a credit activity, e.g., jazz band from concert band, the requirements for the credit activity may not be imposed as a condition for participating in the noncredit, after-school activity.

E. When the activity or program begins, the students are to be informed of the following:

1. If a student encounters a previously-unforeseen conflict during the semester or season, s/he should inform both staff-members-in-charge as soon as possible in order to increase the likelihood that an accommodation can be worked out.

2. If, during the year, an ad-hoc situation develops which creates a conflict in schedule for a student, s/he should discuss the conflict with the advisor who, in turn, will work with the staff-members-in-charge to try to reach an accommodation that is most advantageous to the student and least disadvantageous for the activities involved.

3. If a student is experiencing difficulty in deciding between activities, s/he should make contact with his/her counselor to discuss the alternatives rather than discuss it with the staff-members-in-charge.

4. Under no circumstances is the student to be intimidated while making a decision by threats of penalties or future consequences.

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ag2431A

PLAYING TIME FOR ATHLETES

2431A - **PLAYING TIME FOR ATHLETES**

The athletic policy of the Board of Education states that interscholastic athletics should provide for the development of life-long attitudes and values toward doing one's best, strong teamwork, fair play, and good sportsmanship.

The District's purpose and, therefore, each coach's purpose for students participating in athletics is to stress the importance of physical fitness throughout life, to help students develop the attitudes and values indicated above, and to practice a mind-set and behaviors related to respect for opponents, coaches, officials, teammates, and spectators. Although winning is a desirable goal and something to strive for, it should not overshadow the educational purposes of athletics and the positive impact athletic activity can have on developing ethical, productive, and well-rounded citizens.

Since learning comes from doing, it is essential that coaches place **participation by the maximum number of students** as the **top** priority for their athletic teams. To that end, the following guidelines will apply:

A. Middle School Level or Below

Equal practice and playing time for all participants, regardless of the potential impact on the outcome of the game. Playing time implies the opportunity for students to participate in all positions or skill areas of the sport.

B. Ninth Grade

Equal practice time for all participants and each will play for at least a few minutes in every game, regardless of the potential impact on the outcome of the game. Playing time will be limited to those who attend practice sessions regularly and obey the rules of conduct.

C. Junior Varsity

Equal practice time and the expectation of earned playing time* determined for each game. Some playing time for all participants during the season for those who have earned it, regardless of the potential impact on the outcome of the game.

* *Earned playing time is determined each week by the coach(es) based on the student's efforts to develop skill, maintain proper condition, demonstrate positive attitudes toward the game, practice, teamwork, fair play, and winning, and abide by the rules of conduct.*

D. Varsity

Equal practice time and only the expectation of earned playing time determined for each game. Except in a season in which a championship or tournament berth is likely, some playing time should be arranged for as many participants as possible, consistent with the criteria listed above for earned playing time.

Each coach will be responsible for administering Wisconsin Interscholastic Athletic Association (WIAA), League, District, and team rules in a fair, consistent, and equitable manner keeping in mind the above-stated purposes of athletics.

The District will arrange for students, staff, and parents to participate in training activities related to good sportsmanship, ethics, and fair play in all athletic activities.

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ag2431B

SPORTSMANSHIP EXPECTATIONS

2431B - **SPORTSMANSHIP EXPECTATIONS**

In keeping with Board of Education policy and the guidelines of the Wisconsin Interscholastic Athletic Association (WIAA), the following behaviors are expected of each group as that group fulfills its role in providing for an athletic program that is based on exemplary sportsmanship.

SCHOOL ADMINISTRATORS are expected to:

A. Develop a program for teaching and promoting the ideals and fundamentals of good sportsmanship within the school, the league/conference, and the Wisconsin Interscholastic Athletic Association (WIAA). This program should stress that disrespectful behavior, especially taunting, trash-talking, and intimidation, will not be tolerated.

B. Provide appropriate supervisory personnel for each interscholastic event.

C. Support participants, coaches, and fans who teach and display good sportsmanship.

D. Recognize exemplary behavior and actively discourage undesirable conduct by participants, coaches, and fans.

E. Attend events whenever possible and function as a model of good sportsmanship. This includes communicating with spectators **during an event**what is acceptable and unacceptable behavior.

EACH COACH is expected to:

A. Exemplify the highest moral character, behavior, and leadership, adhering to strong ethical and integrity standards. Practicing good citizenship is practicing good sportsmanship!

B. Respect the integrity and personality of the individual athlete.

C. Abide by and teach the rules of the game in letter and in spirit.

D. Describe and define respectful and disrespectful behavior. Stress that disrespectful behavior, especially taunting, trash talking, and intimidation, will not be tolerated.

E. Set a good example for players and spectators to follow.

F. Refrain from arguments in front of players and spectators.

G. Not use gestures which indicate an official or opposing coach does not know what s/he is doing or talking about.

H. Shake hands with the officials and the opposing coaches before and after the contest in full view of the public and demand the same of his/her players.

I. Respect the integrity and judgment of game officials.

The officials are doing their best to help promote athletics and the student athlete. Treating them with respect, even if you disagree with their judgment, will only make a positive impression of you and your team in the eyes of all people at the event.

J. Display modesty in victory and graciousness in defeat in public and in meeting/talking with the media.

K. Confine his/her remarks to game statistics and to the performance of his/her team.

L. Instruct participants and spectators in proper sportsmanship responsibilities and demand that they make sportsmanship the No. 1 priority.

M. Be no party to the use of profanity or obscene language, or improper actions.

EACH STUDENT-ATHLETE is expected to:

A. Accept and understand the seriousness of his/her responsibility, and the privilege of representing the school, District, and community.

B. Live up to the standards of sportsmanship established by the school administration and the coaching staff.

C. Learn the rules of the game thoroughly. This will assist the student and others to achieve a better understanding and appreciation of the game.

D. Treat opponents the way the student would like to be treated, as a guest or friend. Who better than the participating athlete can understand all the hard work and team effort that is required of the sport?

E. Refrain from taunting, trash talking, and making any kind of derogatory remarks to opponents during the game, especially comments of ethnic, racial, or sexual nature.

F. Refrain from intimidating behavior.

G. Wish opponents good luck before the game and congratulate them in a sincere manner following either victory or defeat.

H. Respect the integrity and judgment of game officials.

The officials are doing their best to help promote athletes and the sport. Treating them with respect, even if the athlete disagrees with their judgment, will only make a positive impression of the athlete and the team in the eyes of the officials and all the people at the event.

I. Win with humility; lose with grace. Do both with dignity. Avoid excessive celebrating after a play or end of a game.

EACH CHEERLEADER is expected to:

A. Understand the seriousness and responsibility of his/her role, and the privilege of representing the school, District, and community.

B. Treat opposing cheerleaders the way the student would like to be treated, as a guest or friend.

C. Wish opposing cheerleaders good luck before the game and congratulate them in a sincere manner following either victory or defeat.

D. Establish standards of desirable behavior for the squad and attempt in a cheerful manner to transfer that to the school's spectators.

E. Select positive cheers which praise the school's team without antagonizing the opponents.

F. Encourage a positive crowd alternative when booing or an inappropriate chant begins by starting a popular cheer.

G. Use discretion in selecting the times to cheer. Give the opposing school the same amount of time the school's squad would want in performing cheers, and treat opposing players like the school's team is treated.

H. Give encouragement to injured players and recognition to outstanding performances for both teams.

I. Respect the integrity and judgment of game officials.

Treating them with respect, even if the cheerleader disagrees with their judgment, will only make a positive impression of the team, the squad, and community in the eyes of the officials and all at the event.

MEMBERS OF OTHER STUDENT GROUPS (PEP CLUB, BAND) are expected to:

A. Establish themselves as leaders in conduct before, during, and after contests and events. Always provide positive support for the school's team, rather than intimidating or ridiculing the other team.

B. Assist cheerleaders with yells, chants, etc., and be a working part of pep assemblies, with preparation, organization, and involvement.

C. Treat opposing players, coaches, spectators, and support groups with respect and enthusiasm.

D. Refrain from taunting or making any kind of derogatory remarks to opponents during the game, especially comments of ethnic, racial, or sexual nature.

E. Conduct themselves in an exemplary manner, remembering they represent the school both home and away.

F. Respect the integrity and judgment of game officials.

Treating them with respect, even if disagreeing with their judgment, will only make a positive impression of the group, the team, and community in the eyes of all people at the event.

G. Be exemplary role models by positively supporting teams in every manner possible, including content of cheers and signs.

EACH SPECTATOR is expected to:

A. Remember that s/he is at a contest to support and yell for the team and to enjoy the skill and competition; not to intimidate or ridicule the other team and its fans.

B. Remember that school athletics are learning experiences for students and that mistakes are sometimes made. Praise student athletes in their attempt to improve themselves as students, as athletes, and as people as you would praise a student working in the classroom.

C. Remember that a ticket to a school athletic event is a privilege to observe the contest, not a license to verbally assault others and be generally obnoxious.

D. Learn the rules of the game, so that s/he may understand and appreciate why certain situations take place.

E. Show respect for the opposing players, coaches, spectators, and support groups. Treat them as one would treat a guest in his/her own home.

F. Refrain from taunting or making any kind of derogatory remarks to the opponents during the game, especially comments of ethnic, racial, or sexual nature.

G. Respect the integrity and judgment of game officials. Understand that they are doing their best to help promote the student-athlete, and admire their willingness to participate in full view of the public.

H. Recognize an outstanding play by either team.

I. Refrain from the use of any controlled substances (alcohol, drugs, etc.) before and during games, and afterwards on or near the site of the event (i.e. tailgating).

J. Use only those cheers that support and uplift the teams involved.

K. Recognize and compliment the efforts of school and league administrators in emphasizing the benefits of educational athletics and the role of good sportsmanship to that end.

L. Be a positive behavior role model through his/her own actions and by censuring those close by whose behavior is unbecoming.

THE PUBLIC ADDRESS ANNOUNCER is expected to:

A. Be impartial. Announce the contest with no show of favoritism.

B. Use proper language at all times.

C. Be enthusiastic but calm.

D. Not anticipate or second guess calls by the officials or criticize official's decisions, directly or indirectly.

E. Be aware of the entire venue so that calm directions can be given in an emergency.

Serious situations can be avoided if the announcer will caution the crowd against coming onto the playing surface, throwing things, and the like.

F. Permit no one to use the microphone (especially coaches during the game), except those in charge of the event and/or by design of those in charge of the event.

G. Be responsible for whatever is said over the p.a. system.

H. Announce convenient routes for spectators to leave the venue and caution the crowd to drive safely on its way home.

I. Be aware that good sportsmanship is a very important part of interscholastic activities; reading a sportsmanship statement prior to the beginning of an event, and at key times during breaks in the action contributes to a positive, educational atmosphere.

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ag2431

INTERSCHOLASTIC ATHLETICS

2431 - **INTERSCHOLASTIC ATHLETICS**

In order to maintain an effective program of interscholastic athletics, the District employs an athletic director and coaches who, in cooperation with the high school principal, are to fulfill the responsibilities described below.

Responsibilities

The Senior High School Principal shall:

A. be held ultimately responsible in all matters pertaining to interscholastic athletic activities;

B. fulfill all duties and responsibilities as they pertain to interscholastic athletics as prescribed by the Wisconsin Interscholastic Athletic Association (WIAA) and the Board of Education;

The Director of Athletics shall:

A. direct and coordinate all activities of the Department of Athletics and be directly responsible to the principal;

B. together with the principal, approve all athletic contests before they are contracted;

C. prepare the total athletic budget for the District and present it to the Director of Business Services for formal adoption;

D. ascertain that all rules and regulations of the Wisconsin Interscholastic Athletic Association (WIAA) are upheld and enforced;

E. strive to promote good public relations with the general public, news media, opponents' schools, civic organizations, and booster clubs;

F. secure a team trainer for attendance at football and basketball games and arrange for ambulance service at football games;

G. arrange for the transportation of all District athletic teams;

H. check the readiness of all facilities for teams and spectators prior to game time;

I. coordinate the planning of such events as athletic assemblies, Parents Night, Homecoming, Banquets, Booster Club Activities, etc. and clear them with the building principal;

J. prepare all game contracts, specifying the date, time, and location;

K. co-sign all game contracts with the principal and keep them on file in the High School Office;

L. make arrangements for physical examinations for candidates for athletic squads, after checking with the head coach;

M. employ and pay all contest officials and personnel involved in operating the contest;

N. issue all passes and complimentary tickets;

O. regulate the use of the press box and the public address system;

P. set up the playing of the National Anthem;

Q. reconfirm the athletic contest, one week prior to the game date, with the visiting school and game officials;

R. make arrangements for emergency medical care;

S. be responsible for regulations concerning visiting scouts;

T. arrange for the ordering and the presentation of letters and other athletic awards;

U. handle all matters pertaining to media broadcasts;

V. arrange for reconditioning of athletic equipment;

W. oversee all ticket sales and the handling of ticket revenue;

X. prepare financial reports of all revenues and expenditures for all athletic contests;

Y. keep a record available at all times regarding the latest up-to-date information on the eligibility of the current season sports squads including cheerleaders and team managers.

The Head Coach shall:

A. be responsible for all matters relating to the organization and administration of the team under his/her direction;

B. enforce all rules of the Wisconsin Interscholastic Athletic Association (WIAA) related to his/her sport;

C. assign duties to equipment managers and assistant coaches and evaluate their performance;

D. plan all practice sessions;

E. prepare public information releases regarding his/her sport;

F. assist in planning special events such as Assemblies, Parents Night, Homecoming, Banquets, etc;

G. maintain an accurate and current squad roster and submit copies to the Athletic Director;

H. cooperate with the Athletic Director in setting up physical examination schedules and verify that no candidate is issued equipment or allowed to practice until his/her examination card has been completed and his/her insurance coverage is in effect;

I. assign at least one (1) coach to be with the squad at all times and to supervise the locker room until all squad members have left the building;

J. assign at least one (1) coach to ensure that all windows, doors, and gates are locked in any area that has been used;

K. prepare a detailed equipment and supply request and submit it to the Athletic Director;

L. arrange for the presentation of team awards through the Athletic Director;

M. recommend teams that may be scheduled and officials to be employed;

N. enforce rules and regulations concerning conditioning of players and their health and safety;

O. report injuries to the Athletic Director.

Coaches should exercise great care in dealing with all injuries and particularly those that are of a serious nature. In all cases, the coach should assure that the injured athlete is receiving competent medical care. Following injuries of a serious or prolonged nature, the coach should secure the signed approval of the doctor and parent before the athlete is allowed to participate again in athletic activities.

The Assistant Coach (includes Varsity Assistants, Reserve, Freshman, and Junior High Coaches) shall:

A. support the head coach in the conduct of his/her particular sport and the total athletic program;

B. fulfill all responsibilities assigned by the head coach;

C. be prepared to assume the responsibility of the head coach, if and when necessary.

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ag2440

SUMMER AND INTERIM SESSION SCHOOL

2440 - **SUMMER AND INTERIM SESSION SCHOOL**

In accordance with Board policy, the District's summer school and interim session curriculum will consist of remedial programs for grades K-12, enrichment programs for grades K-12, and/or recreational programs.

Staff members are requested to notify the Principal with regard to those students who could benefit most from summer or interim session classes. Parents of said children will be contacted about the recommendation for attendance, but are not required to attend.

A. **Eligibility**

1. All school age children residing in the District have the right to attend a summer or interim session program, including home-school and private-school students.

2. Students who have been enrolled in full-time open enrollment must be allowed to attend summer or interim session, even if they do not intend to return in the fall. They are eligible to attend summer or interim session school following their first year of full-time attendance.

3. Children who are legal residents of the State, living in the District during the summer session may be given the status of residents of the District for the purpose of attendance at summer or interim session classes, even though the children were not regular residents of the District during the preceding regular school session.

B. **Supervision**

In accordance with guidelines for summer schools established by the Department of Public Instruction which generally follow those required of regular school sessions, the Principal of the Summer School and for any interim school sessions shall carry the same responsibilities as those generally accepted by the Principal of the regular school session. The Principal is responsible for the total operation of the school and should give particular attention to the quality of instruction and supervision of the staff.

C. **Course Offerings**

1. Courses to be offered in a summer school or interim session will be selected by the District Administrator on the advice of the Principals.

2. The District Administrator, acting upon the recommendation of the Principal, may discontinue any course for reasons of insufficient enrollment.

D. **Tuition/Fees**

1. Non-eligible students shall be charged tuition.

2. All students shall be assessed fees for materials as permitted by DPI regulations and may be charged a reasonable fee for any social, recreational, or extra-curricular activity.

3. A refund may be requested through the first day of summer or interim school.

4. Payment in full should be received before school starts, however, a delay of up to two (2) weeks for unusual circumstances may be granted by the Principal.

E. **Operating Rules**

1. Instruction in English, Mathematics, Social Studies, Science, or a foreign language may be provided at different grade levels concurrently in the same class if the class size does not exceed thirty (30) students.

2. The amount of instructional time shall become part of the student's permanent record and shall be included whenever the student's record is transferred to another school.

3. School counselors will attempt to keep a narrative report of each student's attitude, strengths, and weaknesses. The final grades will be mailed to each student's parents at the conclusion of the summer session.

F. **Performance Responsibilities**

1. The summer school principal shall recommend all personnel, subject to the approval of the District Administrator.

2. The principals of all participating schools should be consulted for professional staffing recommendations.

3. The summer school principal shall be responsible for obtaining equipment, supplies, and instructional materials.

4. The summer school principal shall direct the activities of the professional and support staff members in the performance of their responsibilities.

5. The summer school principal shall supervise the summer school's guidance program.

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ag2464

ADVANCED LEARNING INSTRUCTION

2464 - **ADVANCED LEARNING INSTRUCTION**

Purpose

The District is committed to meeting the instructional needs of all students, including those identified as advanced learners (gifted and talented). Advanced learners demonstrate high performance or potential in one (1) or more of the following domains:

A. General Intellectual;

B. Specific Academic;

C. Leadership;

D. Creativity;

E. Visual and Performing Arts.

This guideline serves as a resource in the development of a comprehensive, equitable, and continuous K–12 system that identifies and serves students requiring advanced instruction beyond the general curriculum.

Assess the Current State of Programming

District Responsibilities

A. Review current practices in relation to 118.35, Wis. Stats., and PI 8.01(2)(t).

B. Use the Gifted Education Self-Assessment Tool and Work Plan from the Wisconsin Department of Public Instruction (DPI).

C. Assess:

1. Board policies and compliance;

2. current identification practices;

3. instructional offerings for advanced learners;

4. gaps between current offerings and State expectations.

Required by Statute

A. Establish a K–12 Advanced Learning Plan.

B. Designate a coordinator for the plan.

C. Use universal, ongoing screening that:

1. covers all grade levels (K–12);

2. includes all students;

3. assesses across five (5) domains;

4. uses multiple, fair, and appropriate tools.

D. Provide appropriate instruction that is:

1. matched to student needs;

2. systematic and continuous;

3. free of cost to families;

4. includes opportunities during the school day and school year;

5. allows for parent participation.

Design Systems for Implementation

A. **Identification**

1. **Purpose**

To determine which students require more challenge and support to demonstrate continued growth, not to label or restrict access.

2. **Processes**

a. Implement universal screening and identification process at all grade levels beginning with kindergarten.

b. Evaluate identification procedures considering responsiveness to economic conditions, race, gender, culture, native language, developmental differences, and any identified disabilities.

c. Use a variety of measures:

1. standardized tests (national and local norms);

2. portfolios and student work;

3. teacher/family/community nominations;

4. observational tools and performance assessments.

d. Consider both national and local norms to reflect performance within and beyond the school community.

e. Adjust tools to be responsive to:

1. economic conditions;

2. race, language, gender;

3. cultural and developmental differences;

4. disability status.

B. **Instruction**

1. **Instructional Design**

a. Align instructional strategies with identified student needs in each domain.

b. Ensure instruction:

1. occurs during the school day;

2. is consistent across grade levels;

3. is part of a sustained system, not isolated activities.

2. **Options for Differentiation**

a. **Structural Options:**

1. Subject or grade acceleration
2. Cluster and flexible grouping
3. Early admission or early graduation
4. Honors, AP, IB, dual enrollment

b. **Experiential Options**:

1. Curriculum compacting
2. Enrichment programs
3. Above-grade-level content
4. Faster pacing
5. Greater depth of study

c. **Instructional Planning**

1. Match instructional delivery methods with student profiles.
2. Vary instruction by subject and student grade level.
3. Coordinate services across schools and programs.

C. **Documentation and Evaluation**

Student-Level Documentation

1. Use the District's student data system to record:
   a. domains in which students are identified;
   b. specific instructional opportunities provided.
2. Track student learning growth over time.

D. **Parental Involvement**

The District's plan shall include consideration for involving parents in the identification process and in program development for identified students.

District-Level Evaluation

A. Monitor the number of identified students across domains and grade levels.

B. Evaluate the effectiveness and consistency of advanced learning instruction across schools.

C. Use evaluation data to inform continuous improvement.

Additional Resources

National Guidelines and Recommendations

A. NAGC PreK–12 Gifted Programming Standards (2019):

1. Learning and Development;
2. Assessment;
3. Curriculum Planning and Instruction;

4. Learning Environments;

5. Programming;

6. Professional Learning.

B. National Working Group on Advanced Education (2023):

Recommendations across nine (9) categories, including:

1. early access and front-loading;

2. equitable identification;

3. acceleration and enrichment;

4. educator preparation;

5. mental health and SEL support.

Implementation Timeline

Districts should follow a phased approach:

A. Year 1: Conduct self-assessment, update policies, assign coordinator.

B. Year 2: Implement improved identification tools and begin staff training.

C. Year 3: Expand instructional offerings and initiate district-wide evaluation systems.

Contact Information

For support or questions regarding implementation, contact:
Director of Teaching & Learning
Email: tldirector@sdoj.org
Phone: 920-675-1052.

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ag2464B

IDENTIFICATION OF ACADEMICALLY ADVANCED LEARNERS

2464B - **IDENTIFICATION OF ACADEMICALLY ADVANCED LEARNERS**

The following criteria should be used to identify students for the gifted/talented program:

A. One or more standard deviations above average on standardized tests of achievement in reading, language, and/or mathematics.

B. Nomination by teacher(s), parent(s), classmates, and/or the student himself/herself based on grades and/or checklists of personal characteristics.

C. Demonstrated achievement of the goals and objectives in one or more academic areas of the regular school program at a level which significantly exceeds that of most students in the same situation and of the same age or experience. Also, no serious achievement deficiencies in any academic area.

D. Demonstrated ability and willingness to perform regular classroom tasks significantly more effectively than other students in the same situation.

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ag2510

SELECTION OF BASIC TEXT MATERIALS

2510 - **SELECTION OF BASIC TEXT MATERIALS**

The District Administrator will make recommendations to the Board concerning new textbooks. In formulating those recommendations, the District Administrator will consult with appropriate staff and shall consider the following prior to making any recommendations to the Board:

A. **Publisher and Author**

What is the reputation of the author(s) for scholarship?

What is the reliability of the publisher?

B. **Content**

In terms of achieving course goals...

How effective is the organizational plan?

How relevant is the information?

How complete is the information?

How accurate and unbiased is the information?

How appropriate is the illustrative material?

How sufficient is the illustrative material?

If students accomplished all the objectives called for in the material, how well would they be able to achieve the goals of the course?

C. **Necessity**

If replacement text, how does it improve upon existing text?

D. **Instructional Aids**

Does the book contain: an index? graphic materials? references? a bibliography? glossaries? appendices? Are there any software or other resources provided with the books?

How appropriate is each of these?

E. **Format**

What kind of binding? paper? type?

Will the format help or inhibit student interest and ease of use?

F. **Expense**

What is the cost and probable life?

G. **Moral Tone**

How does the text handle controversial subjects in terms of the maturity level of the students and objectivity?

H. **Past Experience**

How successfully has the text been used in other districts?

l. **Bias**

How free is the text of religious, gender, racial, and national origin bias?

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ag2521A

SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT

2521A - **SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT**

The criteria established for the selection of instructional materials and equipment shall not discriminate on the basis of any characteristic protected under State or Federal law including, but not limited to, age, sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital status, parental status, sexual orientation, or physical, mental, emotional, or learning disability.

In accordance with the policies of the Board of Education for selection of resource materials, the following guidelines should be followed:

A. **Criteria for Selection of Instructional Materials**

1. technical quality of the publication/production
2. readability and appeal to diverse students
3. authenticity-authoritativeness
4. completeness, accuracy, clarity
5. absence of gender stereotyping and racial or ethnic bias
6. reputation and significance of the author, artist, composer, and/or producer
7. format and price
8. relationship to a course of study
9. extent to which the scope/content of the material makes it possible for students to accomplish the objectives and goals of the program
10. appropriateness of the content and/or presentation relative to the maturity and/or comprehension level of the students
11. needs of an individual school program based on requests from administrators and teachers
12. needs of individual students based on requests by teachers, parents, or students

B. **Criteria for Selection of Equipment**

The evaluation and selection criteria for instructional equipment should include:

1. relevance to the school curriculum;
2. needs of staff and/or students;
3. technical quality;
4. cost;
5. reliability;
6. ease of repair and maintenance;
7. compatibility with existing District equipment, when applicable.

C. **Procedure for Selection of Instructional Resources**

The procedure for the selection of instructional resources is outlined within the Curriculum Renewal and Design Process document shared on the District website.

D. **Procedure for Selection of Library or Media Center Materials**

1. The Library Media/Technology Specialist, in cooperation with the Director of Teaching and Learning, shall be responsible for the selection of all materials housed in a library or media center. Upon notification of the availability of funds for the purchase of such resource materials, the Library Media/Technology Specialist, will prepare a request form which includes the amount of money available to a grade level or subject area for new or additional materials. Instructional staff are to submit a prioritized request list of the materials they would find most useful.
2. The Library Media/Technology Specialist, shall then determine which of the requests can be accommodated and proceed to review the selections prior to purchase. The selection criteria are the same as those used for the selection of basic text materials. (see AG 2510)3.
3. Any material that contains content or a manner of presentation that could be controversial, as defined in Policy 2240, should be approved by the District Administrator prior to purchase.

E. **Procedure for Use of Nondistrict Materials**

1. No print, audio, video, or graphic materials which are not part of the District's basic or supplementary materials are to be used with students without prior review and approval. Such review should be done, using Form 2521 F1, first by the teacher(s) or counselor(s) who wish to use the material.
2. The critical criteria by which such materials are to be reviewed are:
    a. relationship to the course of study;
    b. the uniqueness of the content and/or presentation that is not adequately provided in District materials;
    c. the appropriateness of the content and/or presentation for the maturity and comprehension levels of the students;
    d. the extent to which the content or presentation could create controversy among students, parents, and community groups.
3. Each of the four criteria are to be rated according to the rating scale on Form 2521 F1. In any situation in which the teacher has rated any of the four criteria 3 or 4, the use of the material must be approved by the District Administrator. If there is any concern on the part of the District Administrator that the material might be inappropriate, s/he should personally review the materials.
4. Any material that contains content or a manner of presentation that could be controversial, as defined in Policy 2240, should be approved by the District Administrator prior to purchase.

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RESOURCE SPEAKERS

2521C - **RESOURCE SPEAKERS**

Teachers are encouraged to invite guest lecturers to discuss a particular subject with their students under the following conditions:

A. The subject is of educational relevance and value to the students in that class.

B. The subject is presented in an unbiased or unprejudiced manner. (Speakers representing several sides of an issue may be used.)

C. The speaker(s) will not tend to disrupt the educational program.

D. The information to be discussed is appropriate for the age and maturity of the students.

E. Any speaker addressing a subject related to the District's program on health shall meet the guidelines established for that program. (See Policy 2413 and Policy 2414)

F. The teacher shall remain in the classroom during the entire presentation to provide for appropriate follow-up.

The building principal shall approve the visits of all guest speakers and seek permission to record the presentation by audio or video tape for use with other classes.

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STUDENT USE OF LIBRARIES/MEDIA CENTERS

2522 - **STUDENT USE OF LIBRARIES/MEDIA CENTERS**

Libraries and media centers have been established primarily to enrich the education of students and to help them learn how to make effective use of reference and enrichment materials. The cost of such centers can only be justified when the following conditions exist:

A. The centers are open and available to students for as much of the school day as staffing and program make possible.

B. The environment within the centers is inviting, attractive, and conducive to thought and study.

C. Staff members communicate their willingness to assist students in locating the resources they seek and to instruct them in the proper use of the reference and retrieval systems.

D. Courses of study are designed so that use of the resources that exist in the centers are an essential means for achieving the learning objectives in the course.

E. Part of the evaluation of what students have learned in a course should be growth in the skills associated with using learning resources such as those that exist in the libraries and media centers.

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ag2531

COPYRIGHTED WORKS

2531 - **COPYRIGHTED WORKS**

This School District does not condone the illegal use or reproduction of copyrighted materials in any form. It is the intent of the District to adhere to the United States Copyright Law. The following guidelines should provide guidance in this report.

An Overview of Copyright Issues

A. What is protected by copyright law?

B. Works that may be protected by copyright include literary works, musical works, dramatic works, pictures, graphics, sculptures, films, videos, sound recordings, and computer programs.[1] Copyright protection does not extend to ideas, facts, slogans, symbols, procedures, methods, or systems.[2] U.S. Government publications are not protected, unless the Government received the copyright by assignment, bequest, or otherwise.[3]

C. What is prohibited by copyright law?

The exclusive rights of a copyright owner include reproduction, adaptation, publication, performance, and display.[4]

Violating any of the exclusive rights of a copyright owner is infringement, and the infringer may be subject to civil and/or criminal penalties.[5]

D. Are there exceptions?

The Copyright Act provides several exceptions to the general rule prohibiting use of copyrighted material, including the fair use doctrine[6], the first sale doctrine[7], exemptions for libraries[8], and therefore it may be impossible for a lay person to say with certainty that their use falls within one of these exemptions.[9]

For further information, one may consult the cited references, (internet websites are provided) or consult the District's Copyright Officer.

While primarily driven by statute, these exceptions are often subject to the facts of a given situation, and therefore these guidelines summarize some aspects of the Copyright Laws including some exceptions that have been defined by statute, congressional history regulation, judicial precedent, or other relevant authority or governing body.

Do not assume that your use of copyrighted material is "ok" without consulting the accompanying guidelines.

E. What if my intended use isn't allowed under these guidelines?

Get permission!!!

Public Performance/Display of Copyrighted Works

In General

The owner of a copyright in literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works has an exclusive right to publicly perform and display the work.[10] Thus, one might be held liable for copyright infringement for publicly performing any copyrighted work (e.g., publicly reading from a book) unless s/he either 1) has obtained a license from the copyright owner or 2) the public performance is considered "fair use". In the classroom setting, in order to allow teachers to use educational materials, several situations qualify as "fair use".

Performance/Display in the Course of Face-to-Face Teaching

A. Any work (except for motion pictures or other audiovisual works)

Any copyrighted work except for motion pictures or other audiovisual works, may be performed or displayed, if:

1. instructors or students use it as part of face-to-face teaching activities, and

2. the performance or display takes place in a classroom or similar place of instruction.[11]

B. Motion pictures and other audiovisual works

Any motion picture or other audiovisual work may be performed or displayed in accordance with the above provisions for other works, unless:

1. the copy used by the instructor or student was pirated; and

2. the person responsible for the performance or display had reason to believe it was pirated.[12]

Performance/Display Outside of Face-to-Face Teaching

A nondramatic literary or musical work may be performed or displayed even if it is not part of face-to-face teaching activities, if the performance is live and is not for commercial gain.[13]

On the other hand, a dramatic work that is used outside of "face-to-face" teaching activities would require obtaining permission from the copyright owner. Also, treating a class to an in-class movie unrelated to course content would likely be outside of "face-to-face" teaching activity and would require obtaining permission from the copyright owner.

The copyright statutes do not define "dramatic" and "nondramatic" works. It is probably safe to assume that "dramatic" works 1) relate to a story and 2) a substantial portion is visually or audibly represented as actually occurring, rather than being narrated or displayed.[14] For example, a play is a dramatic work.

Reproduction of Copyrighted Works

In General

A copyright holder has the exclusive right to reproduce, prepare derivative works, and distribute copies.[15] In order to provide teachers with necessary classroom materials, the following examples help delineate "fair use" under the copyright statute.

Books & Periodicals

As for books and periodicals, teachers may engage in the following activities:

A. **When Teachers May Make a Single Copy**

A single copy may be made of any of the following by or for a teacher, at his/her individual request, for his/her scholarly research, or use in teaching or preparation to teach a class:

1. A chapter from a book;

2. An article from a periodical or newspaper;

3. A short story, short essay, or short poem, whether or not from a collective work;

4. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.[16]

B. **When Teachers May Make Multiple Classroom Copies**

Multiple copies (not to exceed in any event more than one (1) copy per student in a course) may be made by or for the teacher giving the course for classroom use or discussion; provided that:

1. the copying meets the test of brevity and spontaneity as defined below;

2. the copying meets the cumulative effect test as defined below;

3. each copy includes a notice of copyright.[17]

C. **Definitions**

1. Brevity

a. Poetry: 1) A complete poem if less than 250 words and if printed on not more than two 2) pages; (2) from a longer poem, an excerpt of not more than 250 words.[18]

b. Prose: 1) Either a complete article, story or essay of less than 2,500 words; 2) an excerpt from any prose work of not more than 1,000 words or ten percent (10%) of the work, whichever is less, but in any event a minimum of 500 words.[19]

(Each of the numerical limits stated in "a." and "b." above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)[20]

c. Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.[21]

d. "Special" works: Certain works in poetry, prose or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph "b" above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two (2) of the published pages of such special work and containing not more than ten percent (10%) of the works found in the text thereof, may be reproduced.[22]

2. Spontaneity

a. The copying is at the instance and inspiration of the individual teacher.[23]

b. The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.[24]

3. Cumulative Effect

a. The copying of the material is for only one (1) course in the school in which the copies are made.[25]

b. Not more than one (1) short poem, article, story, essay or two (2) excerpts may be copies from the same author, nor more than three (3) from the same collective work or periodical volume during one (1) class term.[26]

c. There shall not be more than nine (9) instances of such multiple copying for one (1) course during one (1) class term.[27]

(The limitations stated in "b" and "c" above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.[28]

D. **Prohibitions as to the Sections Presented Above**

Notwithstanding any of the above, the following are prohibited:

1. Copying shall not be used to create or to replace or substitute for anthologies, compilations or collective works. Replacement or substitution may not occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.[29]

2. There shall be no copying of or from works intended to be "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.[30]

3. Copying shall not:

a. substitute for the purchase of books, publishers' reprints or periodicals;[31]

b. be directed by higher authority;[32] nor

c. be repeated with respect to the same item by the same teacher from term to term.[33]

4. No charge shall be made to the student beyond the actual cost of the photocopying.[34]

Televised Programs and Videos

If an educational institution has obtained a license that allows the institution to copy, redistribute, publicly perform or otherwise use a copyrighted work, the terms of the license agreement govern. If however, the institution has not purchased a license for public performance or reproduction, there are a limited number of scenarios in which a teacher may lawfully copy a video or other audiovisual work. The remainder of this section delineates when a teacher may lawfully reproduce an audiovisual work in the absence of a license agreement.

Reproduction of Television Broadcasts for Later Viewing

A. A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of such retention period, all off-air recordings must be erased or destroyed immediately. "Broadcast programs" are television programs transmitted by television stations for reception by the general public without charge.[35]

B. Off-Air recordings may made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests.[36]

C. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast. The off-air recording may be repeated once only when instructional reinforcement is necessary.[37]

Music

The owner of a copyright in a musical work has an exclusive right to reproduce, prepare derivative works, distribute, and publicly perform his/her music.[38] Nonetheless, certain permissible uses may be considered "fair use".

Permissible Uses

A. Emergency copying to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies shall be substituted in due course.[39]

B. For academic purposes other than performance, single or multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or aria, but in no case more than ten percent (10%) of the whole work. The number of copies shall not exceed one (1) copy per student.[40]

C. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.[41]

D. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.[42]

E. A single copy of a sound recording of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright that may exist in the sound recording.)[43]

Prohibitions

A. Copying to create or replace or substitute for anthologies, compilations or collective works.[44]

B. Copying of or from works intended to be "consumable" in the course of study or of teaching such as workbooks, exercises, standardized tests and answer sheets and like material.[45]

C. Copying for the purpose of performance, except for emergency copying, as described above.[46]

D. Copying for the purpose of substituting for the purchase of music, except described under permissible uses A and B above.[47]

E. Copying without inclusion of the copyright notice that appears on the printed copy.[48]

Computer Programs[49]

The copyright owner of a computer program has the exclusive right to reproduce, prepare derivative works, and distribute the work.[50] Thus, one might be held liable for copyright infringement for copying software unless s/he has obtained a license from the copyright owner or unless the copying is considered "fair use".

Archival Copies

A. Libraries and schools may lawfully make one (1) archival copy of a copyrighted computer program under the following conditions:

1. one (1) copy is made,
2. the archival copy is stored,
3. if possession of the original ceases to be lawful, the archival copy must be destroyed along with the original program, and
4. copyright notice should appear on the copy.[51]

B. The original may be kept for archival purposes and the "archival copy" circulated. Only one (1) copy-either the original or the archival-may be used or circulated at any given time.[52]

C. If the circulating copy is destroyed, another "archival" copy may be made.[53]

D. If the circulating copy is stolen, the copyright owner should be consulted before circulating or using the "archival" copy.[54]

License Restrictions

If a computer program is licensed, refer to the license agreement. Statutory Fair Use exemptions can be overriden by license restrictions.[55] This stresses the need to review and abide by the **terms and conditions** of license agreements, especially clauses relating to permitted uses, prohibited uses, restrictions, and copying limitations.[56] By installing or using a licensed software product, you are legally bound by its agreement.[57]

Typical license restrictions include:

A. An archival (backup) copy of a copyrighted program may be made if:

1. only one (1) copy is made;
2. the archival copy is stored; and
3. copyright notice appears on the copy.

B. If only one (1) program is owned under license, **it may only be used on one (1) machine at a time**.

C. A single program may **not** be loaded into a computer that can be accessed by several different terminals for simultaneous use.

D. If the computer is capable for being used by another to make a copy of the program, a warning should be posted on the computer, such as the following:

Many computer programs are protected by copyright 17 U.S.C. 101. Unauthorized copying may be prohibited by law.

In certain circumstances, negotiating objectionable terms with the publisher may be recommended (although with consumer "shrinkwrap" agreements, this may not be possible).[58]

Special Concerns: Libraries

Library Copying and Distribution Guidelines[59]

In General

Congress has provided a safe harbor for libraries, under which libraries may not be liable for copyright infringement in certain situations. (Note: this safe harbor may not protect a library if the library violates the license agreement by which the work was obtained.[60])

General Explanation of the Exemption

Requirements for Exemption

For a library to benefit from the exemption, it must meet three (3) conditions.

A. Reproduction or distribution is made without any purpose of direct or indirect commercial advantage.[61]

Non-profit libraries may claim benefit of the exemption so long as the reproduction and distribution were not commercially motivated. Profit-making or other commercial institutions are also eligible for the exemption, as long as the reproduction and distribution was not commercially motivated.[62]

B. The library must be an Open Collection

To qualify as an Open Collection, a library's collection must be 1) open to the public, or 2) open to at least to persons doing research in the specialized field that is the subject of the collections.[63]

C. Copyright Notice May Be Required

If the original work contains a notice of copyright, that notice should also be affixed to the copy.[64] Otherwise, "if no such notice can be found on the copy that is reproduced", then the library can discharge its obligations by including "a legend stating that the work may be protected by copyright."[65]

Works not Qualifying for the Exemption

The exemption does not apply to a musical work, to a pictorial, graphic or sculptural work, or a motion picture or other audiovisual work other than an audiovisual work dealing with news unless the copy is for presentation or replacement as described below.[66]

Copies Preservation or Replacement Purposes[18]

A. A library may make up to three (3) copies of an unpublished work for purposes of preservation, including copies in digital form, if that format is not made available to the public.[67] This provision applies only to copies of works that are currently in the library's possession.[68]

B. A library may make up to three (3) copies of a published work to replace a damaged, deteriorating, lost, or stolen work, if a replacement copy cannot be obtained at a reasonable cost.[69]

C. A library may make up to three (3) digital copies of a published work that is an obsolete format, if that format is not made available to the public.[70]

Use of Videos in Library

In-Library Use of a Copyrighted Video

A. When a video purchase is made by the library, the vendor should be made aware of the library's intended use of the video. Even if a videotape is labeled "For Home Use Only," private viewing in the library should be considered to be authorized by the vendor's sale to the library if the vendor knew of the library's intended use of the video.[71]

B. Permission is required for public viewing of a video in a library, unless the requirements for classroom use are met.[72]

C. Notices should be posted in the library to educate and warn patrons about the existence of the copyright laws. An acceptable notice includes the following:

Many video materials are protected by copyright. Unauthorized copying may be prohibited by law. 17 U.S.C. 101.[73]

Third Party Use of Videos at School Facilities

A. Libraries that allow groups to use or rent their public meeting rooms should, as part of their rental agreement, require the group to warrant that it will secure all necessary performance licenses and indemnify the library for any failure on their part to do so.[74]

B. If patrons are allowed to view videos on library-owned equipment, they should be limited to private performances, i.e., one (1) person, or no more than one (1) family, at a time.[75]

C. User charges for private viewing should be nominal and directly related to the cost of maintenance of the video.[76]

Lending of Computer Programs by a Non-Profit Library

Nonprofit libraries may lend a computer program for non-profit purposes, so long as each copy of the computer program has the following noticed affixed "verbatim" to the packaging:[77]

Notice: Warning of Copyright Restrictions

The copyright law of the United States (Title 17, United States Code) governs the reproduction, distribution, adaption, public performance, and public display of copyrighted material.

Under certain conditions specified in law, nonprofit libraries are authorized to lend, lease, or rent copies of computer programs to patrons on a nonprofit basis and for nonprofit purposes. Any person who makes an unauthorized copy or adaption of the computer program, or redistributes the loan copy, or publicly performs or displays the computer program, except as permitted by Title 17 of the United States code, may be liable for copyright infringement.

This institution reserves the right to refuse to fulfill a loan request if, in its judgment, fulfillment of the request would lead to violation of the copyright law.

37 CFR 201.24(b). This notice must be affixed to the packaging that contains the copy of a computer program loaned to a library patron.[78] The notice must include a label that is durably attached to the copies or its packaging.[79] The notice must be clearly legible and readily apparent to a casual observer.[80]

Special Concerns: Internet and Other Modern Technology Issues

Databases

Generally, the information made available to researchers from commercial online and CD-based electronic databases is copyrighted.[81] Read the terms and conditions for a database before using or downloading.

Distance Learning

In General

In the distance learning context, where educational materials are transmitted over a network, the computers involved generally make copies of the educational materials in making the transmissions. This copying, however, depending on the circumstances, may not be an infringement. Under the TEACH Act, Congress created an exemption to protect schools that choose to utilize distance learning. Under this exemption, if a learning institution adheres to specific requirements, they will not be liable for copyright infringement. Instructors must be mindful of the requirements.

Institutional Considerations

In order to qualify for the distance learning exemption, an accredited nonprofit educational institution must have the necessary technological measures in place and implement a copyright policy.[82]

Accredited Non-Profit Educational Institution

These guidelines apply to accredited nonprofit educational institutions.[83] An institution utilizing distance learning must be one (1) of two (2) types to qualify for the TEACH Act exemption:

A. an institution providing postsecondary education, as determined by a regional or national accrediting agency recognized by the Council on Higher Education Accreditation or the United States Department of Education; or

B. an institution providing elementary or secondary education, which shall be recognized by the applicable State certification or licensing procedures.[84]

Necessary Technological Measures

A. Reception

To the extent technologically feasible, the institution's information technology officials must limit the reception of distance learning transmissions to students officially enrolled in the distance learning course.[85] This may, for example, be accomplished by transmission over a secure system with technological limitations on access to the class or program such as a PIN number, password, smartcard or other means of identification of the enrolled student.

Reception must be in a classroom or other similar place normally devote to instruction or any other site where the reception can be controlled by the eligible institution.[86] These guidelines are also applicable to government agency employees who take the course or programs offered by the agency as a part of their official duties.[87]

B. Reproduction and Access to Copies

The institution's information technology officials must apply technology measures to reasonably prevent 1) participants enrolled in the course from retaining the copyrighted materials for longer than the class session, and 2) participants from disseminating unauthorized copies of the copyrighted materials.[88]

Educational institutions may retain copies of their digital transmissions, provided that no further copies are made from those works.[89]

C. Other Considerations

Information technology officials should review their technological systems to be certain that the distance learning system does not interfere with digital rights management technology or other technological measures that copyright owners use to control their works.[90]

Implement a Copyright Policy

The transmitting institution must "institute policies regarding copyright."[91] These policies should provide information" materials to faculty, students, and relevant staff members that accurately describe, and promote compliance with, the laws of the United States relating to copyright, and provide notice to students that materials used in connection with the course may be subject to copyright protection.[92] Among other possible strategies, institutions might distribute printed information, post information on websites, and have users click an agreement each time they use the distance learning software.

Instructor's Considerations

Instructors need to be aware of the types of material that are protected and must oversee the use of such materials.[93]

A. **Types of Works Qualifying for the Exemption**

To qualify for the distance learning exemption, the material transmitted by the instructor must be of a proper type.[94] Transmission of any of the following may be exempt from infringement:

1. performance of a nondramatic literary or musical work,[95]
2. performance of reasonable and limited portions of all other works,[96] (e.g., plays and visual art)[97]
3. display of a work in an amount comparable to that which is typically displayed in the course of a live classroom session,[98] or

4. transmission of works converted from analog format to digital format if: 1) a digital version is unavailable to the institution, or is available but subject to technological protection that prevents its transmission for distance learning, and 2) the conversion and transmission is limited to the amount authorized (see section b. above – "reasonable and limited" portions).[99]

B. **Types of Works Not Qualifying for the Exemption**

Transmission of the following is not exempt from infringment

1. works produced or marketed primarily for performance or display as part of "mediated instructional activities transmitted via digital networks" (e.g. commercially available on-line educational materials)[100]
2. textbooks, course packs, or other course materials that are typically purchased or acquired by students for their individual use[101]
3. works that were unlawfully made or acquired (e.g. pirated materials)[102]

The performance or display of the copyrighted material must be made under the teacher's actual supervision. The material must be directly related to the content of the lesson and must be part of the systematic instruction of the students. The performance may not be for entertainment purposes.[103]

C. **Number of Copies and Lifetime thereof**

An institution may make no more than thirty (30) copies of a particular transmission program, if 1) no further copies are reproduced, and 2) except for one (1) copy preserved exclusively for archival purposes, the copies are destroyed within seven (7) years from the date the transmission was first transmitted to the public.104

Examples: When Permission of Copyright Owner is Required

A. Commercial uses: Any commercial use including the situation where a nonprofit educational institution is conducting courses for a for-profit corporation for a fee such as supervisory training courses or safety training for the Corporation's employees.[105]

B. Dissemination of recorded courses: An institution offering instruction via distance learning under these guidelines wants to further disseminate the recordings of the course or portions that contain performance of a copyrighted work.[106]

C. Uncontrolled access to classes: An institution (agency) wants to offer a course or program that contains the performance of copyrighted works to non-employees.[107]

School as an Internet Service Provider (ISP)

In the event that the District or an institution of the District operates as an internet service provider, the District or institutions of the District may be able to take measures under the copyright statutes to limit copyright liability. If the District wishes to take advantage of these internet service provider limitations, an attorney should be consulted.

Giving Credit to Copyright Owners

Always give proper credit to authors or other copyright owners. Crediting the source must adequately identify the source of the work, giving a full bibliographic description including author, title, publisher, and place and date of publication. Copyright ownership information should include the copyright notice ©, year of first publication, and name of copyright holder.[108]

Always include the notice of copyright present in the original work. The following is a satisfactory notice:

Notice: This material may be protected by copyright law.

If alterations have been made in the copyrighted material, this should be noted in the credits.

Obtaining Permission for Use of Copyrighted Material

Questions concerning copyright procedures, including fair use, should be addressed to the District Copyright Officer.

Employees must obtain permission for any use of copyrighted material that is not a fair use under the above guidelines. To obtain permission, the employee should contact the Copyright Clearance Center, Inc., or the Permissions Department of the copyright holder (usually the publisher).

Copyright Clearance Center, Inc. 222 Rosewood Drive
Danvers, MA 01923
(978) 750-8400
www.copyright.com

To request permission from the publisher, the request must be in writing and should be sent, together with an envelope addressed to the sender, to the permissions department of the publisher of the work. The request should include the title, author or editor, and edition of materials for which permission is sought; the exact materials to be used, with specification of amount, page numbers, chapters, including, if possible, a photocopy of the material; the number of copies to be made; the use to be made of the duplicated materials; the form of distribution; whether or not the copies will be sold; and the process by which the material will be reproduced.

A copy of the written permission granted by the publisher or copyright owner should be forwarded to and maintained by the District Copyright Officer.

A reasonable inquiry must be made to identify and locate the copyright owner. A reasonable inquiry includes, but is not limited to, conducting each of the following steps: 1) checking any information within the control of the educational institution, including slide catalogs and logs, regarding the source of the image; 2) asking relevant faculty, departmental staff, and librarians, including visual resource collections administrators, for any information regarding the source of the image; 3) consulting standard reference publications and databases for information regarding the source of the image; and 4) consulting rights reproduction collectives and/or major professional associations representing image creators in the appropriate medium.

REFERENCES

[1] 17 U.S.C. 102(a) (reciting all types of works except for computer programs). See also 17 U.S.C. 101 (defining computer program in the copyright statute) in view of Apple Computer v. Franklin Computer Corp., 714 F.2d 1240, 1253 (affording copyright protection to various computer programs).

[2] 17 U.S.C. 102(b).

[3] 17 U.S.C. 105.

[4] 17 U.S.C. 106.

[5] See 17 U.S.C. 501 (stating in part "Anyone who violates any of the exclusive rights of the copyright owner...is an infringer"); 17 U.S.C. 502 (providing for injunctions in cases of copyright infringement); 17 U.S.C. 503 (allowing injunctions for copyright infringement); 17 U.S.C. 504 (providing for actual damages, statutory damages, and profits for copyright infringement); 17 U.S.C. 505 (providing for attorney's fees for copyright infringement); 17 U.S.C. 506 (providing for criminal offenses for copyright infringement);

[6] 17 U.S.C. 107.

[7] 17 U.S.C. 109.

[8] 17 U.S.C. 108.

[9] See e.g. 17 U.S.C. 107 (describing the "Fair Use" exception, and particularly noting that "the factors to be considered include") (emphasis added). Thus, regarding "fair use", courts use a balancing approach instead of a bright-line test.

[10] 17 U.S.C. 106.

[11] 17 U.S.C. 110(1).

[12] 17 U.S.C. 110(1).

[13] 17 U.S.C. 110(4).

[14] Nimmer on Copyright 2.06(A)

[15] 17 U.S.C. 107.

[16] See http://www4.law.cornell.edu/uscode/17/107.notes.html (linking to H.R. Rep. No. 94-1476, 94th Cog., 2d Sess. (1976) from which this section is adapted). Specifically, this excerpt is taken from the portion of this bill with the heading "Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions with respect to books and periodicals". See id. H.R. Rep. No. 94-1476 is included along-side 17 U.S.C. 107 (entitled "Limitations on Exclusive Rights: Fair Use") in the "Historical and Revision Notes" comments. See id.

[17] Id. (referring to Comments of 17 U.S.C. 107).

[18] Id. (referring to Comments of 17 U.S.C. 107).

[19] Id. (referring to Comments of 17 U.S.C. 107).

[20] Id. (referring to Comments of 17 U.S.C. 107).

[21] Id. (referring to Comments of 17 U.S.C. 107).

[22] Id. (referring to Comments of 17 U.S.C. 107).

[23] Id. (referring to Comments of 17 U.S.C. 107).

[24] Id. (referring to Comments of 17 U.S.C. 107).

[25] Id. (referring to Comments of 17 U.S.C. 107).

[26] Id. (referring to Comments of 17 U.S.C. 107).

[27] Id. (referring to Comments of 17 U.S.C. 107).

[28] Id. (referring to Comments of 17 U.S.C. 107).

[29] Id. (referring to Comments of 17 U.S.C. 107).

[30] Id. (referring to Comments of 17 U.S.C. 107).

[31] Id. (referring to Comments of 17 U.S.C. 107).

[32] Id. (referring to Comments of 17 U.S.C. 107).

[33] Id. (referring to Comments of 17 U.S.C. 107).

[34] Id. (referring to Comments of 17 U.S.C. 107).

[35] http://www.lib.jmu.edu/org/mla/Guidelines/ (linking to the Music Library Association's "Guidelines for Off-Air Recordings of Broadcast Programming for Educational Purposes").

[36] Id. (citing Music Library Association's "Guidelines for Off-Air Recordings of Broadcast Programming for Educational Purposes.")

[37] Id. (citing Music Library Association's "Guidelines for Off-Air Recordings of Broadcast Programming for Educational Purposes.")

[38] 17 U.S.C. 107.

[39] See http://www4.law.cornell.edu/uscode/17/107.notes.html (linking to H.R. Rep. No. 94-1476, 94th Cog., 2d Sess. (1976) of which this section is verbatim). Specifically, this excerpt is taken from the portion of this bill headed "guidelines for educational uses of music". See id. H.R. Rep. No. 94-1476 is included along-side 17 U.S.C. 107 (Entitled "Limitations on Exclusive Rights: Fair Use") in the "Historical and Revision Notes" comments. See id.

[40] Id. (referring to Comments of 17 U.S.C. 107).

[41] Id. (referring to Comments of 17 U.S.C. 107).

[42] Id. (referring to Comments of 17 U.S.C. 107).

[43] Id. (referring to Comments of 17 U.S.C. 107).

[44] Id. (referring to Comments of 17 U.S.C. 107).

[45] Id. (referring to Comments of 17 U.S.C. 107).

[46] Id. (referring to Comments of 17 U.S.C. 107).

[47] Id. (referring to Comments of 17 U.S.C. 107).

[48] Id. (referring to Comments of 17 U.S.C. 107).

[49] See 17 U.S.C.A. 107 (West 2002) (also known as the "Fair Use Doctrine"); 17 U.S.C.A. 117 (West 2002) (allowing an owner to make a copy of a computer program in certain limited situations); 17 U.S.C.A. 109(b)(2) (West 2002) (also known as the "First Sale Doctrine") (allowing nonprofit libraries to lend computer providing a warning of copyright is affixed to the program (37 C.F.R. 201.24, "Warning of copyright for software lending by nonprofit libraries")).

[50] Id. 17 U.S.C. 107.

[51] These guidelines are adapted from the American Library Association's Model Policy of 1986 (available at http://www.ifla.org/documents/infopol/copyright/ala-1.txt) (last accessed Oct. 17, 2005). See also 17 U.S.C. 117.

[52] Id. (referring to ALA's Model Policy of 1986 and 17 U.S.C. 117).

[53] Id. (referring to ALA's Model Policy of 1986 and 17 U.S.C. 117).

[54] Id. (referring to ALA's Model Policy of 1986 and 17 U.S.C. 117).

[55] In other words, even if a party is not liable for copyright infringement, that party may still be liable for breach of contract. As such, State law would apply to the contract claim to the extent that State law is not pre-empted by Federal copyright law.

[56] See previous note.

[57] Regarding so-called "shrink wrap" license agreements, compare ProCD v. Zeidenberg, 86 F. 3d 1447, 1449 (7th Cir. 1996) (enforcing shrink-wrap licenses), with Step-Saver Data Sys., Inc. v. Wyse Tech., 939 F.2d 91, 93, 99 (3rd Cir. 1991) (invalidating shrink-wrap licenses under the UCC).

[58] The Association of Research Libraries (ARL) provides guidelines for negotiating license agreements for computer software, available at http://www.arl.org/scomm/licensing/index.html. See also, supra note 64 (discussing shrink-wrap license agreements).

[59] See generally 17 U.S.C. 108 (commonly referred to as the statutory exemption for libraries). See also Nimmer 8.03 (discussing the statutory exemption for libraries).

[60] Such a violation may be a breach of contract even if it is not a copyright violation.

[61] 17 U.S.C. 108(a)(1).

[62] Nimmer 8.03(A)(1).

[63] 17 U.S.C. 108(a)(2).

[64] 17 U.S.C. 108(a)(3).

[65] 17 U.S.C. 108(a)(3). See also Nimmer 8.03(D).

[66] 17 U.S.C. 108(i).

[67] 17 U.S.C. 108(b).

[68] 17 U.S.C. 108(b)(1).

[69] 17 U.S.C. 108(c).

[70] 17 U.S.C. 108(c).

[71] These guidelines are adapted from the American Library Association's Model Policy of 1986 (available at http://www.ifla.org/documents/infopol/copyright/ala-1.txt) (last accessed Oct. 17, 2005). This model policy was drafted by Mary Hutchings Reed and Debra Stanek. Mary Hutchings Reed is a partner in the law firm of Sidley & Austin, Chicago, and counsel to the American Library Association. Debra Stanek will graduate in June 1986 from the University of Chicago Law School. As of 2005, this Model Policy has not been incorporated into the copyright statute. See 17 U.S.C. 108. In particular, the current statutory library exemption does not extend to musical works, to pictorial, graphic or sculptural works, or to motion pictures or other audiovisual works, except that news-related audiovisual works may fall within the exemption. 17 U.S.C. 108(i).

[72] Id. (referring to the ALA's Model Policy of 1986).

[73] Id. (referring to the ALA's Model Policy of 1986).

[74] Id. (referring to the ALA's Model Policy of 1986).

[75] Id. (referring to the ALA's Model Policy of 1986).

[76] Id. (referring to the ALA's Model Policy of 1986).

[77] 17 U.S.C. 109(b)(2)(A).

[78] 37 CFR 210.24.

[79] 37 CFR 210.24.

[80] 37 CFR 210.24.

[81] See 17 U.S.C. 101 (extending copyright protection to any "original work of authorship" that is "fixed in a tangible medium of expression") in view of Fiest Publications v. Rural Telephone Service Co., 499 U.S. 340 (1991) (deeming that "originality" is the relevant standard for copyrightability, and dismissing the "sweat of the brow" test).

[82] See generally, 17 U.S.C. 110(2).

[83] Id.

[84] 17 U.S.C. 110(2) (third paragraph after clause (10)).

[85] 17 U.S.C. 110(2)(C).

[86] See 17 U.S.C. 110(2).

[87] 17 U.S.C. 110(2)(C)(ii).

[88] 17 U.S.C. 110(2)(D)(ii).

[89] See 17 U.S.C. 110(final paragraph).

[90] 17 U.S.C. 110(2)(D)(ii)(II).

[91] 17 U.S.C. 110(2)(D)(I).

[92] Id.

[93] See supra notes 44-51.

[94] See generally 17 U.S.C. 110(2) (commonly referred to as the TEACH Act).

[95] 17 U.S.C. 110(2).

[96] 17 U.S.C. 110(2).

[97] National Law Journal (Feb. 10, 2003) (available at http://www.goodwinprocter.com/publications/hildebrand_klosek_02_10_03.pdf)

[98] 17 U.S.C. 110(2).

[99] 17 U.S.C. 112(f)(1).

[100] 17 U.S.C. 110(2).

[101] 17 U.S.C. 110(2) (second paragraph after clause (10)).

[102] 17 U.S.C. 110(2).

[103] 17 U.S.C. 110(2) (second paragraph after clause (10)).

[104] 17 U.S.C. 112(b).

[105] See 17 U.S.C. 110(2).

[106] See 17 U.S.C. 110(2).

[107] See 17 U.S.C. 110(2).

[108] Id. (referring to "CONTU Guidelines on Photocopying Under Interlibrary Loan Arrangement").

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EVALUATION OF PROGRAM

2605 - **EVALUATION OF PROGRAM**

PURPOSE

Evaluation is essential to achieve adequately a desired learning outcome. Staff needs to be able to monitor a given situation in such a way that the District or a school has appropriate data about the current status on which to base decisions and actions. If the assessment is inadequate (for one of several reasons), it could lead to inappropriate actions and ultimately to lack of accomplishment of District goals and staff responsibilities.

Sequence of Tasks in Program Evaluation

Task 1 Clarify the outcomes and elements of the program to be evaluated.

Task 2 Describe program outcomes and elements as they **should**be.

Task 3 Determine the procedures for gathering needed information about current status of program outcomes and elements.

Task 4 Gather the data.

Task 5 Verify the accuracy and sufficiency of the data.

Task 6 **Assess**the programs by:

1. comparing the data (Task 4) with the standards (Task 2) to determine strengths and weaknesses;

2. determining relative significance of both strengths and weaknesses.

Task 7 **Evaluate**the program by judging its value or worth based on the assessment (Task 6).

PROGRAM EVALUATION CHECKLIST

When conducting an evaluation of a District program, use some or all of the following questions to 1.) determine **what**is to be evaluated (Task 1), 2.) determine standards (Task 2), and then 3.) obtain evidence about its effectiveness (Task 3):

A. **RESULTS**

1. How proficiently are the participating students learning to perform the tasks in each component of the program?

2. How well are the participating students achieving each of the parts of the INTENDED LEARNING OUTCOME as demonstrated by their performance on the APPLICATION OF LEARNING TASKS?

3. What specific secondary gains (additional benefits) are being realized for the participating students? for other students? for teachers? for the school/district? etc.

4. What specific side effects (negative consequences) are realized for the participating students? for other students? for teachers? for the school/district? etc.

5. How well does the program comply with local, state, and Federal regulations, guidelines, policies, constraints, etc.?

B. **ATTITUDES**

To what extent do those who are directly involved in the program think it is a good program and want to continue being involved in it?

C. **PROGRAM OPERATION**

1. How well do the needs assessment procedures work to efficiently identify the students who should be involved in the program?

2. How well is the **organization**and the **scheduling**of the program working to provide the participating students the opportunity to achieve program goals and meet other needs without inhibiting other students from achieving their learning goals and objectives?

3. How well is the staff able to fulfill the roles and responsibilities needed to develop and implement the program?

4. How well are the program-planning procedures working to create a plan for learning that will achieve the Intended Learning Outcomes of the program?

5. How effective are the **instructional procedures**being used working to implement the curriculum and to facilitate the students' achievement of the program goals?

6. How adequate and appropriate are the **facilities**being used to implement the program effectively?

7. How adequate, appropriate, and available are the **instructional resources** needed to implement the program effectively?

8. How well is the information about the program and its participating students being **communicated**to those who need, want, and/or should have the information?

Criteria and standards for each selected program result and/or elements need to be decided, based on a determination of the amount and quality of those characteristics that either are essential for the program to be effective or are needed to satisfy people in the particular situation.

ESTABLISHING CRITERIA AND STANDARDS

The following are suggested procedures for establishing a set of criteria and standards for evaluating any District learning program.

A. Using the Program Evaluation Checklist above, identify the results and elements of the program which are of particular interest or concern.

B. Arrange the results and the elements in terms of relative importance and/or assign a weight to each.

C. For each element, identify CRITERIA by which that result or element should be assessed and evaluated.

(Criteria deal with **qualities**or **characteristics**, e.g. number of, adequacy of, etc. while standards indicate **how much**(many) **is acceptable**.For example, asking, "To what extent do those who are directly involved in the program think it is a good program and want to continue being involved in it?" would be a question related to the CRITERION of **acceptability**of the program. The STANDARD would be how many or what percentage of those in the program would have to want to continue in order for the **acceptability**or **attitude toward the program** to be "excellent", "good", or "poor".)

D. For each CRITERION, decide the STANDARDS for determining what number or level or degree will be used for the MALQ (Minimum Acceptable Level of Quality), generally judged as "poor but acceptable", and what will be the DLQ (Desired Level of Quality), generally judged to be "excellent". Anything in-between can be rated by such terms as "fair", "good", "above-average" etc.

E. For each CRITERION, develop a rating scale or some way of assigning a numerical value to varying degrees of that quality based on evidence or on opinion supported by evidence.

EVALUATION GUIDELINES

Evaluation is a **judgment**about how "good" something is based on how well it meets particular **standards**.

If plans for evaluating a program are made **when the program is planned**, the task of evaluating is made considerably easier than if the evaluation plan is not developed about until **after**the program has been planned and/or implemented. The following are some suggested guidelines regarding evaluation:

A. Decide, well in advance of any reporting, **what**will be evaluated, **who**will be asked to evaluate, **when**the program will be evaluated, and on what **basis**.

B. Be sure that everyone involved in the evaluation is clear about the criteria and standards and what will be considered **evidence**on which to base a rating on each criterion.

C. Devise checklists, forms, etc. which make it **easy**for people to keep track of data related to each criterion.

D. Do not formally assess and evaluate a program until there is **evidence of results**. In a learning program, nothing else - attitudes, teaching procedures, etc. - should be judged except in terms of how each helps to produce the learning results. Also, do not keep changing the program until there is evidence of results. Let the program produce results and then assess them and key program elements. After the assessment/evaluation is completed, changes can be made to:

1. maintain and/or improve learning outcomes and other results;

2. improve elements of the program;

3. maintain/increase secondary gains;

4. decrease or eliminate side-effects.

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ag2623

TESTING PROGRAM

2623 - **TESTING PROGRAM**

Purpose of Testing

Testing, like any other element of the District's program, should have a definite purpose related to District goals. No test should be given without first defining its purpose and determining how the results will be used.

SUGGESTED PURPOSES FOR VARIOUS TESTS

A. **Achievement Tests**

1. to measure a student's progress in achieving District learning outcomes
2. to help determine student learning strengths and weaknesses and/or diagnose their causes
3. to help assess the effectiveness of a school's or the District's program and/or identify/diagnose educational strengths and weaknesses
4. to aid in evaluating curriculum and/or instructional strategies and resources

B. **Intelligence Tests**

1. to measure a student's mental ability as defined by the tests
2. to assist in determining eligibility for specialized instruction

C. **Basic Skills Tests**

1. to help determine the extent to which a student can perform tasks associated with functional literacy
2. to aid in diagnosing problems with literacy task-skills and in providing for appropriate remediation
3. to assist in determining eligibility for educational options

D. **Readiness Tests**

to help determine the appropriate time for a student to begin a learning program

E. **Vocational Interest/Aptitude Tests**

1. to help determine a student's interests or aptitudes for comparison with those related to particular vocational fields
2. to assist in the vocational counseling of a student

Uses of Test Results

The purpose for giving a test is to use the results to improve learning and to communicate with those concerned about how well a student or group of students are learning.

Item Analysis

If test results are to be used effectively, an analysis of the test items usually should be the first step. Such an analysis makes it easier to determine where students are strong and where the weaknesses are so that instruction can be geared accordingly. A proper analysis should provide the kind of knowledge that will not only aid in designing appropriate learning activities but in producing a more reliable assessment and more useful communication to both students and their parents.

Curriculum and Instruction

Administrators will be responsible for ensuring that test results are used by the staff to both refine the curriculum and improve instructional strategies and resources. To aid in this process, in-service programs may be necessary to strengthen understanding of how different kinds of tests are designed, how to judge reliability and validity, and how to use test information to diagnose and remediate.

Counseling

Administrators should ensure that teachers and counselors are working cooperatively by sharing information derived from the testing program. The counselors should be using test results and analyses to help students (and their parents) develop a realistic and valid view of their current achievement levels and design and follow through on plans related to both their school and vocational careers. Teachers should also be aware of these plans to help support such plans in the classroom.

Communication with Parents

As one of the important partners in the educative process, it is essential that parents be kept properly informed of test results, particularly those that relate directly to academic achievement. In communicating with parents, particularly with regard to standardized tests, the following guidelines should be observed:

A. Test results should be provided in context, that is, with the purpose of the test(s) clearly stated and the student's measurement compared to standards.

B. Make sure parents are aware of the relationship between the test's purpose and the goals of the particular program of which the test is a part.

C. Communicate what the test is designed to measure as well as what it does not attempt to measure.

D. Share the norms, if applicable, and how such norms or standards have been created.

E. Seek questions, provide or obtain reliable answers, and, if the parent is not satisfied with the answer(s), refer the question to the next level of authority.

Use in Remediation and Promotion/Retention

A. Intervention shall be provided to all students who do not meet the minimum standards of proficiency as measured by the Wisconsin Student Assessment System as well as achievement tests.

B. Test results will be used by all classroom teachers to assist in identifying and implementing instruction appropriate to the needs of students who do not meet the identified competency standards.

C. Test results may be used by teachers, administrators, and guidance personnel as a factor in promotion and graduation decisions, such as the State required Civics test, but shall not be the sole factor in determining promotion or graduation.

D. Intervention shall continue until students attain minimum proficiency as measured by District standards.

E. District specialists may assist regular classroom teachers in identification of individual student competency needs and in accommodating instruction to the intervention needs of identified students.

F. Textbooks and other instructional materials appropriate to the intervention needs of students should be identified for use by District staff.

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ag3111A

CREATING A POSITION

3111A - **CREATING A POSITION**

The Board has reserved the right, in its discretion, to create new positions and specify the number of professional staff members in each category. In compliance with that policy, the District Administrator has approved the following guidelines for the creation of a District position:

A. Each position shall be preceded by the preparation of a job description for the new position.

B. The title of the new position shall be the same as the title on the certificate required to hold that position wherever possible.

C. The new position will be presented to the Board with a recommendation for adoption.

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ag3111B

VERIFICATION OF EMPLOYMENT ELIGIBILITY

3111B - **VERIFICATION OF EMPLOYMENT ELIGIBILITY**

In order to comply with Federal law the following verification of employment eligibility procedures will apply:

Completion of Form I-9

Form I-9 must be completed within three (3) business days of the date of the hire. If an individual is employed for less than three (3) days, the form must be completed before the end of the employee's first working day.

The following individuals **do not need**to complete Form I-9:

A. persons hired before November 7, 1986

B. persons who are employed by a contractor providing contract services

C. persons who are independent contractors

The Director of Business Services or designee is also responsible for reverifying employment eligibility of employees whose employment eligibility documents carry an expiration date.

Retention of Employment Eligibility Verification Form (Form I-9)

The District must retain Form I-9 for three (3) years or for one (1) year past the end of the employment of the individual, whichever is longer. Such forms will be retained in a separate file and shall be considered to be confidential and used only for employment eligibility verification purposes.

Preparation of Documents for Inspection

U.S. Immigration and Customs Enforcement (ICE) or Department of Labor (DOL) Officers are required to give employers three (3) days advance notice before an inspection. The Director of Business Services of designee will assemble the I-9 forms and appropriate payroll records for the previous three (3) years in preparation for the inspection. Failure to provide the I-9 forms could result in civil monetary penalties for each employee for whom the form was not completed, retained, or presented.

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SELECTION OF PROFESSIONAL PERSONNEL

3120A - **SELECTION OF PROFESSIONAL PERSONNEL**

A. **Introduction**

1. The Board of Education shall make all appointments to positions on the basis of a person's professional qualifications. To implement the desire of the Board to appoint on the basis of merit only, all those who have responsibility for staffing should search diligently within and outside the system for qualified candidates to fill staff positions.

2. Each position shall have a job description which shall include, but not be limited to, the following information:

    a. the position title

    b. its function

    c. a listing of the responsibilities and authorizations assigned to the position

    d. a description of the reporting and supervisory relationships of the position

3. When qualifications of candidates for a position are similar, preference shall be given to present staff members. Applications are invited for all staff openings from present staff members.

B. **Qualifications**

1. The qualities desired beyond minimum certification requirements are:

    a. formal training appropriate to the duties and responsibilities of the particular position;

    b. experience, both quantitative and qualitative, related to the particular position;

    c. demonstrated ability in the particular position;

    d. demonstrated ability to work harmoniously with others, both with those of greater and lesser responsibility and authority;

    e. evidence of high educational and professional standards;

    f. demonstrated loyalty to the administration and other staff where presently employed;

    g. evidence of commitment to professional growth;

    h. evidence of professional work habits and conduct consistent with the ethics of the profession.

2. Each candidate shall submit the following information in the form requested by the District:

    a. personal data, limited to those allowed by law

    b. certificates held

    c. record of educational and professional training (including transcripts)

    d. record of experience applicable to the position, e.g. teaching, counseling, administration, etc.

    e. reports from references

C. **Selection Process**

1. Application Procedure

All letters of application and all placement office credentials shall come through the District Office which will maintain the application files in electronic or paper format, such that a record exists of the date of receipt and acknowledgement of the receipt of the application

2. Investigation Procedure

a. Checking of credentials should include, in addition to letters of reference, direct telephone calls to the person's recent supervisor(s) or employer. Such information shall be maintained in a confidential file restricted to supervisory and official use only so as to protect the source(s) of the information and the privacy of the applicant.

b. All necessary certification, training, and experience is documented.

c. Pre-employment tests which are directly related to the position responsibilities may be administered, if applicable.

3. Interview Procedure

(Not for Principals or Central Office Positions)

a. Upon receipt of all relevant information, applications will be routed to the appropriate building principal or supervisor for review.

b. The building principal or supervisor shall independently review the applications and then reach consensus on the applicants to be interviewed. The building principal or supervisor shall then determine which, if any, members of the staff will be included in reviewing applications and the interviews. Prior to any interviews, a copy of AG 3120C is to be given to each interviewer.

c. Qualified candidates shall be scheduled for personal interviews with an interview team as soon after receipt and review of application as possible.

d. After all interviews have been completed, the building principal or supervisor submits the recommended candidate to the District Administrator to be recommended to the Board. Prior to recommending a candidate to the Board, a criminal history record check will be conducted pursuant to Policy 3121 - Criminal History Record Check. -

e. Both successful and unsuccessful candidates who have been interviewed shall be notified of the District's employment decision.

4. Procedure for Principal Positions

If the opening is for a principalship, a screening committee consisting of members of the professional staff, student(s), and parent(s) shall be selected to assist in the interview process.

At the end of the interview process, each member of the selection committee is to independently determine those candidates that s/he thinks should receive further consideration. Additional interviews and final recommendation shall be the responsibility of the District Administrator.

5. Procedure for Central Office Positions

The interview/selection procedure for professional staff with administrative responsibilities at the District level shall be established by the District Administrator, appropriate for the position.

During all phases of all screening, interviewing, and selection process, the Equal Opportunity Employment Policy 3122 shall be adhered to by all personnel involved.

D. **Employment Procedure**

1. After the District Administrator's approval, and with Board acceptance, the District Administrator shall make an offer of employment and remuneration and, upon acceptance by the successful candidate, initiate a contract or memorandum of employment which will include:

a. terms of employment including wages;

b. length of contract;

c. fringe benefits;

d. job title and person to whom responsible;

2. Upon acceptance, the new staff member shall report to the HR Payroll Benefits Specialist to fill out withholding tax, insurance, and any other necessary forms.

3. All documents concerning employment shall be attached to the application and filed in the District Office. (See AG 8320 - Personnel Records)

4. The new staff member is to be properly oriented by his/her supervisor in accordance with the checklist on Form 3120 F1.

E. **Reporting Employment**

The District Administrator shall report all newly hired employees to the Wisconsin Department of Workforce Development within twenty (20) days of the employee's start date in a manner prescribed by the Wisconsin Department of Workforce Development.

For the purposes of this section a newly-hired employee is any first time employee and any individual rehired after an absence of ninety (90) days or more.

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ag3120B

APPOINTMENT OF PERSONNEL TO COMPENSATED CO-CURRICULAR AND EXTRA-CURRICULAR ACTIVITIES (DELETE "AND EXTRA-CURRICULAR")

3120B - **APPOINTMENT OF PERSONNEL TO COMPENSATED CO-CURRICULAR AND EXTRA-CURRICULAR ACTIVITIES**

In addition to the conditions specified in Policy 3120.08, as openings occur they shall be posted in appropriate locations in the District and, if necessary, the community prior to the application deadline.

Applications for co-curricular and athletic activities are to be made in writing to the building principal, supervisor, or Athletic Director.

The Activities/Athletic Director or the appropriate building administrator(s) shall recommend appointments to the District Administrator who is responsible for making employment decisions for co-curricular/extra-curricular positions.

The building administrator responsible for the supervision of the staff member's regular assignment shall notify the District Administrator if this extra assignment may, in any way, affect the quality of his/her regular assignments.

Those assigned positions during the previous year shall have priority for assignment as long as:

A. the extra assignment did not lower the quality of effort in fulfilling their regular responsibilities;

B. their evaluations reflect adequate or better performance of regularly-assigned responsibilities.

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PRE-EMPLOYMENT INTERVIEW QUESTIONS

3120C - **PRE-EMPLOYMENT INTERVIEW QUESTIONS**

Asking an applicant questions prohibited by the Equal Employment Opportunity Act during pre-employment interviews could open the door for a job candidate to take legal action against the District. The following guideline outlines the questions that are appropriate and those that should be avoided.

YOU CANNOT ASK:

A. any question that would indicate race or color;

B. any question that would indicate gender, unless job-related;

C. applicant's religion or religious customs and holidays; recommendations from church officials;

D. if applicant, spouse, or parents are native-born or naturalized; date of citizenship; or for other proof of citizenship before hiring; (Proof of citizenship required on I-9 Form)

E. marital status before hiring, the number and age of children, who cares for them, and if applicant plans to have more;

F. to see military service records, about military service with any country other than U.S.;

G. nationality, racial, or religious affiliation of school attended;

H. how foreign-language ability was acquired;

I. inquiries about arrests, (as contrasted with convictions), except pending charges (see below at F.);

J. listing of all clubs to which the applicant belongs or has belonged;

K. that a candidate provide a photograph before hiring or that one be taken during an interview;

L. height and weight or physical/mental characteristics which do not relate directly to the job specifications;

M. whether applicant lives with a disabled individual (whether related or not);

N. whether applicant plans to marry or plans to have a family;

O. whether applicant has any military obligations.

YOU CAN ASK:

A. for applicant's current and previous address; phone number;

B. whether applicant is eighteen (18) years of age or older;

C. whether the applicant is lawfully authorized to work in the United States;

D. if applicant has served in the U.S. armed forces including branch of service and rank attained; job-related experience acquired in the military;

E. academic, professional, or vocational school attended; language skills such as reading and writing, foreign languages, grades, degrees, majors, etc.;

F. criminal convictions; any pending felony charges; any misdemeanor charge related to sexual conduct or assault or abuse of a child;

G. personal and professional and other work references not relating to race, color, religion, gender, national origin, or ancestry;

H. professional and social organization membership, so long as affiliation does not identify and is not used to discriminate on the basis of gender, race, national origin, or ancestry;

I. willingness to perform job functions;

J. willingness to work required work schedule and under prescribed working conditions.

AFTER HIRING, YOU MAY OBTAIN:

A. marital status and number/age of dependents for insurance and tax purposes;

B. proof of age;

C. status of citizenship (I-9 Form);

D. race, if done pursuant to required or approved affirmative action plan and maintained separately from applicant file;

E. a copy of military discharge certificate.

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ag3120D

CHECKING REFERENCES OF APPLICANTS

3120D - **CHECKING REFERENCES OF APPLICANTS**

The following procedure is to be used when conducting a check of references submitted by an applicant:

A. Prior to any investigation, the applicant is to sign a waiver (WECAN) and a release granting the District permission to contact any person listed as a reference as well as any other person who may be familiar with the applicant's previous job performance or suitability for employment.

B. Review the references with the applicant to ensure that those submitted are people with whom the applicant has worked on a regular basis either in a job setting or an academic setting or both. For administrators, it is important to have references from District Administrators and Board members with whom the applicant worked. Make sure the references have worked with the applicant within the last three (3) to five (5) years. Determine from the reference if other people who worked with the applicant are available to provide information concerning suitability for the job.

C. Make telephone (not mail) contact with at least three (3) references particularly if there is discrepant information from the first two. Inform an employer that the referent is immune from all civil liability if the information provided is given in good faith. (895.487 Wis. Stats.)

D. Prior to contacting the reference, review AG 3120C regarding questions not to ask.

E. Confine questions to the applicant's suitability for employment work performance, including interpersonal skills. Ask "would you hire _____ again?" or "would you want to work with _____ again?". Ask the reference to give specific examples of what the applicant did well and/or to rate the applicant on various aspects of the job for which the person is applying. Ask "Do you know of any reason why this person should not be employed in a position that works with children?"

F. Take notes of each reference contact, including time and date of the call and the reference's name and position. Maintain a written summary of the comments for later use.

G. Complete the District's reference check form for each reference contact.

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DISTRICT SUPPORT OF ALTERNATIVE TEACHER LICENSURE

3120E - **DISTRICT SUPPORT OF ALTERNATIVE TEACHER LICENSURE**

In the pursuit of providing the best educational opportunities possible to all of the District's students, the Board has authorized the District Administrator to put resources towards and support the application for a teaching license through alternative means in circumstances where the District Administrator deems appropriate. The following is established to outline the criteria under which the District administration will support an alternative license pathway. These alternative licensure pathways are separately identified because of the additional obligations placed on the District when supporting the license process, as opposed to the emergency license or permit processes where no professional development obligations are required directly of the District.

Experience-Based Licensure

The District Administrator may support a candidate to teach technical education courses using an experience-based license. To be recommended for approval to the Board, a candidate to teach technical education courses under an experience-based license from DPI, must establish that s/he meets the following criteria:

A. must have at least 100 total points using the following system as set forth in State law. Note that the District Administrator, in consultation with appropriate staff, may opt not to support an experience-based license even if the proposed candidate can establish sufficient points in the system

1. The following points for experience in a technical field (must comprise at least twenty-five (25) of the required 100 points):

    a. for a bachelor's degree in any science, technology, engineering, or mathematics field and any teaching license or permit, 100 points

    b. for a bachelor's degree in any science, technology, engineering, or mathematics field, seventy-five (75) points

    c. for a bachelor's degree in a field other than any science, technology, engineering, mathematics, or technical or technology education field, sixty-five (65) points

    d. for industry certification, ninety (90) points

    e. for industry experience in a trade or technical field, five (5) points per forty (40) hours worked up to a maximum of ninety (90) points

    f. for an internship in a trade or technical field, twenty-five (25) points

    g. for being mentored in a trade or technical skill by a colleague or a Wisconsin Technology Education Association approved mentor, twenty-five (25) points

    h. for an apprenticeship in a trade or technical field, five (5) points per forty (40) hours worked up to a maximum of ninety (90) points

2. The following points for pedagogical experience (must be at least twenty-five (25) out of the 100 required points):

    a. for a bachelor's degree in technical or technology education, 100 points

    b. for a bachelor's degree in a field other than science, technology, engineering, mathematics, or technical or technology education field and any teaching license or permit, seventy-five (75) points

    c. for credit earned at an accredited institution of higher education or technical college, three (3) points per credit up to a maximum of seventy-five (75) points for technical or technology education course and science, technology, engineering, or mathematics courses and three (3) points per credit up to a maximum of seventy-five (75) points for education and pedagogical course

    d. for completing at least 100 hours of training in pedagogy, five (5) points per fifty (50) hours up to a maximum of seventy-five (75) points

B. must agree to a professional development plan that will be implemented and that will be completed successfully during the teacher's employment and in not more than three (3) years. The plan will consist of the following:

1. development of a mentor-mentee relationship with an experienced teacher selected by the administration for ability to mentor

   The assigned teacher need not necessarily be in the same department.

2. focus on development in pedagogical knowledge and capabilities

3. provide for regularly review of progress and revision as necessary during the course of the program if determined appropriate

4. contemplate external courses or programs to assist in professional development as appropriate

5. other District specific provisions

Professional Teaching Permit

The District Administrator may support the teaching license application of an individual to teach courses in engineering, mathematics, science, computer science, art, music, or world languages that do not yet hold a professional teacher license under these guidelines. If the following criteria are met, and in consultation with the appropriate department curriculum and instruction teams, the District will support the license application.

A. The District is experiencing a shortage in the availability of teachers with professional teaching certification in the subject area and is unable to fill a position with an acceptable license teacher. The reasons for deeming a licensed teacher to be unacceptable must be clearly articulated for internal planning purposes.

B. The individual holds at least a bachelor's degree in engineering, mathematics, science, computer science, art, music, or world languages.

C. The individual possesses at least five (5) years of verifiable industry experience in the same field as the bachelor's degree.

D. The individual has completed at least 100 hours of pedagogical training in an alternative teacher licensing program approved by DPI.

E. The applicable department shall develop and agree to implement a plan to provide supervision of the teacher by a teacher that holds regular professional teaching licensure during the two (2) year period of the permit or for as long as the teacher is employed by the District whichever is shorter.

F. The hiring of the teacher under this alternative licensure program will not displace a regularly licensed teacher in the District.

If these criteria are met and a plan developed, the District Administrator may choose to make a recommendation to the Board. Only with Board approval may the District support the license application.

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ag3120.01

JOB DESCRIPTIONS

3120.01 - **JOB DESCRIPTIONS**

After reviewing the job description, the professional staff member shall sign and date one (1) copy of the job description. The signature shall also confirm that the professional staff member has received a copy of the job description and that s/he was given the opportunity to discuss the contents with his/her immediate supervisor. In addition, the signature confirms that the professional staff member understands that it is his/her responsibility to perform satisfactorily the duties and responsibilities described therein.

This signed copy shall be included in the professional staff member's personnel file.

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ag3120.05

EMPLOYMENT OF SUMMER SCHOOL STAFF

3120.05 - **EMPLOYMENT OF SUMMER SCHOOL STAFF**

The following procedures will hold for selection of staff members for the summer school:

A. An announcement will be made to all staff members listing those positions available, hours required, rate of pay, and procedure for making application.

B. First priority will be given to District professional staff members serving in regular school programs and previous summer school programs.

C. Consideration will be given to people outside of the District only when no qualified District professional staff members are available.

D. Only those candidates who are best qualified to perform the duties of the position shall be recommended for employment.

Summer school assignments will be contingent upon having a minimum enrollment for the courses scheduled. The minimum enrollment for a course shall normally be that number of students necessary to cover the costs of the course, and is determined by the Board in each instance. Compensation for summer school teaching duties shall be set by the Board.

Summer school assignments do not carry over automatically from year to year. All such positions will be re-opened annually.

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ag3120.10

JOB SHARING

3120.10 - **JOB SHARING**

The District will provide the opportunity for job sharing by two (2) staff members under the following conditions.

A. The District will consider job share requests only if the cost of employing two (2) staff members on a part-time basis does not exceed the cost of employing one full-time staff member.

B. By sharing a full-time position, two (2) staff members receive a pro-rated percentage of their regular full-time salary.

C. Both staff members will be considered part-time employees for purposes of employee benefits provided by the District.

D. Staff members must have agreed voluntarily, and in writing, to work together. Two (2) staff members who wish to be considered for sharing a job are to submit a request to the District Administrator with the following information:

1. A description of how the responsibilities specified in the job description would be divided.

2. Confirmation that other responsibilities, such as staff meetings, conferences, in-service training, etc. would be met by both staff members.

3. A description of what plan would be used for staff member evaluation and proper communication with affected parties.

4. A description of the process which would be used for communicating with supervisors and other staff members throughout the year.

5. A description of how the job-sharing of a teaching position would be introduced to the students so as to provide for consistent classroom procedures, expectations, and discipline.

6. An explanation of what will occur if the District Administrator does not approve an additional year, or one or both individuals in the job share arrangement opt not to continue with the arrangement for the following school year, or in the event that one of the job share partners is unable to perform his/her responsibilities for an extended period of time during the current school year for any reason. The District will attempt to return both teachers to full-time assignments, provided available position and appropriate qualifications.

E. All requests for a job-sharing assignment must first be submitted to the building principal by April 30th for the following school year. The principal will forward the plan to the District Administrator, who will review all plans prior to the granting of final approval.

F. The District's commitment to any job-sharing arrangement is limited to one (1) year with authority given to the District Administrator to renew the arrangement if all conditions are being met satisfactorily and evaluation confirms that the expected results from job performance are meeting expectations.

G. Job share partners must be willing to attend reasonable position-related commitments that may occur outside their daily schedule. Specifically, job shares will:

1. conduct parent/teacher conferences together.

2. attend all in-service and staff development meetings even on those that are conducted outside of the daily schedule or on the half-day opposite of the teaching assignment over the course of the school year.

3. attend scheduled team meetings.

4. attend scheduled faculty meetings.

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ag3121

CRIMINAL HISTORY RECORD CHECK

3121 - **CRIMINAL HISTORY RECORD CHECK**

Prior to making any offer of employment to a new applicant for a professional staff position, the District shall conduct a criminal history record check of each applicant recommended for hire.

All applicants will be informed as part of the application process that a criminal background check will be conducted prior to hire.

The background check process will consist of a review of an individual's criminal record and personal references**.**

All information received from the criminal history record check shall be kept confidential by the person receiving the report and is to be shared only with the District Administrator. If the applicant is subsequently employed, the record check shall be kept in his/her confidential file.

The District Administrator shall determine whether or not to consider disqualification of an applicant based on the criminal history check.

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ag3122.01

DRUG-FREE WORKPLACE

3122.01 - **DRUG-FREE WORKPLACE**

The Board prohibits the manufacture, possession, use, distribution, or dispensing of any controlled substance, including alcohol, by any member of the District's professional staff at any time while on District property or while involved in any District-related activity or event. Professional staff members who use or possess a prescription drug that has been lawfully prescribed to the staff member and taken in accordance with the prescribed dosage shall not be deemed to be in violation of this policy. Wherever possible, a staff member should take prescribed medications at home and not bring them to school. Where that cannot be accomplished, any staff member in possession of prescribed medications while at school is responsible for taking appropriate precautions to assure that the drugs remain in the staff member's possession at all times and are taken only in private, out of view of students. Nothing in this policy shall prohibit the District Administrator from evaluating a staff member's fitness for duty pursuant to Policy 3161 - Unrequested Leaves of Absence/Fitness for Duty.

The term "District-related activity or event" includes, but is not limited to, all District-sponsored curricular, extra-curricular, co-curricular, and student or staff training events whether on or off District property and any field trip or other District-sponsored trip including national and international trips.

Employees are to report to work free of the effects of all mood-altering drugs, including alcohol. The use, possession, sale or intent to sell, transfer of drugs, drug paraphernalia, or having illegal drugs or chemicals in a person's system in or on District property, or in any District-owned or contracted vehicle is prohibited.

The use of or sale of alcohol on District property, at any District-sponsored event or trip, or in any District-owned or contracted vehicle is prohibited.

Staff members who agree to or are assigned to supervise student activities or trips shall not violate this guideline during the entire duration of the activity or trip whether students are or are not immediately present.

Each job description shall contain the following phrase:

> "The employee shall remain free of any alcohol or illegal substance in the workplace in compliance with Policy 3122.01 throughout his/her employment in the District."

Each staff handbook will include a summary of the standards regarding unlawful possession, use, or distribution of illicit drugs and alcohol by staff and the staff members shall be informed that compliance with this requirement is mandatory.

The District wishes to maintain a work environment that is free of illegal drugs, alcohol, or other improper substances. To this end, the District prohibits the sale, or use of such substances on its premises. The District requires the cooperation of all employees in administering this policy.

Desks, file cabinets, and other storage devices may be provided for the convenience of employees but remain the sole property of the District. Accordingly, they can be inspected by any agent or representative of the District at any time, either with or without prior notice. Any staff member's personal belongings kept on District property may be searched in the event District officials have reasonable suspicion that the staff member is in possession of prohibited items. Any such search shall occur only after the staff member has been asked to consent to the search. If reasonable suspicion exists, but consent to search is not provided, the search may occur. Any such search shall be conducted in the presence of more than one District official other than the staff member involved and shall be limited in scope by the basis for reasonable suspicion to conduct the search in the first instance. District officials may consult with law enforcement or District legal counsel prior to conducting a search and may prohibit the staff member from removing the item during the process.

Any staff member who violates the District policy shall be subject to disciplinary action in accordance with the Employee Handbook.

When the discipline of a staff member becomes necessary, such action shall be consistent with the requirements of any applicable Board Policy and State and Federal law.

Employees that feel they may be experiencing or developing a dependency on alcohol or other drugs are encouraged to take advantage of the resources offered by the District before a violation of this policy occurs as indicated in Policy 3122.01. Alcohol or drug dependency does not excuse any employee from the requirements of this policy.

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ag3124C

EMPLOYMENT CONTRACT FOR ADMINISTRATORS

3124C - **EMPLOYMENT CONTRACT FOR ADMINISTRATORS**

The following administrative guidelines shall govern the employment of administrators:

A. The school year for administrators shall be calculated as follows:

1. Year Round Administrators - will be twelve (12) months or 260 contract days, within which s/he is given a negotiated amount of vacation days and ten (10) paid holidays.

2. Non-Year Round Administrators - will be eleven (11) months or a negotiated contract days including a negotiated amount of vacation days and ten (10) paid holidays.

B. The anniversary date of all administrative and supervisory contracts shall be July 1.

C. Should an administrator be offered a contract in which the salary differs from that approved by the Board of Education, the salary approved by the Board shall be the salary paid.

D. Contracts shall be issued on or before March 15th of the anniversary year and must be returned by April 15th.

E. Contracts shall include; contract days, vacation days, and paid holidays.

F. Each administrator agrees to fulfill all responsibilities described in or attached to the employment contract and to enforce all policies and guidelines prescribed by the Board and the District Administrator.

G. Every administrator must present a valid certificate or letter of eligibility prior to issuance of a contract.

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ag3124D

ADJUSTING PROFESSIONAL STAFF CAREER LADDER STEPS

3124D - **ADJUSTING PROFESSIONAL STAFF CAREER LADDER STEPS**

Based on the School District of Jefferson Employee Handbook language, the Career Ladder for teachers is determined by the Board. The District Administrator has handbook language authority to place newly hired teachers on the Career Ladder as deemed appropriate. The Board also has the discretion to place new employees in shortage areas at a salary exceeding their years of service.

Movement on the Career Ladder to the next step is generally based on employees meeting the necessary requirements determined by the Board, provided funds are available. An employee may be held at their current step for less than satisfactory performance.

To create a system by which the District Administrator can, in rare and limited instances, reasonably adjust certified staff members' steps on the Career Ladder beyond simply holding them at a step for unsatisfactory performance, the Board grants the District Administrator authority to make adjustments based on clearly defined criteria (po3124). This limited authority aligns with the Board's existing rights to determine educational policies and maintain efficiency.

System for Career Ladder Step Adjustment

The system described below allows the District Administrator, in rare and limited instances, to adjust a certified staff member's Career Ladder step(s) based on specific, performance-related criteria. This is distinct from the standard step advancement for meeting requirements.

Criteria for Potential Step Adjustment

A. **Distinguished Performance:** Sustained performance significantly exceeding expectations as documented in formal evaluations (beyond "Effective"). The most recent Educator Effectiveness summative evaluation will hold the most weight in determining distinguished performance.

B. **Outstanding Contributions:** Demonstrable impact on student achievement, school-wide initiatives, curriculum development, or other areas significantly benefiting the district. Taking on significant leadership roles or consistently providing exceptional mentorship that elevates the performance of colleagues.

C. **Attainment of High-Impact Certifications or Expertise:** Obtaining certifications or developing expertise in high-need (i.e., hard to fill) areas that directly benefit the district and its students, as identified by the Board or Administration.

D. **Addressing District Shortage Areas:** Accepting assignments or demonstrating sustained effectiveness in areas identified by the Board as shortage areas.

Process for Step Adjustment

A. **Certified Staff Member Request:** A certified staff member submits a written request to the District Administrator advocating for the increase. The request must include information that aligns with most or all of the descriptors listed in “Criteria for Potential Step Adjustment.”

B. **Supervisor Recommendation:** A building principal or director submits a written recommendation to the District Administrator for a step adjustment for a certified staff member, outlining the specific criteria met and providing supporting documentation (e.g., evaluation reports, project outcomes, descriptions of contributions). A supervisor recommendation is necessary before the District Administrator will review a potential step adjustment request.

C. **District Administrator Review:** The District Administrator reviews the recommendation and supporting documentation from the certified staff member and the supervisor. They may gather additional information as needed.

D. **District Administrator Decision:** The District Administrator makes a determination based on the evidence presented and the established criteria. Within the authority granted to the District Administrator by the Board, all adjustment request decisions are final and not subject to appeal.

E. **Certified Staff Member Notification:** The staff member will be notified in writing of the District Administrator's decision, including the reason for the adjustment (or lack thereof).

F. **Board Notification:** The District Administrator will inform the Board whenever a step adjustment is made, including the rationale for the adjustments.

Parameters for Adjustment

A. Step adjustments are limited to a maximum of two (2) steps.

B. Adjustments will be based on documented evidence aligned with the established criteria.

C. The District Administrator will consider the financial implications of step adjustments within the district's budget.

D. The overall structure and intent of the Career Ladder, as determined by the Board, will be maintained.

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ag3125

WISCONSIN EDUCATOR LICENSING

3125 - **WISCONSIN EDUCATOR LICENSING**

The District Administrator is responsible for implementing the Board's policy of commitment to the placement of quality teachers in every classroom in a manner consistent with the Department of Public Instruction's licensing system. That system involves the designation of a multi-tiered licensing structure, which includes District commitment of resources for the development of teachers prior to the teacher attaining a Tier III, lifetime license or Tier IV, master educator license.

The Department of Public Instruction's regulations designates four (4) tiers of educator licenses for educational and administrative staff: Tier I, limited area and limited duration licensure; Tier II, provisional educator license; Tier III, lifetime educator license; and Tier IV, master educator license.

The District Administrator and each building administrator shall assure that each license is on file with the District and that the necessary District supports are available as required for each license category.

Tier I Licensure

Tier I licenses may be issued in the following categories and for the noted durations, except that no educator may be issued a Tier I license for special education for more than three (3) years:

A. One (1) Year Renewable License

This license is available to teach in the grade level and subject area of the license and issued to teachers that have not yet met all requirements of Tier II, but have obtained a bachelor's degree from an approved program, or have at least a bachelor's degree and the District requests the license after unsuccessful efforts to locate an acceptable and fully licensed educator. The license may be renewed provided that the educator is making progress towards meeting requirements for a Tier II license.

B. Three (3) Year District-Sponsored License

This license is available upon request by the District Administrator to allow a licensed educator to fill a role outside of his/her regular license area on a temporary basis and only for the sponsoring District. This license category may not be renewed.

C. Guest Teacher

This license is available for an educator holding a foreign bachelor's degree who has completed a foreign teacher preparation program and will receive mentoring from the District. The license is valid for three (3) years and may be renewed one time with the District Administrator's request.

D. Charter School

This license allows an educator to teach in a charter school for a period of five (5) years at a time.

E. Short- and Long-Term Substitute Teacher

Short-term licenses can be issued for renewable five (5) year periods. A long-term substitute teacher license can be issued for an initial period of two (2) years and renewed for five (5) year increments thereafter upon positive recommendation from the District Administrator.

F. Professional Teaching Permit

This license can be granted for two (2) years initially to teach sign language, art, computer science, foreign language, mathematics, music, science, or technology education to an educator who has a sign language certificate or a bachelor's degree in the particular discipline, professional work experience in the discipline, has completed an alternate teacher training program, and received a passing score on a standardized test administered by the Department of Public Instruction. The initial two (2) year license can be renewed for five (5) year periods provided that the teacher receives positive references from his/her supervising teacher and building administrator.

G. One (1) Year Administrator

Upon request of the Board, this license can be issued to allow an educator who submits a plan for obtaining regular licensure within two (2) years to serve as an administrator. The license is valid for one (1) year and with evidence of satisfactory progression, can be extended for one (1) additional year.

H. Special Education Program Aide

This license can be issued to a person who is at least eighteen (18) years of age with a high school diploma or equivalency degree upon request from the District Administrator.

I. Experience-Based Technical and Vocational Education

This license is available for a period of three (3) years to teach technical and vocational education courses based on experience and educational attainment in the particular field.

J. Reciprocity

This license may be issued for five (5) years provided that the educator holds a license in good standing in another state, has not previously been licensed in Wisconsin, and meets the remaining requirements developed by the Department of Public Instruction.

Tier II Provisional and Military Spouse Licensure

Tier II licenses are issued to educators that have completed an appropriate preparatory program, have industry experience with related teaching experience, or other criteria established by the Department of Public Instruction, but who are not eligible for a lifetime license. Tier II licensure may be issued for three (3) years and, except for the Military Spouse License, may be renewed.

Tier III Lifetime License

A lifetime license may be issued to an educator who has held or holds a Tier II license and has at least six (6) semesters of experience providing direct services to students in the instructional area or providing administrative oversight. A lifetime license remains valid provided that the educator completes a background check at least every five (5) years. A lifetime license is invalid if the holder is not regularly employed in education for five (5) or more years.

Tier IV Master Educator

This license may be issued to an educator who has held a Tier III license and is either certified by the National Board for Professional Teaching Standards, or if no such certification is available, the educator has at least five (5) years of successful teaching experience with a Tier III license and in the field of the license, holds a master's degree, has made contributions to the profession, has improved student learning and is recommended for Master Teaching Licensure by the District's assessment team.

The District has the following responsibilities under P.I. 34 relating to provisional license holders and Tier I special education educators:

A. **Ongoing Orientation**

The District shall provide ongoing orientation developed, and delivered by administrators, teachers, and other District stakeholders.

B. **Qualified Mentor**

The District shall provide a qualified mentor. A "mentor" is an educator who is trained to provide support and assistance and who will have input into the confidential formative assessment of the educator and who is not to be considered as part of the formal employment evaluation process. To be "qualified," the person must hold an appropriate license.

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ag3130

ASSIGNMENT AND TRANSFER OF PROFESSIONAL STAFF

3130 - **ASSIGNMENT AND TRANSFER OF PROFESSIONAL STAFF**

All professional staff members shall be given written notice of their building and applicable class, subject, and room assignments for the forthcoming school year not later than May 31st of the previous school year; provided, however, that if the District Administrator is delayed in the completion of such assignments by reason of emergencies, (such as questionable completion of new school construction, computer failure, abnormal professional staff member turnover or unavailability of professional staff member personnel in critical positions) the District Administrator shall provide such schedules as soon as practicable.

Transfers between schools may be enacted by the District Administrator and within a school by the principal when the needs of students, the school, or the District so require.

A. **Involuntary Transfer**

Prior to effecting an involuntary transfer of a teacher, counselor, or other non-administrator to another school:

1. the "receiving principal" shall be consulted regarding the contemplated move;

2. the professional staff member shall be consulted and have an interview with the "receiving principal";

3. a joint conference of "receiving principal", "sending principal", and transferred professional staff member shall be held in the interest of assuring continuity of the evaluation process.

B. **Voluntary Transfer and Reassignment**

Any professional staff member who desires a change in grade, subject assignment, or program, or who desires a transfer to another school for the following school year shall discuss the matter with his/her supervisor and thereafter shall file a written statement of such desire with the District Administrator as early in the school year as possible but not later than March 31st.

Such statement shall include the assignment desired, the reason for the transfer, and the potential benefits to be obtained. The request will be forwarded to the District Administrator along with the supervisor's recommendation. S/He shall notify the staff member and other appropriate parties of his/her decision as soon as possible. Requests for transfer or assignment within a building shall follow the same guidelines but may be acted upon by the principal, subject to review by the District Administrator.

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ag3160A

PHYSICAL EXAMINATION

3160A - **PHYSICAL EXAMINATION**

After the District makes a conditional offer of employment, unless exempt under the provisions of Policy 3160 - Physical Examination, each professional staff member shall be required to take a physical examination from a licensed medical practitioner designated by the Board.

The District will pay for the cost of this required, post-offer examination.

In the event the District Administrator is concerned that a professional staff member is unable to perform the duties of their position, the District Administrator may require that the professional staff member submit to an appropriate examination by a healthcare provider of the professional staff member's choice, a healthcare provider designated and compensated by the District, or both. The sole purpose of the examination shall be to determine whether the professional staff member can perform the duties of their position with or without reasonable accommodation. See also Policy 3161 - Unrequested Leaves of Absence.

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ag3170

SUBSTANCE ABUSE

3170 - **SUBSTANCE ABUSE**

Any professional staff member whose physical characteristics, appearance, behavior, or breath odor suggest to a supervisor that s/he may be under the influence of alcohol shall be requested to take a breathalyzer test administered by a law enforcement official.

Should the professional staff member refuse to take such a test or should the results of the test be positive, the District Administrator shall consider discipline up to and including a recommendation for termination.

Should a supervisor determine from the physical aspects, appearance, or behavior of a professional staff member that s/he might be under the influence of other drugs, said professional staff member shall follow the directive of the District Administrator for further evaluation. Should the professional staff member refuse or be found to be under the influence of drugs, the District Administrator shall consider discipline up to and including a recommendation for termination.

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ag3179

PROFESSIONAL CONCERNS

3179 - **PROFESSIONAL CONCERNS**

If one or more staff members have a nongrievable concern about the behavior of a fellow professional or about some aspect of the operation of the school or District that is not functioning as it should, or in accordance with an agreed-upon plan, the staff member(s) should make arrangements to discuss the matter with the school principal as soon as feasible.

If the matter is not or cannot be rectified satisfactorily by the principal, the staff member(s) may request a meeting with the appropriate Director or District Administrator. The request should be in writing and include:

A. the specific nature of the problem and a brief statement of the facts giving rise to it;

B. a brief statement explaining how the staff member(s) are being affected by it;

C. the action which the staff member(s) wishes to be taken and how such action would rectify the problem.

The director or District Administrator, after reviewing the request, will either meet with the staff member(s) or provide a written decision explaining the District's position on the matter.

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ag3213

LIABILITY OF STAFF FOR STUDENT WELFARE

3213 - **LIABILITY OF STAFF FOR STUDENT WELFARE**

Professional staff members are responsible for the safety of students on the grounds and within District facilities. In addition to requirements specified in Policy 3213, the following guidelines are provided to minimize the occurrence of situations in which staff members may incur liability for actions related to students:

A. Each professional staff member:

1. should not leave students unattended;

2. should not leave an unqualified person in charge of students;

3. should accompany students wherever they are assigned and remain with them until supervision is assumed by another responsible person;

4. should not permit students to use nondistrict-owned and/or maintained equipment or other equipment which may be potentially dangerous or use facilities or equipment except for the intended purpose;

5. should organize classroom materials and equipment so as to minimize danger of injury to students and to self.

B. Each professional staff member is to enforce the following rules established for student activity in high-risk areas:

1. Students should work in a shop, kitchen, or laboratory only under qualified supervision and in accordance with the prescribed safety procedures.

2. Only students enrolled in shop classes or laboratory classes, are to use power tools or other dangerous equipment.

C. With the ever-increasing demand for the use of gyms and other such facilities, it is imperative that the professional staff take reasonable steps to maintain the safety of District students.

1. If permission is granted for a student or group of students to use a facility, a professional staff member or authorized adult must be present in the facility throughout the time it is in use.

2. Under no circumstances are students to be left in charge.

3. If for any reason an area is unlocked for anyone, the professional staff member or authorized adult is responsible for ensuring the area is locked up after its use.

4. Under no circumstances are custodians authorized to open a facility for unsupervised students to use.

D. Each professional staff member or authorized adult must immediately report to the principal any accident or a safety hazard s/he detects and any accident involving one (1) or more of his/her students experience (See Form 5340 F1).

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ag3220A

EVALUATION OF STAFF

3220A - **EVALUATION OF STAFF**

Evaluations of the professional staff members shall be conducted on a regular basis, but no less than as required by law. Staff member evaluation should be used as a constructive tool to objectively identify both strengths and weaknesses of the professional for the purpose of providing assistance in improvement and for evaluating staff members for retention, promotion, and where applicable, compensation.

Professional staff evaluations shall be conducted using the Educator Effectiveness model adopted in the District. Additional evaluative measures may also be used by administration as described further in this guideline.

Job objectives are clearly stated, are complete and accurate in content, are agreed upon by the evaluator and evaluatee, and are divided into the following categories:

A. expected/desired results (what is to be accomplished)

B. expected/desired actions (how something is to be done)

C. expected/desired attitudes (willingness to act in a particular manner)

Factors hindering achievement of job objectives are clearly-defined and agreed upon by the evaluator and evaluatee.

Evaluation procedures are established to provide that the same process is used for similar positions and to protect the confidentiality of the staff member.

The administrative team will develop an evaluation tool to be used uniformly in the conducting evaluations.

Such criteria may consider the performance of students on examinations in staff member evaluations if the evaluation plan includes the following:

A. a description of the evaluation process

B. multiple criteria in addition to examination results

C. the rationale for using examination results to evaluate teachers

D. an explanation of how the school board intends to use the evaluations to improve pupil academic achievement

STRATEGY FOR EVALUATION

The following guidelines should be followed when designing an evaluation plan. (See AG 2605 for steps of the strategy and additional guidelines.)

A. **Relevant Terms**

1. measurement - determination of the current result and/or performance

2. assessment - comparison of the current result/performance with a desired and/or minimally acceptable level of quality

3. observation - measurement and/or assessment while one or more aspects of the expected result is being produced or created (performance)

4. evaluation - value judgment about the result/performance based on the assessment

B. **Intended Outcome of the Evaluation Plan**

The procedure should produce conclusions that:

1. include those characteristics of a result and/or performance that meet or exceed described standards;

2. include those characteristics that fall below such standards;

3. are **complete**(no missing elements), **accurate**(no factual errors or unsupported inferences), and **clear**(understandable by all relevant parties);

4. indicate priorities for closing important gaps between current results/performance and expected results/performance;

5. provide a judgment about the value or worth of the result and/or performance.

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ag3220B

EVALUATION PROCEDURE FOR ADMINISTRATIVE PERSONNEL

3220B - **EVALUATION PROCEDURE FOR ADMINISTRATIVE PERSONNEL**

The Board of Education requires the evaluation of all District administrators. In compliance with this mandate, AG 3220A, as well as the following procedures, will be used for administrative evaluations:

A. An evaluation will be provided each administrator according to a schedule determined by the District Administrator.

B. The evaluation shall measure each administrator's effectiveness in performing assigned duties, and these evaluations shall be considered by the District Administrator and the Board when deciding whether to renew or to non-renew a contract.

C. The District Administrator will, at least thirty (30) days prior to any Board action, ensure that all evaluations have been completed and received by administrators whose contracts expire at the end of the current year.

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ag3220C

COMPONENTS OF THE DISTRICT TEACHER EVALUATION PLAN

3220C - **COMPONENTS OF THE DISTRICT TEACHER EVALUATION PLAN**

This guideline identifies the specific criteria and a systematic procedure to evaluate staff as required by Policy 3220 – Staff Evaluation.

Specific Criteria

The specific criteria to be used in the evaluation system include the following:

A. Organized, Structured Classroom Management

B. Instructional Delivery and Innovation

C. Content Knowledge

D. Technological Proficiency

E. Productive Teaching Techniques

F. Intellectual Stimulation

G. Positive Interpersonal Relations

H. Professional Growth

I. Contribution to District, building or grade level goals

Systematic Procedure

The evaluation process shall include:

A. SLO and PPG;

B. District and state required components from the CESA 6 Educator Effectiveness system.

C. Summative Conference using the District approved evaluation instrument for beginning teachers, teachers who have an Individualized Improvement Plan, and teachers who are scheduled for formal evaluation.

Improving Student Academic Achievement

Evaluation of professional staff should be used as a constructive process to objectively identify both strengths and weaknesses of the employee for the purpose of giving direction to and providing assistance in improvement, to make decisions for retention, discipline, assignment, promotion, and, where applicable, for compensation.

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ag3231A

PARTICIPATION IN POLITICAL ACTIVITIES

3231A - **PARTICIPATION IN POLITICAL ACTIVITIES**

One of the primary purposes of the school is to create an environment that will permit students to grow and develop. To be of maximum effect, this environment must extend to both the formal academic program as well as to the many extra-curricular activities sponsored by the school. Because of the ages of the students and the significance of the task, it is important that this environment be protected from interference by external, sometimes coercive or disruptive, forces and influences that do not substantially contribute to the learning process.

Nonschool-related activities, including political activities, do not contribute to a positive learning climate and may be disruptive, divisive, and distracting. Therefore, such activities are not appropriate within the school setting. It is the intention of the Board to regulate such activities on all Board owned or used property, within all school buildings, and at all school-sponsored activities.

Specifically:

A. Literature supporting or opposing one or more candidates, issues, or a particular point of view; commercial literature, and other nonschool-related literature shall not be distributed on or in Board owned or occupied buildings or grounds, inside of school buildings or on school buses immediately before or after school or while school is in session. (The distribution of materials to students by other students is governed by the regulations contained in Board of Education Policy).

B. Literature supporting or opposing one or more candidates, issues, or a particular point of view; commercial literature, and other nonschool-related literature shall not be distributed at school-sponsored extra-curricular activities or athletic events wherever they may occur. This regulation shall not prohibit the distribution of literature outside of the entrances and exits of athletic events providing that any such distribution does not interfere with the ability of individuals to freely enter or leave the facility, is not disruptive, and does not take place when school is in session.

C. Nonschool-related, political, and/or commercial literature, or campaign posters supporting one or more candidates, issues, or a particular point of view shall not be displayed within the schools or on school-owned or occupied property unless done as part of any approved teaching unit.

D. When the school facilities are used as a polling place, State regulations will be followed with respect to political activities, the display of political posters, and distribution of political literature on school property.

E. Employees of the School District shall not engage, during the course of their employment, in any activities that support or oppose one or more candidates, issues, or a particular point of view during working hours. The right to express political or other opinions and exercise their constitutional rights as citizens is naturally reserved for all employees.

F. For purposes of this guideline, distribution of materials described includes the use of electronic communications, such as District-provided e-mail or District-sponsored social media outlets, and includes such activities on personal accounts done during work hours.

G. Nothing in this guideline or related policy shall be construed or enforced in any way that impairs any staff member's rights to engage in protected concerted activity.

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ag3242C

SIX QUESTIONS FOR DETERMINING THE EFFECTIVENESS OF STAFF DEVELOPMENT PROGRAMS

3242C - **SIX QUESTIONS FOR DETERMINING THE EFFECTIVENESS OF STAFF DEVELOPMENT PROGRAMS**

The six questions addressed in this guideline deal with the most important issues concerning any staff development program. The first relates to the outcome of the program - **do staff members produce better results on the job?** If that "outcome" question cannot be answered adequately, the effectiveness of any staff development program is very difficult to determine and the investment of valuable time and resources of doubtful justification.

Form 3242C F1 has been designed to provide a brief "No", "Somewhat", or "Yes" answer to each question. If other than Yes answers are obtained, further analysis and planning will be necessary if the program is to have much impact on job performance.

The remainder of the guideline provides background information on each question to help determine the "No", "Somewhat", or "Yes" answer. This will facilitate the rating of a program on the Form. Before using the guideline, therefore, it is important to review the form first.

This guideline can be used for staff development programs designed for either professional staff or support staff. For programs to be used with instructional staff, the end-result should be described in terms of the type and quality of student learning that should be forthcoming because of what the instructors can now do better or differently.

SIX QUESTIONS

1. HAS THE RESULT THE INDIVIDUAL (TEAM) IS TO PRODUCE, UPON COMPLETION OF THE PROGRAM, BEEN DESCRIBED PRECISELY, COMPLETELY, AND AT DESIRED STANDARDS?

2. DOES THE PROGRAM PROVIDE FOR ALL OF THE RELEVANT KNOWLEDGE, ATTITUDES, PROCEDURES, AND TEAM-WORK SKILLS THAT THE INDIVIDUALS (TEAM) HAVE TO LEARN IN ORDER TO CONSISTENTLY PRODUCE THE DESIRED END- RESULT?

3. IS THE PROGRAM ORGANIZED/SEQUENCED TO BEST ENSURE THAT EACH INDIVIDUAL (TEAM) NOT ONLY LEARNS THE SPECIFIED CONTENT CUMULATIVELY, BUT ALSO LEARNS HOW TO APPLY IT PROPERLY AFTER COMPLETION OF THE TRAINING?

4. CAN THE INSTRUCTORS DEMONSTRATE ALL OF THE KNOWLEDGE, ATTITUDES, AND/OR SKILLS WHICH ARE NEEDED TO HELP EACH INDIVIDUAL (TEAM) ACHIEVE THE STATED OUTCOME?

5. ARE THE TRAINING MATERIALS/ENVIRONMENT DESIGNED AND ORGANIZED IN WAYS THAT ARE MOST CONDUCIVE FOR INDIVIDUALS (TEAMS) TO ACHIEVE THE NEEDED LEARNING?

6. DOES THE END-OF-PROGRAM EVALUATION PROVIDE VALID EVIDENCE THAT INDIVIDUALS (TEAMS) HAVE FUSED THE KNOWLEDGE, ATTITUDES, PROCEDURES, AND/OR TEAM- WORK SKILLS, AS WELL AS LEARNING-TRANSFER STRATEGIES, WELL ENOUGH TO PRODUCE THE DESIRED END- RESULT?

REFERENCE FOR ANSWERING THE SIX QUESTIONS

1. **HAS THE RESULT THE INDIVIDUAL (TEAM) IS TO PRODUCE, UPON COMPLETION OF THE PROGRAM, BEEN DESCRIBED PRECISELY, COMPLETELY, AND AT DESIRED STANDARDS?**

   Why the Question Needs To be Answered

   Any staff development program, if designed properly, should be based on a defined statement of intended result. For programs designed for instructional staff, that would mean a description of the intended learning result for students. For programs designed for other types of staff, there should be a description of the result that should be produced by proper application of the knowledge, attitudes, and/or skills developed by the program.

   When leaders, program designers, instructors, and participants do not have a clear mental picture of the desired outcome of the program, it is difficult to justify, intelligently, the need for the training, or to know if the program is adequate, or to judge its effectiveness.

THE "NO" ANSWER

____ The end-result has not been defined or has not been justified.

THE "SOMEWHAT" ANSWER

____The end-result has been defined in terms of staff member performance of selected tasks. These tasks are not the end-result of the responsibility, but represent means to an end. Knowledge of subject matter and/or skill in specific techniques does not confirm that the individual (team) can and will integrate and apply all that is necessary to consistently achieve the desired result.

____ The end result has been defined but only for one set of conditions. Since conditions usually change frequently, such a definition is inadequate for judging consistent performance over time.

THE "YES" ANSWER

The outcome contains each of the following parts. Each has been stated completely and accurately.

____ The end-result is described as the situation should be after all necessary tasks have been completed.

____ The criteria (what is to be judged) and the standards (how much quality) for determining the quality of the result the individual (team) is to produce upon completion of the program.

____ The significance of the result in terms of its necessary contribution to achieving broader District goals.

2. **DOES THE PROGRAM PROVIDE FOR ALL OF THE RELEVANT KNOWLEDGE, ATTITUDES, PROCEDURES, AND TEAM-WORK SKILLS THAT THE INDIVIDUALS (TEAM) HAVE TO LEARN IN ORDER TO CONSISTENTLY PRODUCE THE DESIRED END-RESULT?**

WHY THE QUESTION NEEDS TO BE ANSWERED

This question deals with the substance of the staff development program, that is, with the requisite concepts, skills, and attitudes that have to be utilized properly to achieve the intended results. If the question is not answered, there is no way of determining the adequacy of the program. The answer signifies the validity, relevance, and completeness of the program content.

THE "NO" ANSWER

____ The concepts, skills, and/or attitudes are not defined or are not directly related to producing the desired end-result.

THE "SOMEWHAT" ANSWER

____ The training specifies concepts and procedures but not attitudes or teamwork skills.

____ The concepts, skills, and/or attitudes are inadequate, that is, if the individuals (teams) learned them all, they would still lack certain needed knowledge or skills to accomplish the end-result of the program.

____ There are some concepts, skills, and/or attitudes that are relevant and some that are not directly related to the end-result of the particular program.

THE "YES" ANSWER

The requisite concepts, attitudes, procedures, and/or teamwork skills, are:

____ described in a logical order;

____ explicitly interrelated (if the relationship is not apparent);

____ based on previously-learned instructional concepts and skills which have been confirmed or, if assumed, adequate remediation procedures (if needed) are described.

3. **IS THE PROGRAM ORGANIZED/SEQUENCED TO BEST ENSURE THAT EACH INDIVIDUAL (TEAM) NOT ONLY LEARNS THE SPECIFIED CONTENT CUMULATIVELY, BUT ALSO LEARNS HOW TO APPLY IT PROPERLY AFTER COMPLETION OF THE TRAINING?**

WHY THE QUESTION NEEDS TO BE ANSWERED

Descriptions of what is to be learned do not confirm whether or not the content (knowledge, techniques, etc.) is organized/sequenced properly from the standpoint of the participant! Improper sequencing can create serious learning problems or "disconnects". Also, if the learning is "atomized" rather than cumulative, the individuals (teams) will experience great difficulty in "putting it all together" when it comes time to make applications. And, since dilution of learning and inability to apply is such a common phenomenon, learning how to transfer learning needs to be an ongoing, integral part of any staff development program.

THE "NO" ANSWER

____ There is no apparent logic to the organization or the sequencing and no attempt has been made to deal with learning-transfer.

THE "SOMEWHAT" ANSWER

____ The content is organized by discrete tasks or topics, but the sequence of learning is arbitrary or not clearly indicated.

____ The content is organized/sequenced properly for isolated tasks or topics but does not build cumulatively toward performance of all aspects needed to produce the desired end-result.

____ The content is organized/sequenced properly and builds cumulatively, but the strategies for applying the learning are missing or inadequate.

THE "YES" ANSWER

____The content is organized logically/cumulatively for the end-result. For each unit or section of the program, the participants follow a learning sequence in which they:

____ develop a clear mental picture of what they will learn, why, and what they will do to confirm they have achieved the learning;

____ obtain needed information and process it through discussion, practice, problem-solving, etc.;

____ demonstrate the desired learning;

____ plan applications of the learning to their job responsibilities.

4. **CAN THE INSTRUCTORS DEMONSTRATE ALL OF THE KNOWLEDGE, ATTITUDES AND/OR SKILLS WHICH ARE NEEDED TO HELP EACH INDIVIDUAL (TEAM) ACHIEVE THE STATED OUTCOME OF THE PROGRAM?**

WHY THE QUESTION NEEDS TO BE ANSWERED

Regardless of how well designed the staff development program may be, it is only as good as its implementation. The key factor for effective implementation is quality instructors.

THE "NO" ANSWER

____ The program is to be instructor-free. That is, instruction is provided entirely by directions in materials (or equipment) which also provide any follow-up instruction.

____ The instructors will present the program primarily by lecture.

THE "SOMEWHAT" ANSWER

____ The instructors are to manage "self-instruction". That is, they are to organize facilities and materials, distribute materials, monitor individual (team) progress, correct tests, offer help when needed and/or requested. The actual instruction is provided by the materials. Instructors receive no formal training in such "management" tasks.

____ Same as above except instructors receive instructional management training which could range from inadequate to that which confirms that instructors can perform the instructional management tasks in actual staff development situations.

____ The instructors are to conduct the activities described in the program. Instructional procedures are not described or are

so vague that different instructors could legitimately interpret them differently and thereby produce entirely different results. Instructors receive no formal training in conducting the activities.

____ Same as just above except instructors are given formal training, but the procedures they are taught are irrelevant, and/or inadequate and/or there is no confirmation they can and will apply them in the staff development situation.

____ The instructors are not required and/or have not been trained in how to model the behaviors expected of those who participate in the program.

THE "YES" ANSWER

____ All of the instructional procedures are provided or the plans are available for conducting each of the training activities. These include procedures or plans for:

1. planning each activity;

2. instructing individuals, small groups, and large groups;

3. remediating "learning blocks" or deficiencies in prerequisites;

4. confirming that what participants have learned can be applied.

____ The procedures make it possible for instructors to model expected behaviors and to conduct the program in a way that fosters self-confidence and the other attitudes needed for participants to become competent in using what they have learned.

____ The instructors have confirmed, through actual performance, that they are able to apply the instructional procedures as and when needed in their staff development situations.

5. **ARE THE TRAINING MATERIALS/ENVIRONMENT DESIGNED AND ORGANIZED IN WAYS THAT ARE MOST CONDUCIVE FOR INDIVIDUALS (TEAMS) TO ACHIEVE THE NEEDED LEARNING?**

WHY THE QUESTION NEEDS TO BE ANSWERED

Materials and/or environment (facilities, etc.) can be over-emphasized or, just as bad, they can be given too little consideration in terms of their impact on learning. They do not produce the needed learning, but they do seriously affect how well and how fast an individual (team) reaches desired levels of understanding and/or performance.

THE "NO" ANSWER

____ The training environment does not make it possible for individuals (teams) to learn properly, because essential training materials, facilities, etc. are missing or in poor condition.

THE "SOMEWHAT" ANSWER

____ Some of the training materials are not essential but are included because they are appealing or reflect "conventional-wisdomitis". The training environment is such that it creates distractions that get participants off the focus of the needed learning.

____ Training materials are designed/organized as "instructors" rather than as information resources needed for proper learning and application. The training environment is not designed specifically for the staff development program and/or to allow the needed learning to occur efficiently.

THE "YES" ANSWER

____ The training program does not use materials/technology as a substitute for a trained instructor. Materials/technology are used, when needed, to provide the information individuals (teams) have to have in order for the instructor to guide their learning toward performance that can produce the desired end- result.

____ The training environment, to the extent possible, is designed to keep distractions to a minimum and to replicate as closely as possible the kind of environment the individuals (teams) will be working in.

6. **DOES THE END-OF-PROGRAM EVALUATION PROVIDE VALID EVIDENCE THAT INDIVIDUALS (TEAMS) HAVE FUSED THE KNOWLEDGE, ATTITUDES, PROCEDURES, AND/OR TEAM-WORK SKILLS, AS WELL AS LEARNING-TRANSFER STRATEGIES, WELL ENOUGH TO PRODUCE THE DESIRED END-RESULT?**

WHY THE QUESTION NEEDS TO BE ANSWERED

The time, money, and effort involved in staff development are too great to leave evaluation of the program to unjustified assumptions about how well an individual (team) is prepared to properly apply what has been learned. Since critical decisions are often made on the assumption that people can and will transfer their training to their job situation, obtaining evidence which confirms such "readiness" should be an integral part of any staff development program.

THE "NO" ANSWER

____ Confirmation is missing and readiness is to be assumed from a description of program inputs (what activities consist of, time allocated, money to be spent, etc.)

THE "SOMEWHAT" ANSWER

____ Confirmation is of training inputs. The evidence consists of measuring such things as training time, use of resources, number of participants involved, popularity of activities, etc.

____ Confirmation is by tests (paper/pencil or otherwise) which measure only selected ideas, procedures, etc. learned during the program.

____ Confirmation is by a one-time performance test given under one set of conditions which may or may not be typical of participants' job situations.

THE "YES" ANSWER

____ Before completion of the program and consistently thereafter, individuals (teams) are required to produce the end-result and to justify how their performance meets established standards.

____ If it is not possible for individuals (teams) to produce the desired end-result in an actual or simulated situation, they are given several different sets of conditions and asked to describe the desired end-result, how they would produce that result and justify how their performance would meet the established criteria at given standards.

PRIORITIES FOR REMEDIATION

Using these guidelines, it should be possible to determine relatively quickly whether or not any given staff development program can or has fulfilled its intended purpose. If the answers to all six (6) questions are YES, then it is very likely that the program will achieve its purpose. It does not necessarily follow, however, that the program should not be used (or continued) if some of the critical elements are not what they should be. Some are more critical than others. The following priorities indicate the order of importance for eliminating deficiencies.

TOP REMEDIATION PRIORITY - "NO" OR "SOMEWHAT" answers to Questions #1 & #6

Reason for Priority Rating

There is no way to achieve the unknown. Any staff development program is fundamentally flawedthat lacks a clearly-defined, justified end-result from the effort. That end-result should be the one that signifies proper application of that which the individuals (teams) have learned from the program. There also has to be an effective way to confirm whether or not each participant has achieved the desired state of "readiness".

SECOND REMEDIATION PRIORITY - "NO" or "SOMEWHAT" answers to Question #4

Reason for Priority Rating

A highly competent instructor, given a clear, justified end-result can, if necessary, overcome all the other deficiencies and still make it possible for participants to reach "readiness" and to achieve the end-result with students.

THIRD REMEDIATION PRIORITY - "NO" or "SOMEWHAT" answers to Question #2

If any of the prerequisites (the training content) are missing or inadequate, it places a burden on the instructor (no matter how competent) which could make the staff development process too difficult for the time that is available to achieve the end result.

FOURTH REMEDIATION PRIORITY - "NO" OR "SOMEWHAT" answers to Questions #3 and #5

Reason for Priority

A competent instructor with the aid of adequate content can work around these program deficiencies even though it makes the training difficult, irritating, and inefficient.

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GUIDELINES FOR PURSUING NATIONAL BOARD CERTIFICATION

3242.02 - **GUIDELINES FOR PURSUING NATIONAL BOARD CERTIFICATION**

The process of obtaining National Board Certification consists of an application for acceptance in the program and the submission of applicable fees. Upon acceptance, a rigorous, self-directed and highly specified course of study guided by five (5) core propositions is followed. The length of this process varies greatly by applicant but usually requires from one (1) to three (3) years.

Fee Structures

Initial Application Fees*:

The fee structure for initial applications consists of:

A. A $65 non-refundable application processing fee

B. A $500 non-refundable initial application fee

C. A $2,500 program fee (the $500 initial application fee can be applied toward this amount)

*Initial applicants prior to 2019 are 10-year certifications; after 2018 are 5-year certifications.

Reapplication Fee:

$1,250 program fee

Subsidies and Grants

The Wisconsin Department of Instruction (DPI) offers the following grants, subsidies, and long-term salary supplements:

A. Certified teachers may apply for up to $2,000 for reimbursement of costs related to the program upon completion of the certification process.

B. National Board Certified teachers qualify to receive a supplemental $2,500 or $5,000 per year salary award for nine years from the State of Wisconsin.

The School District of Jefferson shall pay for all direct National Board Professional Teaching Standards (NBPTS) fees associated with this program. The applicant is expected to apply for all DPI subsidies and/or grants available to teachers for the NBPTS program. The applicant agrees to return to the District 100% of the DPI subsidy granted to assist with the program fee. This provision does not apply to any of the nine-year $2,500 supplemental salary awards given by the State upon receipt of National Board Certification status.

Eligibility and Benefits Eligibility is limited to teachers that are employed at least half time (.50 FTE) in the District. In order to receive benefits under this plan, staff may apply at any time, but must do so and be approved prior to application to NBPTS. Selection for benefits is not guaranteed, will be evaluated against specific selection criteria, and is subject to Board approval.

Benefit recipients are expected to remain employed by the School District of Jefferson while completing the NBPTS program. Termination of employment prior to completion of the program will require the teacher to refund the District for all NBPTS fees paid on their behalf.

Upon completion of the NBPTS program, the teacher is expected to remain a School District of Jefferson employee for a minimum of five (5) years. Failure to do so will result in a required repayment of all fees paid to NBPTS by the District. This liability will be prorated as follows for employment years not meeting the five-year minimum:

Four years of employment after certification: 20% repayment to the district by employee
Three years of employment after certification: 40% repayment to the district by employee
Two years of employment after certification: 60% repayment to the district by employee
One year of employment after certification: 80% repayment to the district by employee

A teacher must notify the Building Principal and Superintendent, in writing, that s/he is pursuing National Board Certification. The teacher will then be granted up to five (5) days of professional leave to work on their initial certification and (2) days of professional leave to work on recertification. The five (5) days for initial certification can be used over athree-year period and any time prior to submitting their Portfolio or taking the Assessment Center Test, whichever is last. No more than three (3) days may be used in any one school year.

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ag3243

ATTENDANCE AT EDUCATIONAL MEETINGS

3243 - **ATTENDANCE AT EDUCATIONAL MEETINGS**

Attendance at educational meetings shall be administered by the District Administrator in accordance with Board policy.

Educational meetings are intended to include professional conventions, conferences, workshops, drive-ins, etc., which are conducted for the purpose of disseminating information, making inquiries into the nature of an educational problem, etc.

A. Except in unusual circumstances, or at times of exceptional need, a professional staff member's attendance at educational meetings shall be limited to no more than two (2) per year.

B. Staff members should request leave to attend educational meetings at least ten (10) business days in advance of the meeting to allow for proper approval. (See Form 3243 F1)

C. Attendance shall be limited to those staff members who have responsibilities directly related to the topics dealt with at a meeting and have participated in similar activities conducted with the District or the local area.

D. Other staff members requesting attendance whose responsibilities are not directly related must show cause why attendance is necessary and what benefit the District may receive from their attendance.

E. Staff members attending a meeting will make a summary report to the District Administrator and indicate the ways in which what was learned will be applied within the District.

F. Reimbursement for travel, rooms, meals, and other meeting expenses shall be made, within budgetary constraints, on the basis of itemized expense accounts and submitted on Form 3243 F2.

G. Registration fees exclusive of personal dues shall be reimbursed.

H. A per diem amount for meals may not exceed Board policy unless previously approved by the District Administrator.

I. A mileage allowance or cost of round trip ticket by public carrier will be reimbursed if a school vehicle is not available. (If staff members attend meetings as a group, the allowance will be made accordingly.)

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LESSON PLANS

3270 - **LESSON PLANS**

Every teacher is responsible for planning on a weekly and daily basis. Lesson plans are to be developed within the context of the applicable courses of study and learning units and should be designed for individual student programs being cognizant of student strengths and weaknesses. (See AG 2231)

A. Each lesson plan should contain, in addition to whatever else a teacher may wish to include, the following elements:

1. purpose of the lesson (e.g., Learning Target)

2. Pedagogically sound teaching practices (e.g., Gradual Release of Responsibility)

3. needed resources

4. how the lesson will begin (e.g., Success Starter)

5. how lesson will conclude (e.g., Exit Ticket)

B. Lesson plans for individualized programs should reflect a general overview and purpose of the instructional program based on the Course of Study. Individual student records may serve as an integral part of the lesson plan.

C. A copy of the weekly plans is to be made available for review by appropriate administrative and supervisory personnel upon request.

D. Lesson plans, as well as adequate directions, are to be provided for substitutes so they can continue the ongoing program as closely as possible.

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ag3362.01

REPORTING THREATENING BEHAVIORS

3362.01 - **REPORTING THREATENING BEHAVIORS**

Threatening behavior may take different forms including, but not limited to, the following:

A. face-to-face encounters in which words are used that indicate to the staff member that the staff member's safety and well-being are in jeopardy;

B. any conduct or written/oral communications that include comments toward the staff member or the staff member's family which would imply or state explicitly that the staff member and/or the staff member's family may be subject to some form of physical or psychological abuse or violence;

C. written or spoken comments to a staff member which could subject the staff member to blackmail or extortion;

D. written or spoken communication that would imply or explicitly state that some form of damage may be done to the staff member's property or that of the staff member's family;

E. written or spoken communication that causes a dwelling, a building, another structure, or a vehicle to be evacuated.

Definitions

Words used in this guideline shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to harassing, threatening, and/or intimidating behavior, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who is alleged to have engaged in harassing, threatening, and/or intimidating behavior, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

District community means students, District employees, and Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include but are not limited to guests and/or visitors on District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term “day” or “days” as used in this policy means business day(s) (i.e., a day(s) that the District office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Any staff member who believes that the staff member is the victim of any of the above actions or has observed such actions taken by a student, parent, fellow staff member, supervisor, co-worker, other member of the District community, or Third Parties, promptly should take the following steps:

A. If the Respondent would be the staff member's supervisor or a member of the District office staff, as soon as possible after the incident, the Complainant should contact the District's Compliance Officer (see Policy 3362 - Employee Anti-Harassment).

B. If the Respondent is not the staff member's supervisor or member of the District office staff, as soon as possible after the incident, the Complainant should contact his/her supervisor or the District Compliance Officer.

C. If the Respondent is a student of the District, the supervisor, if not the student's principal, should immediately inform the student's principal of the alleged threat.

The staff member may make contact either by a written report or by telephone or personal visit. During this contact, the reporting staff member should provide the name of the person(s) whom the staff member believes to be responsible for the threatening behavior and the nature of the threatening behavior incident(s). A written summary of each report is to be prepared promptly by the staff member receiving the report and forwarded to the supervisor or the District Compliance Officer. In the event that a staff member hears or receives a threat of violence in, or targeted at, any school, the staff member shall immediately refer to Policy 8462.01 - Threats of Violence and proceed accordingly.

Each report received by the supervisor or the District Compliance Officer as provided above shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one involved is to discuss the subject outside of the investigation.

The purpose of this provision is to:

A. protect the confidentiality of the staff member who files a complaint, except that a Respondent must be informed of the Complainant's identity;

B. encourage the reporting of any incidents of threat;

C. protect the reputation of any party wrongfully charged with threatening conduct.

Investigation of a complaint normally will include conferring with the parties involved and any named or apparent witnesses. All staff members and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation.

If the investigation reveals that the complaint is valid, then prompt, appropriate, remedial and/or disciplinary action will be taken immediately to prevent the continuance of the threat or its recurrence.

Determining whether a particular action or incident is a threat must be based on all of the facts in the matter. Given the nature of this type of intimidation, false accusations of a threat can have serious effects on innocent individuals. Accordingly, all staff members are expected to act responsibly, honestly, and with the utmost candor whenever they present threat allegations or charges against fellow staff members, students, or others associated with the District.

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PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

3419.01 - **PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS**

The following administrative procedure applies to the self-funded group health plans maintained by the Board.

Training

The Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule requires the group health plan to train all members of the plan's workforce on the policies and procedures with respect to protected health information, as defined by HIPAA. The Privacy Official shall ensure that the members of the plan's workforce receive adequate and appropriate training regarding the Privacy Rule.

Safeguards

The Privacy Rule requires the group health plan to implement appropriate administrative, technical, and physical safeguards to protect the privacy of protected health information. The Privacy Official shall implement these safeguards in a reasonable and appropriate manner.

The Security Official shall seek the services of a third party to perform an information technology risk analysis to identify and protect against reasonably anticipated threats to the security or integrity of electronic protected health information, if applicable.

Participant Rights

The Privacy Rule grants health plan participants extensive rights with respect to their protected health information. The Privacy Official shall timely respond to participant requests to exercise rights afforded by the Privacy Rule.

Sanctions

The District shall apply appropriate sanctions against members of its workforce who fail to comply with the privacy policies and procedures established by the District.

Mitigation

The District shall mitigate, to the extent practicable, any harmful effect that is known to the covered entity of a use or disclosure of protected health information in violation of its policies and procedures or the requirements of HIPAA by the District or its business associates.

Retaliatory Acts

The District shall refrain from taking any retaliatory action against any individual for exercising any right under the plan, filing a complaint with the Department of Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule, provided that the individual has a good faith belief that the practice opposed is unlawful.

Waiver of Rights

The District shall not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provisions of payment, enrollment in a health plan, or eligibility for benefits.

Changes to Policy and Procedures

The District shall change its policy and procedures as necessary and appropriate to comply with changes in the law.

Documentation

The District shall retain its policy and procedures for a period of six (6) years from the date of their creation or the date when they were last in effect, whichever is later.

Amendment of Plan Documents

The Privacy Rule provides that plan documents be amended to permit information sharing between the plan and the plan sponsor. The Privacy Official shall assist other District personnel in determining whether and how plan documents should be amended and in fulfilling the requirements for implementing such amendments.

Business Associate Agreements

The Privacy Rule requires a group health plan to enter into business associate agreements with certain third-party vendors. The Privacy Official shall retain counsel to draft and negotiate these business associate agreements. In the event that the plan contracts with new business associates, the Privacy Official oversee the review of existing business associate agreements to ensure compliance with current laws. The Privacy Official shall ensure that business associate agreements are entered into with new vendors.

Complaint Procedure

Any person that believes that his/her privacy rights have been violated by the inappropriate use of his/her personal medical information in violation of HIPAA may file a complaint with the District's Privacy Official. The Privacy Protection Official will provide a copy of the District's complaint procedure to any person who files a complaint.

A. **Informal Procedures**

The complainant shall orally discuss the complaint with the District's Privacy Official, who shall in turn investigate and answer the complaint. The complainant may also initiate the formal procedure as described below.

B. **Formal Procedure**

1. **Step 1**

A written statement of the complaint (including the corrective action requested) signed by the complainant shall be submitted to the Privacy Official within five (5) business days of receipt of the answer to the informal complaint (if an informal complaint was made). The Privacy Official shall investigate the complaint, meet with the complainant and other staff, as appropriate, and reply in writing to the complainant within ten (10) business days of the submission of the formal complaint.

2. **Step 2**

If the complainant wishes to appeal the decision of the Privacy Official, s/he may file a written appeal (including the corrective action requested) with the District Administrator within five (5) business days of his/her receipt of the Privacy Official's response in step one. The District Administrator shall meet with the parties within twenty (20) business days of the receipt of the appeal a copy of the District Administrator's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting.

Notice of Privacy Practice

The Privacy Rule requires the group health plan to distribute a Notice of Privacy Practices to participants in the plan. The Privacy Official shall retain counsel to draft the Notice of Privacy Practices. The Privacy Official shall subsequently distribute these notices to existing group health plan participants. The Notice shall be distributed to every new participant in the health plan upon enrollment. The Privacy Official shall notify all participants in the plan of the availability of the Notice and how to obtain the Notice no less frequently than once every three (3) years. If there is a material change to the notice then the Notice shall be distributed as follows:

A. If the group health plan posts its Notice on its website, then the plan must post the revised Notice on its website by the effective date of the material change, and then provide a hard copy of the Notice (or information about the material change and how to obtain the revised Notice) in its next annual mailing.

B. If the group health plan does not have a website, then the plan may provide the revised Notice (or information about the material change and how to obtain the revised Notice) to individuals covered by the plan within sixty (60) days of the material revision to the Notice.

Breach Notification

The Privacy Official shall develop a breach notification policy. A breach occurs when there has been an acquisition, access, use, or disclosure of protected health information in a manner not permitted under the Privacy Rule which compromises the security or privacy of the protected health information. The Privacy Official shall train workforce members on the breach notification policy.

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ag3421

FEDERAL GROUP HEALTH CONTINUATION (COBRA)

3421 - **FEDERAL GROUP HEALTH CONTINUATION (COBRA)**

Qualifying Event

A. A covered employee shall be offered the opportunity to continue the District's group health coverage if the employee loses coverage under the Plan upon either of the following 'qualifying events':

1. voluntary or involuntary termination of employment for reasons other than 'gross misconduct'

   Gross misconduct may be intentional, wanton, willful, deliberate, reckless or in deliberate indifference to the District's interests. It is misconduct beyond mere minor breaches of employee standards, but conduct which would be considered gross in nature.

2. reduction in the number of hours of employment

B. The spouse of a covered employee may continue the District's group health coverage if the spouse loses coverage under the Plan because of any of the following 'qualifying events':

1. termination of the covered employee's employment for any reason than 'gross misconduct'

2. reduction in the hours worked by the covered employee

3. divorce or legal separation with the covered employee

   Also, if the employee reduces or eliminates group health coverage in anticipation of divorce or legal separation, then divorce or legal separation may be considered to be a qualifying event even though the spouse's coverage was reduced or eliminated prior to the divorce or legal separation.

4. death of the covered employee

C. Dependent children may continue the group health coverage if the dependent child loses coverage under the Plan because of any of the following 'qualifying events':

1. termination of covered employee's employment for any reason other than 'gross misconduct'

2. reduction in the hours worked by the covered employee

3. loss of 'dependent child' status under the Plan rules.

   Under the Patient Protection and Affordable Care Act, the Plan must offer coverage for an adult child until the child attains age twenty-six (26).

4. divorce or legal separation of the covered employee

5. death of the covered employee

Notification by Qualified Beneficiaries

Qualified beneficiaries are required to notify the Plan Administrator of the following qualifying events in order to be eligible for COBRA continuation coverage: (a) divorce or legal separation of the employee and spouse; and (b) loss of eligibility for coverage of a dependent child. The qualified beneficiary is required to notify the Plan Administrator in writing of these events within sixty (60) days of the later of: (a) the date of the qualifying event; or (b) the date on which the qualified beneficiary loses (or would lose) coverage under the terms of the Plan as a result of the qualifying event. Failure to comply with these rules will result in forfeiture of any COBRA continuation coverage.

COBRA Election

Qualified beneficiaries are required to elect COBRA continuation coverage within the sixty (60) day election period set forth in the Plan's COBRA election notice. Qualified beneficiaries have the right to elect to continue coverage that is identical to the coverage provided to active employees under the Plan. If a COBRA beneficiary does not elect COBRA continuation coverage within the sixty (60) day election period, then the COBRA beneficiary will forfeit his/her right to elect COBRA.

Other Options for Qualified Beneficiaries

In lieu of electing COBRA continuation coverage, qualified beneficiaries may wish to pursue coverage through the health insurance marketplace established by the Patient Protection and Affordable Care Act. In some cases, individuals may receive significant subsidies towards the cost of coverage under the health insurance marketplace. These subsidies may make ACA marketplace coverage significantly less expensive than COBRA continuation coverage. Qualified beneficiaries may also wish to explore whether coverage under another employer group health plan or Medicaid is possible.

Termination of COBRA Coverage

COBRA continuation coverage generally lasts for eighteen (18) months. For example, if coverage is lost because of termination of employment or reduction of hours, the employee generally may elect COBRA for a maximum of eighteen (18) months.

However, there are a few exceptions to this rule. If Plan coverage was lost as a result of death of an employee, divorce or legal separation, or loss of eligibility for coverage as a dependent child, COBRA coverage can continue for a maximum of thirty six (36) months. If a qualified beneficiary is determined under Title II or Title XVI of the Social Security Act to have been disabled before the sixtieth (60th) day of continuation coverage and the qualified beneficiary properly notifies the Plan Administrator of the disability determination, the eighteen (18) month period is expanded to twenty-nine (29) months. If a second qualifying event occurs while receiving COBRA coverage and the qualified beneficiary properly notifies the Plan Administrator, COBRA coverage may continue for a maximum of thirty-six (36) months.

COBRA coverage under a health flexible spending account can last only until the end of the year in which the qualifying event occurred.

Coverage for qualified beneficiaries may end prior to the end of the maximum coverage period if:

A. premiums are not paid on a timely basis;

B. District ceases to maintain the group health plan;

C. coverage is obtained with another employee group health plan that does not contain any exclusion or limitation with respect to any pre existing condition (note that the Patient Protection and Affordable Care Act eliminated pre-existing exclusion conditions in most groups health plans);

D. a qualified beneficiary becomes entitled to Medicare benefits after commencing COBRA coverage;

E. during a disability extension period, the disabled qualified beneficiary is determined by the Social Security Administration to be no longer disabled.

A qualified beneficiary is required to notify the District in writing if the qualified beneficiary becomes eligible for Medicare or becomes covered under another group health plan. In addition, if a disabled qualified beneficiary is determined by the Social Security Administration to no longer be disabled, the qualified beneficiary must notify the District of the fact within thirty (30) days after the Social Security Administration's determination.

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FAMILY LEAVE

3430.01A - **FAMILY LEAVE**

The following guidelines are the appropriate portions of Section 104 of the Family and Medical Leave Act.

A District and a private elementary or secondary school shall not be in violation of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et. seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), or Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), solely as a result of an eligible employee of such District exercising the rights of such employee under this title.

(b) INTERMITTENT LEAVE OR LEAVE ON A REDUCED SCHEDULE FOR INSTRUCTIONAL EMPLOYEES

(1) IN GENERAL - Subject to paragraph (2), in any case in which an eligible employee employed principally in an instructional capacity by any such District requests leave under subparagraph (C) and (D) of Policy 3430.01 - Family & Medical Leave of Absence (FMLA) that is foreseeable based on planned medical treatment and the employee would be on leave for greater than twenty percent (20%) of the total number of working days in the period during which the leave would extend, the District may require that such employee elect either --

(A) to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or

(B) to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified, and that--

(i) has equivalent pay and benefits; and

(ii) better accommodates recurring periods of leave than the regular employment position of the employee.

(2) APPLICATION - The elections described in subparagraphs (A) and (B) of paragraph (1) shall apply only with respect to an eligible employee who complies with Policy 3430.01 - Family & Medical Leave of Absence (FMLA) .

(c) RULES APPLICABLE TO PERIODS NEAR THE CONCLUSION OF AN ACADEMIC TERM

The following rules shall apply with respect to periods of leave near the conclusion of an academic term in the case of any eligible employee employed principally in an instructional capacity by any such District:

(1) LEAVE MORE THAN FIVE (5) WEEKS PRIOR TO END OF TERM

If the eligible employee begins leave under Policy 3430.01 - Family & Medical Leave of Absence (FMLA) more than five (5) weeks prior to the end of the academic term, the District may require the employee to continue taking leave until the end of such term, if --

(A) the leave is of at least three (3) weeks duration; and

(B) the return to employment would occur during the three (3) week period before the end of such term.

(2) LEAVE LESS THAN FIVE (5) WEEKS PRIOR TO END OF TERM

If the eligible employee begins leave under subparagraph (A), (B), or (C) of Policy 3430.01 - Family & Medical Leave of Absence (FMLA) during the period that commences five (5) weeks prior to the end of the academic term, the District may require the employee to continue taking leave until the end of such term, if --

(A) the leave is of greater than two (2) weeks duration; and

(B) the return to employment would occur during the two (2) week period before the end of such term.

(3) LEAVE LESS THAN THREE (3) WEEKS PRIOR TO END OF TERM

If the eligible employee begins leave under subparagraph (A), (B), or (C) of Policy 3430.01 during the period that commences three (3) weeks prior to the end of the academic term and the duration of the leave is greater than five (5)

working days, the District may require the employee to continue to take leave until the end of such term.

(d) RESTORATION TO EQUIVALENT EMPLOYMENT POSITION

For purposes of determinations under section 104(a)(1)(B) (relating to the restoration of an eligible employee to an equivalent position), in the case of a District, such determination shall be made on the basis of established Board policies and practices.

(e) REDUCTION OF THE AMOUNT OF LIABILITY

If a District or a private elementary or secondary school that has violated this title proves to the satisfaction of the court that the District or department had reasonable grounds for believing that the underlying act or omission was not a violation of this title, such court may, in the discretion of the court, reduce the amount of the liability provided for under section 107(a)(1)(A) to the amount and interest determined under clauses (i) and (ii), respectively, of such section.

If an instructional staff member requests to return to teaching before the end of an academic semester, but the District requires the teacher to remain on leave until the next academic semester, that additional leave time will not count against the staff member's twelve (12) week FMLA allotment.

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FMLA RECORDKEEPING REQUIREMENTS

3430.01B - **FMLA RECORDKEEPING REQUIREMENTS**

The Director of Business Services is responsible for making, keeping, and preserving all relevant records pertaining to the Board's obligations under the FMLA in accordance with the recordkeeping requirements of Section 11(c) of the Fair Labor Standards Act (FLSA) and in accordance with the final regulations applicable to the FMLA. Specifically, the Director of Business Services designee is charged with keeping/preserving the records identified below in accordance with the District's Records Retention Schedule (see Policy 8310), and under no circumstances shall said records be kept for less than three (3) years. The records shall be available for inspection, copying, and transcription by representatives of the Department of Labor upon request.

The Director of Business Services designee shall maintain records that disclose the following:

A. Basic payroll and identifying employee data, including name, address, and occupation; rate or basis of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid.

B. Dates FMLA leave is taken by FMLA eligible employees (e.g., available from time records, requests for leave, etc., if so designated). Leave must be designated in records as FMLA leave; leave so designated may not include leave required under State law or a Board plan which is not also covered by FMLA.

C. If FMLA leave is taken by eligible employees in increments of less than one (1) full day, the hours of the leave.

D. Copies of employee notices of leave furnished to the District under FMLA, if in writing, and copies of all written notices given to employees as required under the FMLA and its implementing regulations (see 29 C.F.R. Section 825.300(b) through (c)). Copies may be maintained in employee personnel files.

E. Any documents (including written and electronic records) describing employee benefits or employer policies and practices regarding the taking of paid and unpaid leaves.

F. Premium payments of employee benefits.

G. Records of any dispute between the District and an eligible employee regarding designation of leave as FMLA leave, including any written statement from the Superintendent or designee or employee of the reasons for the designation and for the disagreement.

Records and documents relating to certifications, recertifications or medical histories of employees or employees' family members, created for purposes of FMLA, shall be maintained as confidential medical records in separate files/records from the usual personnel files. If the Genetic Information Nondiscrimination Act of 2008 (GINA) is applicable, records and documents created for purposes of FMLA leave containing family medical history or genetic information as defined by GINA shall be maintained in accordance with the confidentiality requirements of Title II of GINA (29 C.F.R. 1635.9), which allow for disclosure consistent with FMLA requirements. If the ADA, as amended, is also applicable, such records shall be maintained in conformance with ADA confidentiality requirements (see 29 C.F.R. 1630.14(c)(1)), except that:

A. supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations;

B. first aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and

C. government officials investigating compliance with FMLA (or other pertinent laws) shall be provided relevant information upon request.

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FMLA LEAVE

3430.01 - **FMLA LEAVE**

Definitions Applicable to FMLA Leave

The term child (i.e., son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and incapable of self-care because of a mental or physical disability (as defined by the Americans with Disabilities Act (ADA), as amended) at the time the FMLA leave is to commence.

The term spouse means all individuals in legal marriages, regardless of where they live. More specifically, the definition of spouse is a husband or wife as defined or recognized in the State where the individual was married (place of celebration), and specifically includes individuals in lawfully recognized same-sex and common law marriages. The definition further includes an individual in a marriage that was validly entered into outside the United States if it could have been entered into in at least one (1) State. Civil unions are not considered marriages under the FMLA.

The term incapable of self-care means that the individual requires active assistance or supervision to provide daily self-care in three (3) or more of the activities of daily living (ADLs) (e.g., caring appropriately for one's grooming and hygiene, bathing, dressing, eating) or instrumental activities of daily living (IADLs) (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.).

An employee is unable to perform the functions of the position where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position. Additionally, an employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

Leave for Adoption or Foster Care

Eligible employees may take FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement or foster care to proceed. Permissible absences include, but are not limited to, the employee attending a required counseling session, appearing in court, consulting with theattorney or the doctor(s) representing the birth parent, submitting to physical examinations, or traveling to another country to complete an adoption.

Military Family Leave Entitlements

A. **Military Caregiver Leave**

Eligible employees may take up to twenty-six (26) weeks of unpaid FMLA leave, in a single twelve (12) month period, to care for a covered service member with a serious injury or illness. The single twelve (12) month period begins on the first day the eligible employee takes Military Caregiver Leave and ends twelve (12) months after that date. If the employee does not use theirentire twenty-six (26) work weeks leave entitlement during the single twelve (12) month period of leave, the remaining work weeks of leave are forfeited.

For purposes of Military Caregiver Leave, the covered service member may be a 1) current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or 2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the period of five (5) years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, shall not count towards the determination of the five-year period for covered veteran status.

Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of the service member's office, grade, rank, or rating.

In the case of a veteran, a serious injury or illness means an injury or illness that was incurred by the member in the line of

duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran and is 1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; 2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; 3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or 4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The term son or daughter of a covered service member means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the service member stood in loco parentis, and who is of any age. Similarly, the term parent of a covered service member means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. (The term does not include parents-in-law.)

The term next of kin means the service member's nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave under the FMLA, in which case the designated individual shall be deemed to be the covered service member's next of kin. All family members sharing the closest level of familial relationship to the covered service member are considered the covered service member's next of kin, unless the covered service member has specifically designated an individual as their next of kin for Military Caregiver Leave purposes. While an eligible employee may care for more than one (1) seriously injured or ill covered service member at the same time, the employee may not take more than twenty-six (26) work weeks of leave during each single twelve (12) month period.

Military Caregiver Leave is a per-service member, per-injury entitlement. Therefore, an eligible employee may take twenty-six (26) work weeks of leave to care for one (1) covered service member in a single twelve (12) month period, and then take another twenty-six (26) work weeks of leave in a different single twelve (12)month period to care for another covered service member or to care for the same service member with a subsequent serious injury or illness (e.g., if the service member is returned to active duty and suffers another injury). Additionally, an eligible employee could take FMLA leave, after the end of the single twelve (12) month period for Military Caregiver Leave, to care for a covered service member if the member is a qualifying family member under non-military FMLA and the eleigible employeehas a serious health condition.

B. **Qualifying Exigency Leave**

Eligible employees may take up to twelve (12) weeks of unpaid FMLA leave for any of the following qualifying exigencies that are related to the fact that the employee's spouse, son, daughter or parent is on covered active duty or call to covered active duty status, or has been notified of an impending call or order to covered active duty in the Armed Forces:

1. Issues arising from a qualifying family member's short-notice deployment (i.e., deployment on seven (7) or less calendar days of notice) for a period of seven (7) days from the date of notification.

2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to a qualifying family member's covered active duty or call to covered active duty status.

3. Certain childcare and related activities arising from a qualifying family member's covered active duty or call to covered active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member (this does not include providing child care on a routine, regular or everyday basis).

4. Making or updating financial and legal arrangements to address a qualifying family member's absence (e.g., preparing and executing financial and healthcare power of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, obtaining military identification cards, or preparing or updating a will or living trust) and acting as the military member's representative before a Federal, State, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active

duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the military member's covered active duty status.

5. Attending counseling provided by someone other than a healthcare provider for oneself, the qualifying family member, or the child of the qualifying family member, the need for which arises from the qualifying family member's covered active duty or call to covered active duty status. The child must be the military member's biological, adopted, or foster child, stepchild, legal ward or child for whom the military member stands in loco parentis, who is either under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

6. Taking up to fifteen (15) days of leave to spend time with a qualifying family member who is on short-term, temporary, rest and recuperation leave during the deployment.

7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the qualifying family member's covered active duty status, and addressing issues arising from the death of a qualifying family member.

8. Providing parental care for a parent of a military member who is incapable of self-care and is the military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member when the member was under eighteen (18) years of age. Incapable of self-care means the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living (includes adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating) or instrumental activities of daily living (includes cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.). Parental care includes 1) arranging for alternate care when the parent is incapable of self-care and the covered active duty or call to covered active duty status necessitates a change in the existing care arrangement for the parent; 2) providing care on an urgent, immediate need basis (but not on a routine, regular or everyday basis) when the parent is incapable of self-care and the need to provide such care arises from covered active duty or call to covered active duty status; 3) admitting or transferring to a care facility a parent when admittance or transfer is necessitated by the covered active duty or call to covered active duty status; and 4) attending meetings with staff at a care facility, such as meetings with hospice or social service providers for a parent when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status but not for regular or routine meetings.

9. Any other event that the employee and the Board agree is a qualifying exigency.

The term qualifying family member for purposes of Qualified Exigency Leave means a staff member's spouse, son, daughter or parent.

The term covered active duty or call to covered active duty status for purposes of Qualified Exigency Leave means duty for a member of the Regular Armed Forces during deployment of the member with the Armed Forces to a foreign country, and, in the case of a member of the Reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, 12406, or Chapter 15 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation.

The term son or daughter means the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. Similarly, the term parent means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter. (The term does not include parents in-law.)

Employee Request for FMLA Leave

While eligible employees are not required to expressly request unpaid FMLA leave, it is requested that eligible employees who seek an unpaid FMLA leave for any of the approved reasons complete and submit to the District Administrator a written request for FMLA leave.

Employee Certifications

Eligible employees who apply for FMLA leave to care for an immediate family member must submit DOL Form (WH-380-F; Certification of Health Care Provider for Family Member's Serious Health Condition).

Eligible employees who apply for FMLA leave for the employee's own serious health condition must submit DOL Form (WH-380-E; Certification of Health Care Provider for Employee's Serious Health Condition).

Eligible employees who apply for Military Caregiver Leave must submit DOL Form (WH-385; Certification for Serious Injury or Illness of Covered Service Member - for Military Family Leave or WH-385-V, Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave). The form may be completed by a Department of Defense (DOD) health care provider, Veterans Affairs health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or any health care provider as defined by 29 C.F.R. 825.125.

Additionally, with respect to Military Caregiver Leave, the District will accept the submission of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), in lieu of the DOL Form, for the time period specified in the ITO or ITA. The ITO or ITA submitted by the employee need not list the employee as the named recipient of the ITO/ITA, provided the employee is the spouse, parent, son, daughter or next of kin of the covered service member. If the covered service member's need for care extends beyond the expiration date specified in the ITO or ITA, the employee is responsible for submitting the DOL Form for the remainder of the employee's leave period. The District will also accept, with respect to Military Caregiver Leave, documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers, regardless of whether the employee is the named caregiver in the documentation. Employees are advised that the District Administrator may seek authentication and clarification of such documentation, and may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member and documentation showing that the discharge was other than dishonorable and the date of the veteran's discharge.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.

In all instances in which certification is requested, it is the employee's responsibility to provide the Board with complete and sufficient certification, and failure to do so may result in denial of FMLA leave.

Eligible employees who apply for any of the three (3) preceding types of FMLA leave must also execute and provide to their health care provider a HIPAA-compliant release form.

If the District Administrator deems a medical certification to be incomplete or insufficient, the District Administrator shall notify the employee, in writing, what information is lacking, and the employee will have seven (7) calendar days to cure the deficiency. The District Administrator (i.e., the Board's health care provider, human resource professional, leave administrator, or other management official, but not the employee's direct supervisor) may contact the certifying health care provider for clarification concerning or to authenticate the content of a medical certification. The representative, however, shall not ask the health care provider for additional information beyond that required by the certification form.

Employees who take leave for the employee's own serious health condition, prior to returning to work, must submit to the District Administrator a Fitness-for-Duty Certification. Again, the employee will need to have executed and provided to their Health Care Provider a HIPAA-compliant form.

Eligible employees who apply for FMLA leave for Qualifying Exigency Leave must submit DOL Form WH-384; Certification of Qualifying Exigency for Military Family Leave. Specifically, the first time the employee requests Qualifying Exigency Leave, the employee must provide a copy of the qualifying family member's covered active duty orders or other documentation issued by the military that indicates that the qualifying family member is on covered active duty or call to covered active duty status, and the dates of the qualifying family member's covered active duty service. Additionally, each time that the employee requests leave for one of the above-listed qualifying exigencies, the employee must certify the exigency necessitating leave. Such certification supporting leave for a qualifying exigency includes:

A. appropriate facts supporting the need for leave, including any available written documentation supporting the request and the type of qualifying exigency;

B. the appropriate date on which the qualifying exigency commenced or will commence, and, if requested for a single, continuous period of time, the beginning and end dates for such absence;

C. where leave will be needed on an intermittent basis, an estimate of the frequency and duration of the qualifying exigency;

D. appropriate contact information if the exigency involves meeting with a third party and a brief description of the purpose of the meeting; and if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders or other documentation issued by the military that indicates the military member has been granted Rest and Recuperation leave and the dates of such leave.

Employees are advised that if the qualifying exigency involves a meeting with a third party, the District Administrator may verify the schedule and purpose of the meeting with the third party. Also, the District Administrator may contact the appropriate unit of the Department of Defense to confirm that the qualifying family member is on covered active duty or call to covered active duty status.

All of the certifications identified above must be submitted by the employee within fifteen (15) calendar days after the District provides the employee with the applicable DOL Form unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. An employee may not be held liable for administrative delays in the issuance of military documents, despite the employee's diligent, good faith efforts to obtain such documents.

Light Duty

Time spent performing light duty work does not count against an employee's FMLA leave entitlement.

District Notices to Employees (Forms are available on the U.S. Department of Labor Website: www.dol.gov)

If the information included in the Employee Rights and Responsibilities Notice changes, the District Administrator will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. The Director of Business Services is charged with responsively answering questions from employees concerning their rights and responsibilities.

If it is not possible to provide the number of hours, days or weeks that will be counted as FMLA leave (e.g., where the leave will be unscheduled), the District Administrator will provide this information upon request by the employee, but no more often than every thirty (30) days and only if leave was taken during the period. The notice of the amount of leave counted against the employee's FMLA entitlement may be oral or in writing. If such notice is oral, it shall be confirmed in writing, no later than the following payday that is at least one (1) week after the oral notice. Such notice may be in any form, including a notation on the employee's pay stub.

FMLA Leave and Mandatory Overtime

Employees with proper medical certification may use FMLA leave in lieu of working required overtime hours. Thus, hours that an employee would have been required to work but for the taking of FMLA leave will be counted against the employee's FMLA entitlement.

Calculating the Amount of FMLA Leave Used by an Employee

For purposes of determining the amount of FMLA leave used by an employee, the fact that a holiday may occur within the work week taken as FMLA has no effect; the week is counted as a week of FMLA leave. If, however, the employee is using FMLA leave in increments of less than one (1) week, the holiday will not count against the employee's FMLA leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, when an employee is not scheduled to work during winter, spring or summer vacation (i.e., during a period when some or all employees are not expected to work for one (1) or more weeks), the days the employee is not scheduled to work shall not count against the employee's FMLA leave entitlement.

When an employee takes FMLA leave on an intermittent or reduced leave schedule basis, the leave shall be accounted for by using an increment no greater than the shortest period of time that the District uses to account for use of other forms of leave provided that it is not greater than one (1) hour and provided that the employee's FMLA leave entitlement is not reduced by more than the amount of leave actually taken.

Maintenance of Employee Benefits

The same group health plan benefits provided to an employee prior to taking FMLA leave shall be maintained during the FMLA leave (e.g., if family member coverage is provided to an employee, family member coverage shall be maintained during the FMLA leave). Similarly, benefit coverage during FMLA leave for medical care, surgical care, hospital care, dental care, eye care, mental health counseling, substance abuse treatment, etc., shall be maintained during leave if provided in the District's group health plan, including a supplement to a group plan.

If an employee chooses not to retain group health plan coverage during FMLA leave, the employee will be reinstated, upon return from leave, on the same terms as prior to taking the leave, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc. All other employee benefits will be maintained during leave subject to applicable policy requirements and consistent with maintaining employee eligibility to receive the same benefits following leave that the employee had prior to leave in the same manner as provided to other similarly situated employees.

Costs Associated with Medical Certification and Recertification

The employee is responsible for any costs associated with obtaining the original medical certification required to qualify for the use of unpaid FMLA leave. Likewise, if the Board requires an employee to submit recertification for any of the reasons specified in Policy

1630.01, the employee is responsible for any costs associated with the recertification. Finally, the employee is responsible for the cost of a new medical certification each leave year for medical conditions that last longer than one (1) year.

Periodic Status Reports

When an employee takes a continuous unpaid FMLA leave, the District Administrator may require the employee to complete periodic status concerning the employee's intent to return to work. If the District Administrator is going to require such reports, the requirement will be specified in the Notice of Eligibility and Rights & Responsibilities that is issued to the employee at the outset of the FMLA leave.

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JOB-RELATED EXPENSES

3440A - **JOB-RELATED EXPENSES**

Expenses which are incurred by professional staff members as a result of authorized travel in and outside of the District will be reimbursed to the extent provided for in these guidelines. Reimbursement is intended to provide for transportation, lodging, and food of reasonable and adequate quality. When traveling on school business, a professional staff member is expected to use the same care in incurring expenses that a prudent person would exercise if traveling on personal business.

Authorization

A. Travel within or outside the District is to be authorized by the Director of Business Services.

B. Travel to conventions or conferences away from the District which involve overnight stay will be authorized by the Director of Business Services for approval by the District Administrator. All such requests must be received in the District Office at least five (5) days prior to the date a decision is needed.

Procedure

A. Each request for travel or conference funds should detail the reasons for the expenditures and should not be labeled in broad general terms.

B. Under normal conditions, professional staff members traveling on official business shall provide themselves with sufficient funds of their own for ordinary expenses.

C. Travel should be by the most direct and economical route.

D. All persons authorized to travel on official business should keep a memorandum and receipts of expenditures properly chargeable to the Board. Professional staff members might find it advantageous to charge as many expenditures as possible on credit cards. The itemized statement may serve as a receipt, with reimbursement available to pay the charges.

E. For official travel other than by automobile, tickets may be purchased by the District in advance, upon request of the individual involved.

F. In all instances of travel reimbursement, full itemization of expenditures is required.

G. Those doing such traveling should be expected to exercise the same care in incurring expenses that they would in travel on personal business of their own. Excessive and unnecessary travel will not be approved or reimbursed.

Reimbursement

A. Reimbursement will be at the current rates approved by the Board. Requests for reimbursement will be submitted on the direct payment request form provided for that purpose.

B. Travel outside the School District will be reimbursed at the regular fare rate charged the general public by common carrier, unless travel by private conveyance is more economical, in which case mileage will be reimbursed at the Internal Revenue Service rate. Taxi fare from home to the terminal and return from the meeting location to the terminal and home is allowable with receipt.

C. Lodging and meals will be reimbursed at a reasonable per diem rate. All claims must be supported by original receipted bills.

D. Reimbursement for reasonable charges for tolls, lodging, parking, taxis, official telephone calls, and tips will be made upon presentation of supporting receipts.

E. Registration fees are reimbursable.

F. Sales tax on out-of-state hotel bills is reimbursable.

Claim Forms

All claims for reimbursement must be submitted on travel voucher forms or on standardized voucher forms available on the District website. Expenditures must be substantiated by receipted bills. Expenditures without receipts must be approved by the Director of Business Services or District Administrator before reimbursement is authorized.

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ag3440B

USE OF PRIVATE CAR FOR SCHOOL BUSINESS

3440B - **USE OF PRIVATE CAR FOR SCHOOL BUSINESS**

All transportation of students in privately-owned vehicles must be done in accordance with Policy 8660 - Transportation by Private Vehicle and AG 8660 - Transporting Students by Private Vehicle.

The District has established the following means for providing reimbursement for the use of privately-owned vehicles used in the performance of assigned duties.

A. All professional staff will be assigned to a school or office which becomes the home station. It will be the responsibility of each individual to provide his/her own transportation from his/her residence to his/her assigned station and to any other assigned spot to attend meetings for administrative or training purposes.

B. When an individual's duties require his/her presence at other stations or places within or out of the District, reimbursement for travel may be requested. Such requests will be approved when the travel is scheduled or authorized by the District Administrator.

C. Regularly scheduled travel will be authorized when requisitioned in compliance with a printed schedule; e.g., special professional staff members are required to go from school to school on a regular schedule.

D. Sporadic or emergency travel will be authorized when made in connection with an assignment.

E. All personnel who are assigned duties at more than one (1) school will be listed by their immediate supervisor. This will not include the drivers to whom school vehicles are assigned.

F. Payments for authorized travel will be made provided itemized daily records are submitted on the proper forms. Persons who travel are advised to keep a daily log of their required business trips.

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ag3440C

USE OF SCHOOL VEHICLE FOR SCHOOL BUSINESS

3440C - **USE OF SCHOOL VEHICLE FOR SCHOOL BUSINESS**

The District has established the following guidelines for the use of school-owned vehicles in the performance of assigned duties.

A. Regularly scheduled use will be authorized by the Director of Business Services.

1. Only school personnel will be authorized to operate the vehicle.

2. The vehicle is to be used only for school business.

B. **Requirement for Continuation of School Vehicle Use:**

1. No repair work will be performed on the vehicle without the Director of Business Services's approval.

2. All accidents will be reported immediately (no matter how minor) to the Director of Business Services.

3. The designated operator is responsible for cleanliness of the vehicle both inside and outside.

4. Before any out-of-district trips are made with the vehicle, the authorized driver shall check the vehicle for any maintenance problems.

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ag4111A

CREATING A POSITION

4111A - **CREATING A POSITION**

The Board has reserved the right in its discretion to create new positions and specify the number of employees in each category. In compliance with that policy, the District Administrator has issued the following guidelines for the creation of a District position:

A. A job description will be prepared for each new support staff position being proposed.

B. Documentation will be made of the need for the new position or an increase in the number of employees in an existing category of work.

C. Each new position will be presented to the Board by the District Administrator with a recommendation for approval.

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ag4111B

VERIFICATION OF EMPLOYMENT ELIGIBILITY

4111B - **VERIFICATION OF EMPLOYMENT ELIGIBILITY**

In order to comply with Federal law the following verification of employment eligibility procedures will apply:

Completion of Form I-9

Form I-9 must be completed within three (3) business days of the date of the hire. If an individual is employed for less than three (3) days, the form must be completed before the end of the employee's first working day.

The following individuals **do not need**to complete Form I-9:

A. persons hired before November 7, 1986

B. persons who are employed by a contractor providing contract services

C. persons who are independent contractors

The Director of Business Services or designee is also responsible for reverifying employment eligibility of employees whose employment eligibility documents carry an expiration date.

Retention of Employment Eligibility Verification Form (Form I-9)

The District must retain Form I-9 for three (3) years or for one (1) year past the end of the employment of the individual, whichever is longer. Such forms will be retained in a separate file and shall be considered to be confidential and used only for employment eligibility verification purposes.

Preparation of Documents for Inspection

U.S. Immigration and Customs Enforcement (ICE) or Department of Labor (DOL) Officers are required to give employers three (3) days advance notice before an inspection. The Director of Business Services or designee will assemble the I-9 forms and appropriate payroll records for the previous three (3) years in preparation for the inspection. Failure to provide the I-9 forms could result in civil monetary penalties for each employee for whom the form was not completed, retained, or presented.

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ag4120C

PRE-EMPLOYMENT INTERVIEW QUESTIONS

4120C - **PRE-EMPLOYMENT INTERVIEW QUESTIONS**

Asking an applicant questions prohibited by the Equal Employment Opportunity Act during pre-employment interviews could open the door for a job candidate to take legal action against the District. The following guideline outlines the questions that are appropriate and those that should be avoided.

YOU CANNOT ASK:

A. any question that would indicate race or color;

B. any question that would indicate gender, unless job-related;

C. applicant's religion or religious customs and holidays; recommendations from church officials;

D. if applicant, spouse, or parents are native-born or naturalized; date of citizenship; or for other proof of citizenship before hiring;

(Proof of citizenship required on I-9 form.)

E. marital status before hiring, the number and age of children, who cares for them, and if applicant plans to have more;

F. to see military service records; about military service with any country other than U.S.;

G. nationality, racial, or religious affiliation of school attended;

H. how foreign language ability was acquired;

I. inquiries about arrests, (as contrasted with convictions), except pending charges (see below at F.);

J. listing of all clubs to which the applicant belongs or has belonged;

K. that a candidate provide a photograph before hiring or that one be taken during an interview;

L. height and weight or physical/mental characteristics which do not relate directly to the job specifications;

M. whether applicant lives with a disabled individual (whether related or not);

N. whether applicant plans to marry or plans to have a family;

O. whether applicant has any military obligations.

YOU CAN ASK:

A. for applicant's current and previous address; phone number;

B. whether applicant is eighteen (18) years of age or older;

C. whether the applicant is lawfully authorized to work in the United States;

D. if applicant has served in the U.S. armed forces including branch of service and rank attained; job-related experience acquired in the military;

E. academic, professional, or vocational school attended; language skills such as reading and writing, foreign languages, grades, degrees, majors, etc.;

F. criminal convictions; any pending felony charges; any misdemeanor charge related to sexual conduct or assault or abuse of a child;

G. personal and professional and other work references not relating to race, color, religion, gender, national origin, or ancestry;

H. professional and social organization membership, so long as affiliation does not identify and is not used to discriminate on the basis of gender, race, national origin, or ancestry;

I. willingness to perform job functions;

J. willingness to work required work schedule and under prescribed working conditions.

AFTER HIRING, YOU MAY OBTAIN:

A. marital status and number/age of dependents for insurance and tax purposes;

B. proof of age;

C. status of citizenship (I-9 Form);

D. race, if done pursuant to required or approved affirmative action plan and maintained separately from applicant file;

E. a copy of military discharge certificate.

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ag4120D

CHECKING REFERENCES OF APPLICANTS

4120D - **CHECKING REFERENCES OF APPLICANTS**

The following procedure is to be used when conducting a check of references submitted by an applicant:

A. Prior to any investigation, the applicant is to sign a waiver (WECAN) and a release granting the District permission to contact any person listed as a reference as well as any other person who may be familiar with the applicant's previous job performance or suitability for employment.

B. Review the references with the applicant to ensure that those submitted are people with whom the applicant has worked on a regular basis either in a job setting or an academic setting or both. Make sure the references have worked with the applicant within the last three (3) to five (5) years. Determine from the reference if other people who worked with the applicant are available to provide information concerning suitability for the job.

C. Make telephone (not mail) contact with at least three (3) references particularly if there is discrepant information from the first two (2).

D. Prior to contacting the reference, review AG 4120C regarding questions not to ask.

E. Confine questions to the applicant's suitability for employment work performance, including interpersonal skills. Ask "would you hire _____ again?" or "would you want to work with _____ again?" Ask the reference to give specific examples of what the applicant did well and/or to rate the applicant on various aspects of the job for which the person is applying. Ask "Do you know of any reason why this person should not be employed in a position that works with children?"

F. Take notes of each reference contact, including time and date of the call and the reference's name and position. Maintain a written summary of the comments for later use.

G. Complete the District's reference check form for each reference contact.

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ag4120

EMPLOYMENT OF SUPPORT STAFF

4120 - **EMPLOYMENT OF SUPPORT STAFF**

The following guidelines are established for the interviewing and screening of candidates for support staff positions:

A. Where specific openings exist in positions that could afford present employees an opportunity to be upgraded, such notice shall be posted in the schools of this District.

B. Employment priority (as opposed to promotional priority) should be given to former employees placed on a reemployment list with satisfactory service records who have been laid off because of lack of work or lack of funds. Following the exhaustion of the aforenoted categories, only candidates having the most favorable applications will be interviewed.

C. Applications are to be made through WECAN or in writing to the District office.

D. Checking of credentials may include direct telephone calls to immediate supervisors, current and past, of the person being considered.

E. Applicants may be granted an interview if their credentials indicate they meet the criteria for the position.

F. Terms of employment shall be made known to the candidate at the time of the interview.

In selecting personnel to fill established positions, the District Administrator or designee shall be responsible for selecting the person best qualified to fill each position in accordance with position specifications established by the Board. Each final candidate must have a satisfactory criminal records check.

Reporting Employment

The District Administrator shall report all newly-hired employees to the Wisconsin Department of Workforce Development within twenty (20) days in a manner prescribed by the Wisconsin Department of Workforce Development.

For the purposes of this section a newly hired employee is any first time employee and any individual rehired after an absence of ninety (90) days or more.

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ag4120.01

JOB DESCRIPTIONS

4120.01 - **JOB DESCRIPTIONS**

After reviewing the job description, the support staff member shall sign and date one (1) copy of the job description. The signature shall also confirm that the support staff member has received a copy of the job description and that s/he was given the opportunity to discuss the contents with his/her immediate supervisor. In addition, the signature confirms that the support staff member understands that it is his/her responsibility to perform satisfactorily the duties and responsibilities described therein.

This signed copy shall be included in the support staff member's personnel file.

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ag4121

CRIMINAL HISTORY RECORD CHECK

4121 - **CRIMINAL HISTORY RECORD CHECK**

Prior to making any offer of employment to a new applicant for a support staff position, the District shall conduct a criminal history record check of each applicant recommended for hire.

All applicants will be informed as part of the application process that a criminal background check will be conducted prior to hire.

The background check process will consist of a review of an individual's criminal record and personal references.

All information received from the criminal history record check shall be kept confidential by the person receiving the report and is to be shared only with the District Administrator. If the applicant is subsequently employed, the record check shall be kept in his/her confidential file.

The District Administrator shall determine whether or not to consider disqualification of an applicant based on the criminal history check.

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ag4122.01

DRUG-FREE WORKPLACE

4122.01 - **DRUG-FREE WORKPLACE**

The Board prohibits the manufacture, possession, use, distribution, or dispensing of any controlled substance, including alcohol, by any member of the District's support staff at any time while on District property or while involved in any District-related activity or event. Support staff members who use or possess a prescription drug that has been lawfully prescribed to the staff member and taken in accordance with the prescribed dosage shall not be deemed to be in violation of this policy. Whenever possible, a staff member should take prescribed medications at home and not bring them to school. Where that cannot be accomplished, any staff member in possession of prescribed medications while at school is responsible for taking appropriate precautions to assure that the drugs remain in the staff member's possession at all times and are taken only in private, out of the view of students. Nothing in this policy shall prohibit the District Administrator from evaluating a staff member's fitness for duty pursuant to Policy 4161 - Unrequested Leaves of Absence/Fitness for Duty.

The term "District-related activity or event" includes, but is not limited to, all District-sponsored curricular, extra-curricular, co-curricular, and student or staff training events whether on or off school property, and any field trip or other District-sponsored trip including national and international trips.

Employees are to report to work free of the effects of all mood-altering drugs, including alcohol. The use, possession, sale or intent to sell, transfer of drugs, drug paraphernalia, or having illegal drugs or chemicals in a person's system in or on District property, or in any District-owned or contracted vehicle is prohibited.

The use of, or sale of, alcohol on District property, at any District sponsored event or trip, or in any District-owned or contracted vehicle is prohibited.

Staff members who agree to or are assigned to supervise student activities or trips shall not violate this guideline during the entire duration of the activity or trip whether students are or are not immediately present.

Each job description shall contain the following phrase:

> "The employee shall remain free of any alcohol or illegal substance in the workplace in compliance with Policy 4122.01 throughout his/her employment in the District."

Each staff handbook will include a summary of the standards regarding unlawful possession, use, or distribution of illicit drugs and alcohol by staff, and the staff members shall be informed that compliance with this requirement is mandatory.

The District wishes to maintain a work environment that is free of illegal drugs, alcohol, or other improper substances. To this end, the District prohibits the sale, or use of such substances on its premises. The District requires the cooperation of all employees in administering this policy.

Desks, file cabinets, and other storage devices may be provided for the convenience of employees but remain the sole property of the District. Accordingly, they can be inspected by any agent or representative of the District at any time, either with or without prior notice. Any staff member's personal belongings kept on District property may be searched in the event District officials have reasonable suspicion that the staff member is in possession of prohibited items. Any such search shall occur only after the staff member has been asked to consent to the search. If reasonable suspicion exists, but consent to search is not provided, the search may occur. Any such search shall be conducted in the presence of more than one District official other than the staff member involved and shall be limited in scope by the basis for reasonable suspicion to conduct the search in the first instance. District officials may consult with law enforcement or District legal counsel prior to conducting a search and may prohibit the staff member from removing the item during the process.

Any staff member who violates the District policy shall be subject to disciplinary action in accordance with with the Employee Handbook.

When the discipline of a staff member becomes necessary, such action shall be consistent with the requirements of any applicable Board policy and State and Federal law.

Employees that feel they may be experiencing or developing dependency on alcohol or other drugs are encouraged to take advantage of the resources offered by the District before a violation of this policy occurs as indicated in Policy 4122.01. Alcohol or drug dependency does not excuse any employee from the requirements of this policy.

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ag4130

ASSIGNMENT AND TRANSFER

4130 - **ASSIGNMENT AND TRANSFER**

Relocation of support staff may become necessary to meet load conditions, building or program requirements, or for other good reasons. However, relocation shall not be made capriciously, vindictively, or arbitrarily. Transfers between buildings require the approval of the District Administrator.

A. **Involuntary Transfers**

A transfer may be made for such reasons as the following:

1. factors in the present location
2. schools being opened or closed
3. for the good of the District

B. **Voluntary Transfers**

The following guidelines shall be followed in requesting a transfer:

1. A written request may be made to the District Administrator at any time during the year for transfer to either a specified or an unspecified location.
2. The principal and/or the immediate supervisor of the employee must be made aware of the request for transfer.
3. The principal and/or the immediate supervisor of the receiving school or department must approve the request, unless the District Administrator directs that the transfer be made.
4. The filing of a request for transfer shall be without prejudice to the employee, and shall not jeopardize his/her present assignment. The request may be withdrawn at any time prior to the official confirmation that the transfer has been effected.
5. Voluntary transfers shall be made effective at a time in the best interest of the District.

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ag4160A

PHYSICAL EXAMINATION

4160A - **PHYSICAL EXAMINATION**

After the District makes a conditional offer of employment, unless exempt under the provisions of Policy 4160 - Physical Examination, each support staff member shall be required to take a physical examination from a licensed medical practitioner designated by the Board.

The District will pay for the cost of this required, post-offer examination.

In the event the District Administrator is concerned that the support staff member is unable to perform the duties of their position, the District Administrator may require that the support staff member submit to an appropriate examination by a healthcare provider of the support staff member's choice, a healthcare provider designated and compensated by the District, or both. The sole purpose of the examination shall be to determine whether the support staff member can perform the duties of their position with or without reasonable accommodation. See also Policy 4161 - Unrequested Leaves of Absence.

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ag4170

SUBSTANCE ABUSE

4170 - **SUBSTANCE ABUSE**

Any support staff member whose physical characteristics, appearance, behavior, or breath odor suggest to a supervisor that s/he may be under the influence of alcohol may be requested to take a breathalyzer test administered by a law enforcement official.

Should the support staff member refuse to take such a test or should the results of the test be positive, the District Administrator shall consider discipline up to and including termination of employment.

Should a supervisor determine from the physical aspects, appearance, or behavior of a support staff member that s/he might be under the influence of other drugs, said support staff member shall follow the directive of the District Administrator for further evaluation. Should the support staff member refuse or be found to be under the influence of drugs, the District Administrator shall consider discipline up to and including termination of employment.

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ag4179

STAFF CONCERNS

4179 - **STAFF CONCERNS**

If one or more staff members have a nongrievable concern about the behavior of a fellow professional or about some aspect of the operation of the school or District that is not functioning as it should, or in accordance with an agreed-upon plan, the staff member(s) should make arrangements to discuss the matter with the supervisor as soon as feasible.

If the matter is not or cannot be rectified satisfactorily by the supervisor, the staff member(s) may request a meeting with the District Administrator. The request should be in writing and include:

A. the specific nature of the problem and a brief statement of the facts giving rise to it;

B. a brief statement explaining how the staff member(s) are being affected by it;

C. the action which the staff member(s) wishes to be taken and how such action would rectify the problem.

The District Administrator, after reviewing the request, will either meet with the staff member(s) or provide a written decision explaining the District's position on the matter.

The District administrator's decision will be final and may not be appealed to the Board.

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ag4213

LIABILITY OF STAFF FOR STUDENT WELFARE

4213 - **LIABILITY OF STAFF FOR STUDENT WELFARE**

Support staff members are responsible for the safety of students on the grounds and within District facilities. In addition to requirements specified in Policy 4213, the following guidelines are provided to minimize the occurrence of situations in which staff members may incur liability for actions related to students:

A. Each support staff member:

1. should not leave students unattended;

2. should not leave an unqualified person in charge of students;

3. should accompany students wherever they are assigned and remain with them until supervision is assumed by another responsible person;

4. should not permit students to use nondistrict-owned and/or maintained equipment or other equipment which may be potentially dangerous or use facilities or equipment except for the intended purpose;

5. should organize classroom materials and equipment so as to minimize danger of injury to students and to self.

B. Each support staff member is to enforce the following rules established for student activity in high-risk areas:

1. Students should work in a shop, kitchen, or laboratory only under qualified supervision and in accordance with the prescribed safety procedures.

2. Only students enrolled in shop classes or laboratory classes, are to use power tools or other dangerous equipment.

C. With the ever-increasing demand for the use of gyms and other such facilities, it is imperative that the support staff take reasonable steps to maintain the safety of District students.

1. If permission is granted for a student or group of students to use a facility, a support staff member or authorized adult must be present in the facility throughout the time it is in use.

2. Under no circumstances are students to be left in charge.

3. If for any reason an area is unlocked for anyone, the support staff member or authorized adult is responsible for ensuring the area is locked up after its use.

4. Under no circumstances are custodians authorized to open a facility for unsupervised students to use.

D. Each support staff member or authorized adult must immediately report to the principal any accident or a safety hazard s/he detects and any accident involving one (1) or more of his/her students' experience.

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ag4220

EVALUATION

4220 - **EVALUATION**

Evaluations of the support staff members shall meet the following conditions:

A. Evaluations are conducted twice within the first year of employment and every three (3) years for all other staff members.

B. Factors hindering achievement of job objectives are clearly defined and agreed upon by the evaluator and evaluatee.

C. Evaluation procedures are established and mutually agreed upon, and which ensure that the same process is used for similar positions and the confidentiality of the staff member is protected.

STRATEGY FOR EVALUATION

The following guidelines should be followed when designing an evaluation plan. (See AG 2605 for steps of the strategy and additional guidelines.)

A. **Relevant Terms**

1. observation - measurement and/or assessment while one or more aspects of the expected result is being produced or created (performance)

2. evaluation - value judgment about the result/performance based on the assessment

B. **Intended Outcome of the Evaluation Plan**

The procedure should produce conclusions that:

1. include those characteristics of a result and/or performance that meet or exceed described standards;

2. include those characteristics that fall below such standards;

3. are **complete** (no missing elements), **accurate** (no factual errors or unsupported inferences), and **clear** (understandable by all relevant parties);

4. indicate priorities for closing important gaps between current results/performance and expected results/performance;

5. provide a detemination of performance.

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ag4231A

PARTICIPATION IN POLITICAL ACTIVITIES

4231A - **PARTICIPATION IN POLITICAL ACTIVITIES**

One of the primary purposes of the school is to create an environment that will permit students to grow and develop. To be of maximum effect, this environment must extend to both the formal academic program as well as to the many extra-curricular activities sponsored by the school. Because of the ages of the students and the significance of the task, it is important that this environment be protected from interference by external, sometimes coercive or disruptive, forces and influences that do not substantially contribute to the learning process.

Non-school-related activities, including political activities, do not contribute to a positive learning climate and may be disruptive, divisive, and distracting. Therefore, such activities are not appropriate within the school setting. It is the intention of the Board of Education to regulate such activities on all Board owned or used property, within all school buildings, and at all school-sponsored activities.

Specifically:

A. Literature supporting or opposing one or more candidates, issues, or a particular point of view; commercial literature, and other non-school-related literature shall not be distributed on or in Board owned or occupied buildings or grounds, inside of school buildings or on school buses immediately before or after school or while school is in session. (The distribution of materials to students by other students is governed by the regulations contained in Board of Education Policy).

B. Literature supporting or opposing one or more candidates, issues, or a particular point of view; commercial literature, and other non-school-related literature shall not be distributed at school-sponsored extra-curricular activities or athletic events wherever they may occur. This regulation shall not prohibit the distribution of literature outside of the entrances and exits of athletic events providing that any such distribution does not interfere with the ability of individuals to freely enter or leave the facility, is not disruptive, and does not take place when school is in session.

C. Non-school-related, political, and/or commercial literature, or campaign posters supporting one or more candidates, issues or a particular point of view shall not be displayed within the schools or on school-owned or occupied property, unless done as part of any approved teaching unit.

D. When the school facilities are used as a polling place, State regulations will be followed with respect to political activities, the display of political posters, and distribution of political literature on school property.

E. Employees of the School District shall not engage, during the course of their employment, in any activities that support or oppose one or more candidates, issues, or a particular point of view during working hours. The right to express political or other opinions and exercise their constitutional rights as citizens is naturally reserved for all employees.

F. For purposes of this guideline, distribution of materials described includes through the use of electronic communications, such as through District-provided e-mail or District-sponsored social media outlets, and includes such activities on personal accounts done during work hours.

G. Nothing in this guideline or related policy shall be construed or enforced in any way that impairs any staff member's rights to engage in protected concerted activity.

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ag4251

EXTRA DUTY

4251 - **EXTRA DUTY**

A. Support staff shall not work hours beyond their regular schedule until the procedure outlined below has been met.

B. In order for an employee to work beyond his or her contract hours in any day, prior approval must be obtained from the immediate supervisor.

C. Extra duty pay, at time and one-half the regular pay rate, shall be paid only for hours actually worked in excess of forty (40) hour week and shall not be paid if the employee has used time-off with pay provisions of other policies such as emergency leave, sick leave, holiday pay, vacation pay, etc.

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REPORTING THREATENING BEHAVIORS

4362.01 - **REPORTING THREATENING BEHAVIORS**

Threatening behavior may take different forms, including but not limited to, the following:

A. face-to-face encounters in which words are used that indicate to the staff member that the staff member's safety and well-being are in jeopardy;

B. any conduct or written/oral communications that include comments toward the staff member or the staff member's family which would imply or state explicitly that the staff member and/or the staff member's family may be subject to some form of physical or psychological abuse or violence;

C. written or spoken comments to a staff member which could subject the staff member to blackmail or extortion;

D. written or spoken communication that would imply or explicitly state that some form of damage may be done to the staff member's property or that of the staff member's family;

E. written or spoken communication that causes a dwelling, a building, another structure, or a vehicle to be evacuated.

Definitions

Words used in this guideline shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to harassing, threatening, and/or intimidating behavior, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in harassing, threatening, and/or intimidating behavior, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term “day” or “days” as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Any staff member who believes that the staff member is the victim of any of the above actions or has observed such actions taken by a student, parent, fellow staff member, supervisor, co-worker, other member of the District community or Third Parties, promptly should take the following steps:

A. If the Respondent would be the staff member's supervisor or a member of the District Office as soon as possible after the incident, the Complainant should contact the District's Compliance Officer (see Policy 4362 - Employee Anti-Harassment).

B. If the Respondent is not the staff member's supervisor or a member of the District Office, as soon as possible after the incident, the Complainant should contact his/her supervisor or the District's Compliance Officer.

C. If the Respondent is a student of the District, the supervisor, if not the student's director, should immediately inform the student's director of the alleged threat.

The staff member may make contact either by a written report or by telephone or personal visit. During this contact, the reporting staff member should provide the name of the person(s) whom the staff member believes to be responsible for the threatening behavior and the nature of the threatening behavior incident(s). A written summary of each report is to be prepared promptly by the staff member receiving the report and forwarded to the supervisor or the District Compiance Officer. In the event that a staff member hears or receives a threat of violence in or targeted at any school, the staff member shall immediately refer to Policy 8462.01 - Threats of Violence and proceed accordingly.

Each report received by the supervisor or the District Compiance Officer. as provided above shall be investigated in a timely and confidential manner. While a charge is under investigation, no information is to be released to anyone who is not involved with the investigation, except as may be required by law or in the context of a legal or administrative proceeding. No one involved is to discuss the matter outside of the investigation.

The purpose of this provision is to:

A. protect the confidentiality of the staff member who files a complaint, except that a Respondent must be informed of the Complainant's identity;

B. encourage the reporting of any incidents of threat;

C. protect the reputation of any party wrongfully charged with threatening conduct.

Investigation of a complaint normally will include conferring with the parties involved and any named or apparent witnesses. All staff members and others involved are to be protected from coercion, intimidation, retaliation, or discrimination for filing a complaint or assisting in an investigation.

If the investigation reveals that the complaint is valid, then appropriate, remedial, and/or disciplinary action will be taken immediately to prevent the continuance of the threat or its recurrence.

Determining whether a particular action or incident is a threat must be based on all of the facts in the matter. Given the nature of this type of intimidation, false accusations of threat can have serious effects on innocent individuals. Accordingly, all staff members are expected to act responsibly, honestly, and with the utmost candor whenever they present threat allegations or charges against fellow staff members, students, or others associated with the District.

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ag4419.01

PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

4419.01 - **PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS**

The following administrative procedure applies to the self-funded group health plans maintained by the Board.

Training

The Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule requires the group health plan to train all members of the plan's workforce on the policies and procedures with respect to protected health information, as defined by HIPAA. The Privacy Official shall ensure that the members of the plan's workforce receive adequate and appropriate training regarding the Privacy Rule.

Safeguards

The Privacy Rule requires the group health plan to implement appropriate administrative, technical, and physical safeguards to protect the privacy of Protected Health Information. The Privacy Official shall implement these safeguards in a reasonable and appropriate manner.

The Security Official shall seek the services of a third party to perform an information technology risk analysis to identify and protect against reasonably anticipated threats to the security or integrity of electronic protected health information, if applicable.

Participant Rights

The Privacy Rule grants health plan participants extensive rights with respect to their protected health information. The Privacy Official shall timely respond to participant requests to exercise rights afforded by the Privacy Rule.

Sanctions

The District shall apply appropriate sanctions against members of its workforce who fail to comply with the privacy policies and procedures established by the District.

Mitigation

The District shall mitigate, to the extent practicable, any harmful effect that is known to the covered entity of a use or disclosure of protected health information in violation of its policies and procedures or the requirements of HIPAA by the District or its business associates.

Retaliatory Acts

The District shall refrain from taking any retaliatory action against any individual for exercising any right under the plan, filing a complaint with the Department of Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule, provided that the individual has a good faith belief that the practice opposed is unlawful.

Waiver of Rights

The District shall not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provisions of payment, enrollment in a health plan, or eligibility for benefits.

Changes to Policy and Procedures

The District shall change its policy and procedures as necessary and appropriate to comply with changes in the law.

Documentation

The District shall retain its policy and procedures for a period of six (6) years from the date of their creation or the date when they were last in effect, whichever is later.

Amendment of Plan Documents

The Privacy Rule provides that plan documents be amended to permit information sharing between the plan and the plan sponsor. The Privacy Official shall assist other District personnel in determining whether and how plan documents should be amended and in fulfilling the requirements for implementing such amendments.

Business Associate Agreements

The Privacy Rule requires a group health plan to enter into business associate agreements with certain third-party vendors. The Privacy Official shall retain counsel to draft and negotiate these business associate agreements. In the event that the plan contracts with new business associates, the Privacy Official oversee the review of existing business associate agreements to ensure compliance with current laws. The Privacy Official shall ensure that business associate agreements are entered into with new vendors.

Complaint Procedure

Any person that believes that his/her privacy rights have been violated by the inappropriate use of his/her personal medical information in violation of HIPAA may file a complaint with the District's Privacy Official. The Privacy Official will provide a copy of the District's complaint procedure to any person who files a complaint.

A. **Informal Procedures**

The complainant shall orally discuss the complaint with the District's Privacy Official, who shall in turn investigate and answer the complaint. The complainant may also initiate the formal procedure as described below.

B. **Formal Procedure**

1. **Step 1**

A written statement of the complaint (including the corrective action requested) signed by the complainant shall be submitted to the Privacy Official within five (5) business days of receipt of the answer to the informal complaint (if an informal complaint was made). The Privacy Official shall investigate the complaint, meet with the complainant and other staff, as appropriate, and reply in writing to the complainant within ten (10) business days of the submission of the formal complaint.

2. **Step 2**

If the complainant wishes to appeal the decision of the Privacy Official, s/he may file a written appeal (including the corrective action requested) with the District Administrator within five (5) business days of his/her receipt of the Privacy Official's response in step one. The District Administrator shall meet with the parties within twenty (20) business days of the receipt of the appeal a copy of the District Administrator's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting.

Notice of Privacy Practice

The Privacy Rule requires the group health plan to distribute a Notice of Privacy Practices to participants in the plan. The Privacy Official shall retain counsel to draft the Notice of Privacy Practices. The Privacy Official shall subsequently distribute these notices to existing group health plan participants. The Notice shall be distributed to every new participant in the health plan upon enrollment. The Privacy Official shall notify all participants in the plan of the availability of the Notice and how to obtain the Notice no less frequently than once every three (3) years. If there is a material change to the notice then the Notice shall be distributed as follows:

A. If the group health plan posts its Notice on its website, then the plan must post the revised Notice on its website by the effective date of the material change, and then provide a hard copy of the Notice (or information about the material change and how to obtain the revised Notice) in its next annual mailing.

B. If the group health plan does not have a website, then the plan may provide the revised Notice (or information about the material change and how to obtain the revised Notice) to individuals covered by the plan within sixty (60) days of the material revision to the Notice.

Breach Notification

The Privacy Official shall develop a breach notification policy. A breach occurs when there has been an acquisition, access, use, or disclosure of protected health information in a manner not permitted under the Privacy Rule which compromises the security or privacy of the protected health information. The Privacy Official shall train workforce members on the breach notification policy.

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ag4421

FEDERAL GROUP HEALTH CONTINUATION (COBRA)

4421 - **FEDERAL GROUP HEALTH CONTINUATION (COBRA)**

Qualifying Event

A. A covered employee shall be offered the opportunity to continue the District's group health coverage if the employee loses coverage under the Plan upon either of the following 'qualifying events':

1. voluntary or involuntary termination of employment for reasons other than 'gross misconduct'

   Gross misconduct may be intentional, wanton, willful, deliberate, reckless or in deliberate indifference to the District's interests. It is misconduct beyond mere minor breaches of employee standards, but conduct which would be considered gross in nature.

2. reduction in the number of hours of employment

B. The spouse of a covered employee may continue the District's group health coverage if the spouse loses coverage under the Plan because of any of the following 'qualifying events':

1. termination of the covered employee's employment for any reason than 'gross misconduct'

2. reduction in the hours worked by the covered employee

3. divorce or legal separation with the covered employee

   Also, if the employee reduces or eliminates group health coverage in anticipation of divorce or legal separation, then divorce or legal separation may be considered to be a qualifying event even though the spouse's coverage was reduced or eliminated prior to the divorce or legal separation.

4. death of the covered employee

C. Dependent children may continue the group health coverage if the dependent child loses coverage under the Plan because of any of the following 'qualifying events':

1. termination of covered employee's employment for any reason other than 'gross misconduct'

2. reduction in the hours worked by the covered employee

3. loss of 'dependent child' status under the Plan rules.

   Under the Patient Protection and Affordable Care Act, the Plan must offer coverage for an adult child until the child attains age twenty-six (26).

4. divorce or legal separation of the covered employee

5. death of the covered employee

Notification by Qualified Beneficiaries

Qualified beneficiaries are required to notify the Plan Administrator of the following qualifying events in order to be eligible for COBRA continuation coverage: (a) divorce or legal separation of the employee and spouse; and (b) loss of eligibility for coverage of a dependent child. The qualified beneficiary is required to notify the Plan Administrator in writing of these events within sixty (60) days of the later of: (a) the date of the qualifying event; or (b) the date on which the qualified beneficiary loses (or would lose) coverage under the terms of the Plan as a result of the qualifying event. Failure to comply with these rules will result in forfeiture of any COBRA continuation coverage.

COBRA Election

Qualified beneficiaries are required to elect COBRA continuation coverage within the sixty (60) day election period set forth in the Plan's COBRA election notice. Qualified beneficiaries have the right to elect to continue coverage that is identical to the coverage provided to active employees under the Plan. If a COBRA beneficiary does not elect COBRA continuation coverage within the sixty (60) day election period, then the COBRA beneficiary will forfeit his/her right to elect COBRA.

Other Options for Qualified Beneficiaries

In lieu of electing COBRA continuation coverage, qualified beneficiaries may wish to pursue coverage through the health insurance marketplace established by the Patient Protection and Affordable Care Act. In some cases, individuals may receive significant subsidies towards the cost of coverage under the health insurance marketplace. These subsidies may make ACA marketplace coverage significantly less expensive than COBRA continuation coverage. Qualified beneficiaries may also wish to explore whether coverage under another employer group health plan or Medicaid is possible.

Termination of COBRA Coverage

COBRA continuation coverage generally lasts for eighteen (18) months. For example, if coverage is lost because of termination of employment or reduction of hours, the employee generally may elect COBRA for a maximum of eighteen (18) months.

However, there are a few exceptions to this rule. If Plan coverage was lost as a result of death of an employee, divorce or legal separation, or loss of eligibility for coverage as a dependent child, COBRA coverage can continue for a maximum of thirty six (36) months. If a qualified beneficiary is determined under Title II or Title XVI of the Social Security Act to have been disabled before the sixtieth (60th) day of continuation coverage and the qualified beneficiary properly notifies the Plan Administrator of the disability determination, the eighteen (18) month period is expanded to twenty-nine (29) months. If a second qualifying event occurs while receiving COBRA coverage and the qualified beneficiary properly notifies the Plan Administrator, COBRA coverage may continue for a maximum of thirty-six (36) months.

COBRA coverage under a health flexible spending account can last only until the end of the year in which the qualifying event occurred.

Coverage for qualified beneficiaries may end prior to the end of the maximum coverage period if:

A. premiums are not paid on a timely basis;

B. District ceases to maintain the group health plan;

C. coverage is obtained with another employee group health plan that does not contain any exclusion or limitation with respect to any pre existing condition (note that the Patient Protection and Affordable Care Act eliminated pre-existing exclusion conditions in most groups health plans);

D. a qualified beneficiary becomes entitled to Medicare benefits after commencing COBRA coverage;

E. during a disability extension period, the disabled qualified beneficiary is determined by the Social Security Administration to be no longer disabled.

A qualified beneficiary is required to notify the District in writing if the qualified beneficiary becomes eligible for Medicare or becomes covered under another group health plan. In addition, if a disabled qualified beneficiary is determined by the Social Security Administration to no longer be disabled, the qualified beneficiary must notify the District of the fact within thirty (30) days after the Social Security Administration's determination.

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FMLA RECORDKEEPING REQUIREMENTS

4430.01B - **FMLA RECORDKEEPING REQUIREMENTS**

The District Administrator is responsible for making, keeping, and preserving all relevant records pertaining to the Board's obligations under the FMLA in accordance with the recordkeeping requirements of Section 11(c) of the Fair Labor Standards Act (FLSA) and in accordance with the final regulations applicable to the FMLA. Specifically, the Director of Business Services designee is charged with keeping/preserving the records identified below in accordance with the District's Records Retention Schedule (see Policy 8310), and under no circumstances shall said records be kept for less than three (3) years. The records shall be available for inspection, copying, and transcription by representatives of the Department of Labor upon request.

The Director of Business Services designee shall maintain records that disclose the following:

A. Basic payroll and identifying employee data, including name, address, and occupation; rate or basis of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid.

B. Dates FMLA leave is taken by FMLA eligible employees (e.g., available from time records, requests for leave, etc., if so designated). Leave must be designated in records as FMLA leave; leave so designated may not include leave required under State law or a Board plan which is not also covered by FMLA.

C. If FMLA leave is taken by eligible employees in increments of less than one (1) full day, the hours of the leave.

D. Copies of employee notices of leave furnished to the District under FMLA, if in writing, and copies of all written notices given to employees as required under the FMLA and its implementing regulations (see 29 C.F.R. Section 825.300(b) through (c)). Copies may be maintained in employee personnel files.

E. Any documents (including written and electronic records) describing employee benefits or employer policies and practices regarding the taking of paid and unpaid leaves.

F. Premium payments of employee benefits.

G. Records of any dispute between the District and an eligible employee regarding designation of leave as FMLA leave, including any written statement from the Superintendent or designee or employee of the reasons for the designation and for the disagreement.

Records and documents relating to certifications, recertifications or medical histories of employees or employees' family members, created for purposes of FMLA, shall be maintained as confidential medical records in separate files/records from the usual personnel files. If the Genetic Information Nondiscrimination Act of 2008 (GINA) is applicable, records and documents created for purposes of FMLA leave containing family medical history or genetic information as defined by GINA shall be maintained in accordance with the confidentiality requirements of Title II of GINA (29 C.F.R. 1635.9), which allow for disclosure consistent with FMLA requirements. If the ADA, as amended, is also applicable, such records shall be maintained in conformance with ADA confidentiality requirements (see 29 C.F.R. 1630.14(c)(1)), except that:

A. supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations;

B. first aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and

C. government officials investigating compliance with FMLA (or other pertinent laws) shall be provided relevant information upon request.

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FMLA LEAVE

4430.01 - **FMLA LEAVE**

Definitions Applicable to FMLA Leave

The term child (i.e., son or daughter) means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen (18), or age eighteen (18) or older and incapable of self-care because of a mental or physical disability (as defined by the Americans with Disabilities Act (ADA), as amended) at the time the FMLA leave is to commence.

The term spouse means all individuals in legal marriages, regardless of where they live. More specifically, the definition of spouse is a husband or wife as defined or recognized in the State where the individual was married (place of celebration), and specifically includes individuals in lawfully recognized same-sex and common law marriages. The definition further includes an individual in a marriage that was validly entered into outside the United States if it could have been entered into in at least one (1) State. Civil unions are not considered marriages under the FMLA.

The term incapable of self-care means that the individual requires active assistance or supervision to provide daily self-care in three (3) or more of the activities of daily living (ADLs) (e.g., caring appropriately for one's grooming and hygiene, bathing, dressing, eating) or instrumental activities of daily living (IADLs) (e.g., cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.).

An employee is unable to perform the functions of the position where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position. Additionally, an employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment.

Leave for Adoption or Foster Care

Eligible employees may take FMLA leave before the actual placement or adoption of a child if an absence from work is required for the placement or foster care to proceed. Permissible absences include, but are not limited to, the employee attending a required counseling session, appearing in court, consulting with the attorney or the doctor(s) representing the birth parent, submitting to physical examinations, or traveling to another country to complete an adoption.

Military Family Leave Entitlements

A. **Military Caregiver Leave**

Eligible employees may take up to twenty-six (26) weeks of unpaid FMLA leave, in a single twelve (12) month period, to care for a covered service member with a serious injury or illness. The single twelve (12) month period begins on the first day the eligible employee takes Military Caregiver Leave and ends twelve (12) months after that date. If the employee does not use their entire twenty-six (26) work weeks leave entitlement during the single twelve (12) month period of leave, the remaining work weeks of leave are forfeited.

For purposes of Military Caregiver Leave, the covered service member may be a 1) current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or 2) a veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the period of five (5) years prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. For an individual who was a member of the Armed Forces and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period between October 28, 2009, and March 8, 2013, shall not count towards the determination of the five-year period for covered veteran status.

Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the service member medically unfit to perform the duties of the service member's office, grade, rank, or rating.

In the case of a veteran, a serious injury or illness means an injury or illness that was incurred by the member in the line of

duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by the service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran and is 1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; 2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; 3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or 4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

The term son or daughter of a covered service member means a covered service member's biological, adopted, or foster child, stepchild, legal ward, or child for whom the service member stood in loco parentis, and who is of any age. Similarly, the term parent of a covered service member means a covered service member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member. (The term does not include parents-in-law.)

The term next of kin means the service member's nearest blood relative, other than the covered service member's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the covered service member has specifically designated in writing another blood relative as their nearest blood relative for purposes of Military Caregiver Leave under the FMLA, in which case the designated individual shall be deemed to be the covered service member's next of kin. All family members sharing the closest level of familial relationship to the covered service member are considered the covered service member's next of kin, unless the covered service member has specifically designated an individual as their next of kin for Military Caregiver Leave purposes. While an eligible employee may care for more than one (1) seriously injured or ill covered service member at the same time, the employee may not take more than twenty-six (26) work weeks of leave during each single twelve (12) month period.

Military Caregiver Leave is a per-service member, per-injury entitlement. Therefore, an eligible employee may take twenty-six (26) work weeks of leave to care for one (1) covered service member in a single twelve (12) month period, and then take another twenty-six (26) work weeks of leave in a different single twelve (12)month period to care for another covered service member or to care for the same service member with a subsequent serious injury or illness (e.g., if the service member is returned to active duty and suffers another injury). Additionally, an eligible employee could take FMLA leave, after the end of the single twelve (12) month period for Military Caregiver Leave, to care for a covered service member if the member is a qualifying family member under non-military FMLA and the eligible employeehas a serious health condition.

B. **Qualifying Exigency Leave**

Eligible employees may take up to twelve (12) weeks of unpaid FMLA leave for any of the following qualifying exigencies that are related to the fact that the employee's spouse, son, daughter or parent is on covered active duty or call to covered active duty status, or has been notified of an impending call or order to covered active duty in the Armed Forces:

1. Issues arising from a qualifying family member's short-notice deployment (i.e., deployment on seven (7) or less calendar days of notice) for a period of seven (7) days from the date of notification.

2. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to a qualifying family member's covered active duty or call to covered active duty status.

3. Certain childcare and related activities arising from a qualifying family member's covered active duty or call to covered active duty status, such as arranging for alternative childcare, providing childcare on an urgent, immediate need basis (but not on a routine, regular, or everyday basis), enrolling or transferring a child in a new school or day care facility, and attending certain meetings at a school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member (this does not include providing child care on a routine, regular or everyday basis).

4. Making or updating financial and legal arrangements to address a qualifying family member's absence (e.g., preparing and executing financial and healthcare power of attorney, transferring bank account signature authority, enrolling in the Defense Enrollment Eligibility Reporting System, obtaining military identification cards, or preparing or updating a will or living trust) and acting as the military member's representative before a Federal, State, or local agency for purposes of obtaining, arranging, or appealing military service benefits while the military member is on covered active

duty or call to covered active duty status, and for a period of ninety (90) days following the termination of the military member's covered active duty status.

5. Attending counseling provided by someone other than a healthcare provider for oneself, the qualifying family member, or the child of the qualifying family member, the need for which arises from the qualifying family member's covered active duty or call to covered active duty status. The child must be the military member's biological, adopted, or foster child, stepchild, legal ward or child for whom the military member stands in loco parentis, who is either under eighteen (18) years of age or eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

6. Taking up to fifteen (15) days of leave to spend time with a qualifying family member who is on short-term, temporary, rest and recuperation leave during the deployment.

7. Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of ninety (90) days following the termination of the qualifying family member's covered active duty status, and addressing issues arising from the death of a qualifying family member.

8. Providing parental care for a parent of a military member who is incapable of self-care and is the military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered service member when the member was under eighteen (18) years of age. Incapable of self-care means the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living (includes adaptive activities such as caring appropriately for one's grooming and hygiene, bathing, dressing and eating) or instrumental activities of daily living (includes cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.). Parental care includes 1) arranging for alternate care when the parent is incapable of self-care and the covered active duty or call to covered active duty status necessitates a change in the existing care arrangement for the parent; 2) providing care on an urgent, immediate need basis (but not on a routine, regular or everyday basis) when the parent is incapable of self-care and the need to provide such care arises from covered active duty or call to covered active duty status; 3) admitting or transferring to a care facility a parent when admittance or transfer is necessitated by the covered active duty or call to covered active duty status; and 4) attending meetings with staff at a care facility, such as meetings with hospice or social service providers for a parent when such meetings are necessary due to circumstances arising from the covered active duty or call to covered active duty status but not for regular or routine meetings.

9. Any other event that the employee and the Board agree is a qualifying exigency.

The term qualifying family member for purposes of Qualified Exigency Leave means a staff member's spouse, son, daughter or parent.

The term covered active duty or call to covered active duty status for purposes of Qualified Exigency Leave means duty for a member of the Regular Armed Forces during deployment of the member with the Armed Forces to a foreign country, and, in the case of a member of the Reserve components of the Armed Forces, duty during deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to Sections 688, 12301(a), 12302, 12304, 12305, 12406, or Chapter 15 of Title 10 of the United States Code or any other provision of law during a war or during a national emergency declared by the President or Congress as long as it is in support of a contingency operation.

The term son or daughter means the employee's biological, adopted, or foster child, stepchild, legal ward, or child for whom the employee stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. Similarly, the term parent means a biological, adoptive, step, or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter. (The term does not include parents in-law.)

Employee Request for FMLA Leave

While eligible employees are not required to expressly request unpaid FMLA leave, it is requested that eligible employees who seek an unpaid FMLA leave for any of the approved reasons complete and submit to the District Administrator a written request for FMLA leave.

Employee Certifications

Eligible employees who apply for FMLA leave to care for an immediate family member must submit DOL Form (WH-380-F; Certification of Health Care Provider for Family Member's Serious Health Condition).

Eligible employees who apply for FMLA leave for the employee's own serious health condition must submit DOL Form (WH-380-E; Certification of Health Care Provider for Employee's Serious Health Condition).

Eligible employees who apply for Military Caregiver Leave must submit DOL Form (WH-385; Certification for Serious Injury or Illness of Covered Service Member - for Military Family Leave or WH-385-V, Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave). The form may be completed by a Department of Defense (DOD) health care provider, Veterans Affairs health care provider, a DOD TRICARE network authorized private health care provider, a DOD non-network TRICARE authorized private health care provider, or any health care provider as defined by 29 C.F.R. 825.125.

Additionally, with respect to Military Caregiver Leave, the District will accept the submission of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA), in lieu of the DOL Form, for the time period specified in the ITO or ITA. The ITO or ITA submitted by the employee need not list the employee as the named recipient of the ITO/ITA, provided the employee is the spouse, parent, son, daughter or next of kin of the covered service member. If the covered service member's need for care extends beyond the expiration date specified in the ITO or ITA, the employee is responsible for submitting the DOL Form for the remainder of the employee's leave period. The District will also accept, with respect to Military Caregiver Leave, documentation indicating the service member's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers, regardless of whether the employee is the named caregiver in the documentation. Employees are advised that the District Administrator may seek authentication and clarification of such documentation, and may require an employee to provide confirmation of covered family relationship to the seriously injured or ill service member and documentation showing that the discharge was other than dishonorable and the date of the veteran's discharge.

It is the employee's responsibility either to furnish a complete and sufficient certification or to furnish the health care provider providing the certification with any necessary authorization from the employee or the employee's family member in order for the health care provider to release a complete and sufficient certification to the Board to support the employee's FMLA request.

In all instances in which certification is requested, it is the employee's responsibility to provide the Board with complete and sufficient certification, and failure to do so may result in denial of FMLA leave.

Eligible employees who apply for any of the three (3) preceding types of FMLA leave must also execute and provide to their health care provider a HIPAA-compliant release form.

If the District Administrator deems a medical certification to be incomplete or insufficient, the District Administrator shall notify the employee, in writing, what information is lacking, and the employee will have seven (7) calendar days to cure the deficiency. The District Administrator (i.e., the Board's health care provider, human resource professional, leave administrator, or other management official, but not the employee's direct supervisor) may contact the certifying health care provider for clarification concerning or to authenticate the content of a medical certification. The representative, however, shall not ask the health care provider for additional information beyond that required by the certification form.

Employees who take leave for the employee's own serious health condition, prior to returning to work, must submit to the District Administrator a Fitness-for-Duty Certification. Again, the employee will need to have executed and provided to their Health Care Provider a HIPAA-compliant form.

Eligible employees who apply for FMLA leave for Qualifying Exigency Leave must submit DOL Form WH-384; Certification of Qualifying Exigency for Military Family Leave. Specifically, the first time the employee requests Qualifying Exigency Leave, the employee must provide a copy of the qualifying family member's covered active duty orders or other documentation issued by the military that indicates that the qualifying family member is on covered active duty or call to covered active duty status, and the dates of the qualifying family member's covered active duty service. Additionally, each time that the employee requests leave for one of the above-listed qualifying exigencies, the employee must certify the exigency necessitating leave. Such certification supporting leave for a qualifying exigency includes:

A. appropriate facts supporting the need for leave, including any available written documentation supporting the request and the type of qualifying exigency;

B. the appropriate date on which the qualifying exigency commenced or will commence, and, if requested for a single, continuous period of time, the beginning and end dates for such absence;

C. where leave will be needed on an intermittent basis, an estimate of the frequency and duration of the qualifying exigency;

D. appropriate contact information if the exigency involves meeting with a third party and a brief description of the purpose of the meeting; and if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders or other documentation issued by the military that indicates the military member has been granted Rest and Recuperation leave and the dates of such leave.

Employees are advised that if the qualifying exigency involves a meeting with a third party, the District Administrator may verify the schedule and purpose of the meeting with the third party. Also, the District Administrator may contact the appropriate unit of the Department of Defense to confirm that the qualifying family member is on covered active duty or call to covered active duty status.

All of the certifications identified above must be submitted by the employee within fifteen (15) calendar days after the District provides the employee with the applicable DOL Form unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. An employee may not be held liable for administrative delays in the issuance of military documents, despite the employee's diligent, good faith efforts to obtain such documents.

Light Duty

Time spent performing light duty work does not count against an employee's FMLA leave entitlement.

District Notices to Employees (Forms are available on the U.S. Department of Labor Website: www.dol.gov)

If the information included in the Employee Rights and Responsibilities Notice changes, the District Administrator will inform the employee of such changes within five (5) business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. The Director of Business Services is charged with responsively answering questions from employees concerning their rights and responsibilities.

If it is not possible to provide the number of hours, days or weeks that will be counted as FMLA leave (e.g., where the leave will be unscheduled), the District Administrator will provide this information upon request by the employee, but no more often than every thirty (30) days and only if leave was taken during the period. The notice of the amount of leave counted against the employee's FMLA entitlement may be oral or in writing. If such notice is oral, it shall be confirmed in writing, no later than the following payday that is at least one (1) week after the oral notice. Such notice may be in any form, including a notation on the employee's pay stub.

FMLA Leave and Mandatory Overtime

Employees with proper medical certification may use FMLA leave in lieu of working required overtime hours. Thus, hours that an employee would have been required to work but for the taking of FMLA leave will be counted against the employee's FMLA entitlement.

Calculating the Amount of FMLA Leave Used by an Employee

For purposes of determining the amount of FMLA leave used by an employee, the fact that a holiday may occur within the work week taken as FMLA has no effect; the week is counted as a week of FMLA leave. If, however, the employee is using FMLA leave in increments of less than one (1) week, the holiday will not count against the employee's FMLA leave entitlement unless the employee was otherwise scheduled and expected to work during the holiday. Similarly, when an employee is not scheduled to work during winter, spring or summer vacation (i.e., during a period when some or all employees are not expected to work for one (1) or more weeks), the days the employee is not scheduled to work shall not count against the employee's FMLA leave entitlement.

When an employee takes FMLA leave on an intermittent or reduced leave schedule basis, the leave shall be accounted for by using an increment no greater than the shortest period of time that the District uses to account for use of other forms of leave provided that it is not greater than one (1) hour and provided that the employee's FMLA leave entitlement is not reduced by more than the amount of leave actually taken.

Maintenance of Employee Benefits

The same group health plan benefits provided to an employee prior to taking FMLA leave shall be maintained during the FMLA leave (e.g., if family member coverage is provided to an employee, family member coverage shall be maintained during the FMLA leave). Similarly, benefit coverage during FMLA leave for medical care, surgical care, hospital care, dental care, eye care, mental health counseling, substance abuse treatment, etc., shall be maintained during leave if provided in the District's group health plan, including a supplement to a group plan.

If an employee chooses not to retain group health plan coverage during FMLA leave, the employee will be reinstated, upon return from leave, on the same terms as prior to taking the leave, without any qualifying period, physical examination, exclusion of pre-existing conditions, etc. All other employee benefits will be maintained during leave subject to applicable policy requirements and consistent with maintaining employee eligibility to receive the same benefits following leave that the employee had prior to leave in the same manner as provided to other similarly situated employees.

Costs Associated with Medical Certification and Recertification

The employee is responsible for any costs associated with obtaining the original medical certification required to qualify for the use of unpaid FMLA leave. Likewise, if the Board requires an employee to submit recertification for any of the reasons specified in Policy

1630.01, the employee is responsible for any costs associated with the recertification. Finally, the employee is responsible for the cost of a new medical certification each leave year for medical conditions that last longer than one (1) year.

Periodic Status Reports

When an employee takes a continuous unpaid FMLA leave, the District Administrator may require the employee to complete periodic status concerning the employee's intent to return to work. If the District Administrator is going to require such reports, the requirement will be specified in the Notice of Eligibility and Rights & Responsibilities that is issued to the employee at the outset of the FMLA leave.

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ag4440A

JOB-RELATED EXPENSES

4440A - **JOB-RELATED EXPENSES**

Expenses which are incurred by support staff members as a result of authorized travel in and outside of the District will be reimbursed to the extent provided for in these guidelines. Reimbursement is intended to provide for transportation, lodging, and food of reasonable and adequate quality. When traveling on school business, a support staff member is expected to use the same care in incurring expenses that a prudent person would exercise if traveling on personal business.

Authorization

A. Travel within or outside the District is to be authorized by the employee's supervisor.

B. Travel to conventions or conferences away from the District which involve overnight stay will be authorized by the employee's supervisor for approval by the District Administrator. All such requests must be received in the District Office at least five (5) days prior to the date a decision is needed.

Procedure

A. Each request for travel or conference funds should detail the reasons for the expenditures and should not be labeled in broad general terms.

B. Under normal conditions, support staff members traveling on official business shall provide themselves with sufficient funds of their own for ordinary expenses.

C. Travel should be by the most direct and economical route.

D. All persons authorized to travel on official business should keep a memorandum and receipts of expenditures properly chargeable to the Board.

E. For official travel other than by automobile, tickets may be purchased by the District in advance, upon request of the individual involved.

F. In all instances of travel reimbursement, full itemization of expenditures is required.

G. Those doing such traveling should be expected to exercise the same care in incurring expenses that they would in travel on personal business of their own. Excessive and unnecessary travel will not be approved or reimbursed.

Reimbursement

A. Reimbursement will be at the current rates approved by the Board. Requests for reimbursement will be submitted on the appropriate district form provided for that purpose.

B. Travel outside the School District will be reimbursed at the regular fare rate charged the general public by common carrier, unless travel by private conveyance is more economical, in which case mileage will be reimbursed at the IRS rate. Taxi fare from home to terminal and return from the meeting location to the terminal and home is allowable with receipt.

C. Lodging and meals will be reimbursed at a reasonable per diem rate. All claims must be supported by original receipted bills.

D. Reimbursement for reasonable charges for tolls, lodging, parking, taxis, official telephone calls, and tips will be made upon presentation of supporting receipts.

E. Registration fees are reimbursable.

F. Sales tax on out-of-state hotel bills is reimbursable.

Claim Forms

All claims for reimbursement must be submitted on the appropriate district form. Expenditures must be substantiated by receipts. Expenditures without receipts must be approved by the Director of Business Services before reimbursement is authorized.

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ag4440B

USE OF PRIVATE CAR FOR SCHOOL BUSINESS

4440B - **USE OF PRIVATE CAR FOR SCHOOL BUSINESS**

All transportation of students in privately-owned vehicles must be done in accordance with Policy 8660 - Transportation by Private Vehicle and AG 8660 - Transporting Students by Private Vehicle.

The District has established the following means for providing reimbursement for the use of privately-owned vehicles used in the performance of assigned duties.

A. All support staff will be assigned to a school or office which becomes the home station. It will be the responsibility of each individual to provide his/her own transportation from his/her residence to his/her assigned station and to any other assigned spot to attend meetings for administrative or training purposes.

B. When an individual's duties require his/her presence at other stations or places within or out of the District, reimbursement for travel may be requested. Such requests will be approved when the travel is scheduled or authorized by the District Administrator.

C. Regularly scheduled travel will be authorized when requisitioned in compliance with a printed schedule; e.g., special support staff members are required to go from school to school on a regular schedule.

D. Sporadic or emergency travel will be authorized when made in connection with an assignment.

E. Payments for authorized travel will be made provided itemized daily records are submitted on the proper forms. Persons who travel are advised to keep a daily log of their required business trips.

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ag4440C

USE OF SCHOOL VEHICLE FOR SCHOOL BUSINESS

4440C - **USE OF SCHOOL VEHICLE FOR SCHOOL BUSINESS**

The District has established the following guidelines for the use of school-owned vehicles in the performance of assigned duties.

A. Regularly scheduled use will be authorized by the Director of Business Services.

1. Only school personnel will be authorized to operate the vehicle.

2. The vehicle is to be used only for school business.

B. **Requirement for Continuation of School Vehicle Use:**

1. No repair work will be performed on the vehicle without the Director of Business Services's approval.

2. All accidents will be reported immediately (no matter how minor) to the Director of Business Services.

3. The designated operator is responsible for cleanliness of the vehicle both inside and outside.

4. Before any out-of-district trips are made with the vehicle, the authorized driver shall check the vehicle for any maintenance problems.

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ag5110

STUDENT HANDBOOKS

5110 - **STUDENT HANDBOOKS**

The guidelines and procedures by which students are to function while attending school in the District are to be contained in one (1) or more student handbooks. The principals at the elementary and secondary levels, working with each other, are to develop appropriate handbooks which are consistent in content with relevant Board policies and with these guidelines. Each is to provide the following types of information and aids:

A. An initial section containing:

1. the purpose of the handbook;

2. the purpose and goals of the school;

3. the description of how the handbook is to be used;

4. name and phone number of person to be contacted regarding questions about the handbook;

5. a listing of resource people and/or documents which students can use to obtain answers to questions or concerns.

B. One (1) or more sections containing essential rules, procedures, and/or guidelines needed for students to function properly in the school environment so as to better accomplish their educational goals and the goals of the school. Such sections should include the following areas:

1. attendance

2. academics

3. co-curricular/extra-curricular activities

4. athletics

5. emergency procedures

For each section, there should be an explanation indicating how the rules, procedures, and/or guidelines contribute to the effective operation of the school.

C. A section describing, the Code of Conduct established consistent with Board Policy 5500 - Student Code of Classroom Conduct and Board Policy 5500.01 - Conduct in Virtual Classroom. The Code should describe the behaviors, including dress and appearance, expected of the students on a day-to-day basis. It should also provide an explanation as to why those behaviors are important to the proper development of the student, the productive interactions among the people in the school, and the effective operation of the school.

The Code should also describe those behaviors that will not be tolerated and why they are unacceptable. Such behaviors shall include but not be limited to:

1. use, possession, or distribution of drug items defined in Board Policy 5530 - Student Use or Possession of Intoxicants, Drugs, or Paraphernalia and any paraphernalia associated with them;

2. any illegal activity such as theft, gambling, forgery, extortion, possession of dangerous weapons, etc.;

3. unethical actions such as lying or cheating;

4. any form of violence, bullying, or harassment;

5. any action that disrupts the school operation or environment;

6. any action that defaces, damages, or destroys personal or public property;

7. any form of littering or damage to the school environment;

8. any violation of Board policies, District guidelines, or school rules.

The section should also provide a description of the consequences and disciplinary actions up to and including expulsion for noncompliance with school rules and for unacceptable behavior. Included in this description should be a reference to student's rights to due-process rights described in Board Policy 5610 - Suspension and Expulsion.

D. A section describing the services that are available to students and their parents to help them accomplish their goals and function effectively in the school environment.

E. One (1) or more references including a Table of Contents, an Index, if needed and feasible, and appendices when appropriate. Section or chapter headings should be clearly labeled.

The information contained in each handbook should be clear and logically organized, accurate, and sufficient enough so that, when students and their parents refer to it, they can meet the intent of what has been stated. , or are directed to applicable Board policies.

Each handbook is to be a model of proper use of the English language both substantively and grammatically. Prior to the final publication and distribution of a handbook, the copy and proposed format are to be submitted to the Board of Education for final review and approval by no later than July 1.

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ag5111

ADMISSION TO THE DISTRICT

5111 - **ADMISSION TO THE DISTRICT**

Students who qualify for admission to District schools, in accordance with Board Policy 5111, shall be accepted when the following documents have been submitted:

A. a birth certificate or other appropriate documentary evidence (per statute, can be submitted for inspection only, but not copied);

B. court orders or placement papers, if applicable;

C. proof of residency consisting of a deed, building permit, rental agreement, tax statement, or utility bill.

If custody has been established by the courts, a copy of the court order must be submitted. If such verification is not received within thirty (30) days or the document appears to be inaccurate or suspicious, the principal shall notify the local law enforcement agency.

Students without appropriate records establishing residency in the District will be admitted under temporary enrollment for a period of ten (10) school days, unless extended by the principal. Parents are to be so informed at the time of admission. If no proof of residency is provided and the student does not meet the definition for homeless (see Policy 5111.01), the parents may be charged tuition and will be required to request permission from the Board to attend. (See Policy 6150 - Tuition Income)

The sending school shall be contacted within twenty-four (24) hours of the student's entry into the school and requested to send all appropriate records.

If the school indicates no record of the student's attendance, or the records are not received within fourteen (14) days of the date of request, the building principal shall immediately notify the District's local law enforcement agency to request that it contact the law enforcement agency where the student resided to investigate if s/he may be a missing child.

Immunization requirements are to be in accordance with AG 5320. The staff member enrolling the student is to check the immunization record the parent submits against the requirements listed in AG 5320 to determine if there are any discrepancies or missing inoculations. If so, the parent is to be informed that the needed inoculations must be completed within the next two (2) calendar weeks or as soon thereafter as the schedule for the missing inoculations permits. The principal is to be provided the names of all children who have not met the immunization requirements and the dates by which missing inoculations are to be completed.

Homeless children and youth are defined under Federal law (42 U.S.C. 11431 et seq.) as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

A. share the housing of other persons due to loss of housing, economic hardship, or similar reason;

B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations;

C. live in emergency or transitional shelters;

D. are abandoned in hospitals;

E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or

F. live in a car, park, public space, abandoned building, substandard housing[1], bus or train station, or similar setting.

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.

High school students transferring from another school district must submit an official transcript from the sending school in order for the student to receive credit for course work. Report cards will not be considered sufficient evidence for granting credit toward graduation.

If a parent (or adult student) presents information to the District certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program administered by the

Wisconsin Department of Justice, the Board shall use the address designated by the Department of Justice to serve as the student's address for enrollment purposes. The District shall place a copy of any certification provided by the parent in the enrollment files.

Note:

[1] According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see ED guidance for factors to consider when determining whether a child or youth is living in "substandard housing."

Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED), Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act, at A-3 (July 27, 2016).

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HOMELESS STUDENTS

5111.01 - **HOMELESS STUDENTS**

Duties

The Local Liaison for Homeless Children and Youth (Liaison) serves as a primary contact between homeless families and school staff, District personnel, shelter workers, and other service providers. The Liaison is responsible for safeguarding the rights of children and youth experiencing homelessness who attend school in this District. The Liaison must be notified immediately upon the enrollment or assignment of a homeless child/youth. The Liaison will coordinate District operations and services so that:

A. homeless children/youth are identified by school personnel through outreach and coordination activities with other entities and agencies and the Liaison shall work to identify, locate and enroll homeless children/youth who are not currently attending school;

B. homeless children/youth are enrolled in, and have a full and equal opportunity to succeed in schools of that District;

C. homeless youth receive credit for full or partial schoolwork;

D. homeless families and children/youth have access to and receive all educational services for which they are eligible, including services through Head Start programs (including Early Head Start programs), early intervention services, including IDEA Part C (birth age three (3), and any District preschool programs;

E. homeless families and children/youth receive referrals to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services;

F. parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in their children's education;

G. public notice of the educational rights of homeless children/youth is disseminated at locations frequented by parents or guardians of such children, and unaccompanied youth, such as schools, shelters, soup kitchens, and public libraries in a manner and form understandable to the parents and guardians and unaccompanied youth;

H. enrollment/assignment disputes are mediated/handled in accordance with the McKinney-Vento Act and any other governing applicable laws, regulations, rules or policies, including but not limited to Board policies, District guidelines, applicable laws, and the State Consolidated Plan;

I. the parents or guardians of any homeless child and any unaccompanied homeless minor are fully informed of all transportation services, including transportation to the school of origin, and are assisted in accessing transportation to the school that is appropriately selected;

J. school personnel receive professional development and other support; and

K. unaccompanied youths are enrolled in school, have opportunities to meet the same challenging State academic standards as the State establishes for other children and youths, are informed of their status as independent students under Section 480 of the Higher Education Act (HEA), and their right to receive verification of this status from the Liaison.

As part of the Liaison's duties, the Liaison will coordinate and collaborate with the State Coordinator for Homeless Children, other community, District and social service agencies, and school personnel responsible for providing education and other services to homeless children and youth and their families. This includes coordinating and collaborating with 1) other school districts on inter-district issues, such as transportation or the transfer of school records; and 2) the necessary entities and individuals when collecting and providing the State Coordinator with reliable, valid, and comprehensive required data.

Such coordination should be designed to: 1) facilitate homeless children/youth having access and reasonable proximity to available education and related support services; and 2) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

Early Childhood Homeless

Homeless preschool-age children have equal access to the same free, appropriate public education, including public preschool education, as provided to other children and youth. To the extent that the District offers a public education to preschool children, including District Head Start programs, the District must meet Federal requirements for homeless preschool children.

The Liaison will identify homeless children who are five (5) years old or younger (i.e., preschool-age) by working closely with shelters in the area. Additionally, the Liaison will work with Federally-qualified health centers and social service agencies, such as agencies that administer the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), Temporary Assistance for Needy Families (TANF), and other public benefits. The Liaison will also collaborate with early childhood education providers and programs to identify preschool-age children, and work with school personnel who may ask whether the family has any preschool-age children when enrolling homeless children and youth in school. The Liaison will also work with the District's early intervention and special education programs to assist with the "child find" process required by IDEA, Parts B and C.

In addition, the Liaison will assist with enrolling homeless pre-school age children in preschool. According to Federal guidance, the Liaison will remind preschool program staff of the importance of preschool services for homeless children and how waiting lists can create barriers for homeless families who wish to enroll their children. The Liaison will also identify preschool programs that keep slots open specifically for homeless children

Liaison's Role Following a Natural Disaster or Catastrophic Event

Due to a natural disaster or other catastrophic event, many families may lose their homes and the Liaison should conduct outreach and identification following these events. When such a disaster occurs, the Liaison will be proactive by preparing schools to enroll large numbers of displaced students and arranging for additional staff to help with the identification and enrollment process. Liaisons will also notify agencies working with such families of how schools will enroll and serve eligible students. Liaisons will publicize the rights and services of homeless students directly to the affected families and those who are helping those families. The Liaison should provide posters or distribute brochures on the rights of such students and families where displaced people assemble.

Record Collection of Homeless Students

Upon enrollment of a child or youth experiencing homelessness, the Liaison will coordinate with appropriate administrative staff to assure that the school last attended by the child/youth is immediately contacted to provide relevant academic or other relevant records. If upon enrollment the student does not have any immunization required for enrollment by State law or any other medical records, the Liaison will assist the family or student in obtaining the immunizations, screenings, or other necessary medical records.

Transportation for Homeless Students

The Liaison will work with the District's Director of Transportation and other District administrators and staff to provide transportation for homeless students including a homeless child attending preschool, in accordance with applicable laws, regulations, and in accordance with Policy 8600 - Transportation and Policy 5111.01 - Homeless Students.

Dispute Resolution

Homeless families and youths have the right to challenge placement and enrollment decisions. The District will provide the parent, guardian or unaccompanied youth with a written explanation of decisions related to the school selection or enrollment made by the school, District or State involved, along with a written explanation of appeal rights.

The District will refer the unaccompanied youth, parent, or guardian to the Liaison who will expeditiously carry out the dispute resolution process. The Liaison shall assist the child and family, prepare the appeal and make the school's resources, such as copying, mailing, or obtaining records, available to the parent, guardian, or unaccompanied youth. Parents, guardians, and unaccompanied youth shall be informed that they can provide written or oral documentation to support their views. Written documentation initiated at the building level or by the Liaison should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand.

When a dispute arises over eligibility, school selection or enrollment, the homeless student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals. The homeless student will be provided with all services for which the student experiencing homelessness is eligible while the dispute is being resolved.

The Liaison, FERPA and Personally-Identifiable Information (PII)

Failure to protect personal information, including personally identifiable information (PII), can result in an inappropriate release of information that endangers students, their caregivers, and possibly school personnel and a violation of the Federal Family Educational Rights and Privacy Act (FERPA). The Liaison works with other school personnel to secure the PII contained in student databases and records. Further, conversations about homeless students must be held in private locations to prevent information from being overheard. Many homeless students are survivors of domestic violence or other safety issues that must be addressed in

student records and information release procedures. It is paramount that this personal information be protected to secure the safety of students, their caregivers and school personnel.

Training on Eligibility for Other Federal Programs

In order to facilitate coordination with other Federal programs serving homeless children and youths, a State Coordinator is responsible to provide training on the definitions of terms related to homelessness and eligibility requirements for Federal programs that serve homeless individuals. Such Federal programs include the Continuum of Care and Emergency Solutions Grant programs administered by the U.S. Department of Housing and Urban Development (HUD). The Liaison who has received this training may submit an affirmation that students meet the HUD definition of homelessness so that these students may qualify for the HUD homeless assistance programs if additional eligibility requirements are met.

Notice of Duties

As part of the assigned duties, the Liaison for Homeless Children and Youth will inform school personnel, services providers and advocates working with homeless families about their duties.

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EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

5111.02 - **EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN**

In accordance with the Interstate Compact on Educational Opportunities for Military Children ("Compact") the following procedures will be followed when such children are students within the District.

APPLICABILITY

These guidelines apply to the children of:

A. active duty members of the uniformed services as defined in the Compact, including members of the National Guard and Reserve on active duty orders;

B. members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and

C. members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

These guidelines do not apply to the children of:

A. inactive members of the National Guard and military reserves;

B. members of the uniformed services now retired, except as provided above;

C. veterans of the uniformed services, except as provided above; or

D. other United States Department of Defense personnel and other Federal agency civilian and contract employees not defined as active duty member of the uniformed services.

EDUCATIONAL RECORDS AND ENROLLMENT

A. **Unofficial or "Hand-Carried" Education Records** - In the event that official education records cannot be released to the parents for the purpose of transfer, the building administrator shall prepare and furnish to the parent of an eligible student a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission.

Upon receipt of the unofficial education records for an eligible student, the District shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

B. **Official Education Records/Transcripts** - Simultaneously with the enrollment and conditional placement of the student, the District shall request the student's official education record from the sending school. Upon receipt of such a request from a receiving school, the District will process and furnish the official education records to the school within ten (10) days or within such time as is established by the Interstate Commission.

C. **Immunizations** - Eligible students have thirty (30) days from the date of enrollment or within such time as promulgated by the Interstate Commission, to obtain or provide proof of State required immunization(s). For a series of immunizations, initial vaccinations must be obtained within thirty (30) days or within such time promulgated by the Interstate Commission.

D. **Grade Level Placement** - Eligible students shall be enrolled at the grade level in the District commensurate with their grade level (including Kindergarten) from the school in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in their prior school shall be eligible for enrollment in the next highest grade level in the District, regardless of age. A student transferring after the start of the school year shall enter the school in the receiving state on the grade level validated by an accredited school in the sending state.

PLACEMENT AND ATTENDANCE

A. **Course Placement** - When an eligible student transfers before or during the school year, the receiving district will initially honor placement of the student in educational courses based on the student's enrollment in the sending state school and/or

educational assessments conducted at the sending school if the courses are offered. Course placement includes but is not limited to Honors, International Baccalaureate, Advanced Placement, Vocational, Technical and Career Pathways courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. The District may perform subsequent evaluations to verify appropriate placement and continued enrollment of the student in the course(s).

B. **Educational Program Placement** - The District will initially honor placement of the student in educational programs based on current educational assessments conducted at the sending school or the student's participation/placement in like programs at the sending school. Such programs include, but are not limited to: 1) gifted and talented programs; and 2) English as a second language (ESL). The District may perform subsequent evaluations to verify appropriate placement of the student.

C. **Special Education Services** - In compliance with the Federal requirements of the Individuals with Disabilities Education Improvement Act (IDEIA), 20 U.S.C. Section 1400 et seq., the District will initially provide comparable services to a student with disabilities based on his/her current Individualized Education Program (IEP).

In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C. Section 794 (as amended) and with Title II of the Americans with Disabilities Act, 42 U.S.C. Sections 12131-12165 (as amended), the District will make reasonable accommodations and modifications to address the needs of incoming students with disabilities subject to an existing 504 or Title II Plan, to provide the student with equal access to education. The District may perform subsequent evaluations to verify appropriate placement of the student.

D. **Placement Flexibility** - The District may, when determined appropriate, waive course/program prerequisites, or other preconditions for placement in courses/programs offered by the District to allow eligible students to participate.

E. **Absence Related to Deployment Activities** - A student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the District Administrator to visit with his/her parent or legal guardian relative to such leave or deployment of the parent or guardian.

ELIGIBILITY

A. **Eligibility for Enrollment**

1. Special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.

2. The District will not charge tuition to a transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a district or jurisdiction other than that of the custodial parent.

3. A transitioning military child, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a district or jurisdiction other than that of the custodial parent, may continue to attend the school in which s/he was enrolled while residing with the custodial parent.

B. **Eligibility for Extra-Curricular Participation**

The District will facilitate the opportunity for transitioning military children's inclusion in extra-curricular activities, regardless of application deadlines, to the extent they are otherwise qualified.

GRADUATION

To facilitate the on-time graduation of children of military families the District will adhere to the following procedures:

A. **Waiver Requirements** - The District will waive specific courses required for graduation if similar course work has been satisfactorily completed in another district or provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from his/her sending school, the District will provide an alternative means of acquiring required coursework so that graduation may occur on time.

B. **Exit Exams** - The District will accept: 1) exit or end-of-course exams required for graduation from the sending state; or 2) national norm-referenced achievement tests; or 3) alternative testing, in lieu of testing requirements for graduation in Wisconsin. In the event the above alternatives cannot be accommodated by Wisconsin for a student transferring in his/her Senior year, then the provisions of Section C below shall apply.

C. **Transfers During Senior Year** - Should a military student transferring at the beginning or during his/her Senior year be ineligible to graduate from the District after all alternatives have been considered, the District and the sending district shall ensure the receipt of a diploma from the sending district if the student meets the graduation requirements of the sending district. In the event that the sending district is in a state that is not a member of the Compact, the District will use its best efforts to facilitate the on-time graduation of the student in accordance with A and B above in this Section.

DEFINITIONS

As used in this guideline the following definition will apply, unless the context clearly requires a different construction:

A. "Active Duty" means full-time status in the active uniformed service of the United States, including members of the National Guard and Reserves on active duty orders.

B. "Children of Military Families" means a school-aged child(ren), enrolled in Kindergarten through Twelfth grade, in the household of an active duty member.

C. "Deployment" means the period one (1) month prior to the service members' departure from their home station on military orders through six (6) months after return to their home station.

D. "Education(al) Records" means those official records, files, and data directly related to a student and maintained by the school or District, including but not limited to records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

E. "Extra-Curricular Activities" means a voluntary activity sponsored by the school or local education agency or an organization sanctioned by the District. Extra-Curricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

F. "Interstate Commission" means the commission that is created under Article IX of the Compact.

G. "Member State" means a state that has enacted the Compact.

H. "Receiving State" means the state to which a military family is sent, brought, or caused to be sent or brought.

I. "Rule" means: a written statement by the Interstate Commission promulgated pursuant to Article XII of the Compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.

J. "Sending State" means: the state from which a child of a military family is sent, brought, or caused to be sent or brought.

K. "State" means: a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. Territory.

L. "Student" means: the child of a military family for whom the school receives public funding and who is formally enrolled in Kindergarten through Twelfth grade.

M. "Transition" means: 1) formal and physical process of transferring from school to school or 2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

N. "Uniformed Service(s)" means: the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

O. "Veteran" means: a person who served in the uniformed services and who was discharged or released there from under conditions other than dishonorable.

To the extent there is any inconsistency between this guideline and the current Rules implementing this Compact, the current Rules will prevail.

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CHILDREN AND YOUTH IN FOSTER CARE

5111.03 - **CHILDREN AND YOUTH IN FOSTER CARE**

Requirements of Title I of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA) emphasize the need to provide educational stability for children and youth in foster care, with a particular emphasis on collaboration between State Education Agencies (SEAs), local education agencies (LEAs), and child welfare agencies. These provisions stress the importance of limiting educational disruption by keeping children in foster care in their schools of origin unless it is determined to be in their best interest to change schools. If a change of schools is determined to be in their best interest, children in foster care shall be enrolled in their new schools without delay even if the student does not have the required documentation.

In implementing these provisions, the District, together with the SEA, other LEAs, and child welfare agencies, shall comply with applicable laws, such as Title VI of the Civil Rights Act of 1964 (Title VI), the Individuals with Disabilities Education Act (IDEA), and Section 504 of the Rehabilitation Act of 1973 (Section 504).

School of Origin

The school of origin is the school in which a child is enrolled at the time of placement in foster care. If a student's foster care placement changes, the school of origin is then considered to be the school in which the student is enrolled at the time of the placement change. School or origin determinations shall be consistent with the educational stability requirements under the Fostering Connections Act and shall prevail throughout the time the child remains in foster care. The District, together with the SEA, other LEAs, and child welfare agencies, shall consider the educational stability benefits for students during times of transition out of foster care.

Best Interest Determination

A number of factors relating to a child's best interest must be considered in making school placement determinations. These factors include:

A. preference of the child;

B. preferences of the child's parent(s) or education decision-maker(s) as defined by State law, if applicable;

C. the child's attachment to the school, including meaningful relationships with staff and peers;

D. placement of the child's sibling(s);

E. influence of the school climate on the child, including safety;

F. availability and quality of the services in the school to meet the child's educational and socioemotional needs;

G. history of school transfers and the impact on the child;

H. the length of commute and its impact on the child, based on the child's developmental status;

I. whether the child is a student with a disability under the IDEA who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and

J. whether the child is an English Learner (EL) and is receiving language services and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and Equal Education Opportunity Act (EEOA).

Transportation costs should not be considered when determining a child's best interest.

The State Education Agency (SEA), Local Education Agency (LEA), and child welfare agencies shall collaborate in making best interest determinations. The parties shall strive to gather meaningful input from relevant parties, such as the child (depending on age), foster parents, biological parents when appropriate, education decision-maker(s), and other relatives. If the child has an IEP or a Section 504 plan or is an EL student, then relevant school staff will need to participate in the best interest decision process.

Best interest determinations should be made as quickly as possible in order to maintain educational stability. To the extent feasible and appropriate, the student in foster care shall remain in his/her school of origin while the determination is being made.

District Point of Contact

The District's local Point of Contact (POC) is responsible for safeguarding the rights of children and youth in foster care who attend school in this District. The POC must be notified immediately upon the enrollment or assignment of a foster care child/youth. The POC shall serve as a liaison to coordinate with child protection agencies, lead the development of a process for making the best determination for a student, facilitate the transfer of records, and oversee the enrollment and regular school attendance of students in foster care.

The District's POC' responsibilities will include, but are not limited to:

A. coordinating the implementation of Title I requirements with the corresponding child welfare agency POC;

B. leading the development of a process for making best interest determinations;

C. documenting and overseeing the implementation of best interest determinations;

D. facilitating the immediate enrollment of children/youth in foster care and securing the transfer of students' records;

E. facilitating data sharing with appropriate child welfare agencies, consistent with FERPA, District policies, and other privacy protocols;

F. developing and coordinating local transportation procedures and services;

G. managing best interest determinations and transportation cost disputes;

H. overseeing that children in foster care are enrolled in and regularly attending school; and

I. providing professional development and training to school staff on the Title I provisions and educational needs of students in foster care.

Transportation

Transportation services may be necessary to maintain children in foster care in the school of placement (school of origin or otherwise) that is determined to be in their best interest. The District will collaborate with the State and/or local child welfare agency or agencies in providing, arranging, and funding such transportation services. The District POC will coordinate, oversee, and document the transportation provisions, which may include:

A. use of pre-existing bus routes or stops close to the new foster care placement (that may cross District boundaries), such as bus routes for magnet schools, non-public or charter schools, and transportation for homeless students as required by the McKinney Vento Act;

B. re-routing of existing bus routes within the District and/or outside of the District as identified in A. above;

C. use of a school bus stop near the existing transportation system for the school of origin (or placement) for drop-off and pick-up;

D. use of existing public transportation options, if the child is of an appropriate age and has or is able to acquire the skills to utilize such options;

E. use of foster parents or other family member(s) who may be willing and able to transport the child to/from school; or

F. use of transportation service covered by other programs, for which the child is eligible.

The District is responsible for transportation services for the foster care student for the duration of the time the child is in foster care. When a student exits foster care, the District will continue to prioritize the student's educational stability in determining placement, supports, and services deemed to be in the child's best interests. Continuing transportation services through the end of the school year, when remaining in the school of origin, may be a part of the best interest determination.

Additional costs incurred in providing transportation to the school of origin should reflect the difference between what the District would otherwise spend to transport a student to his/her assigned school and the cost of transporting the foster care student to the

school of origin. The District will collaborate with the SEA, other LEAs, and child welfare agencies to pursue possible funding sources and arrangements to deal with transportation costs.

Student Data and Privacy

The District will collaborate with the SEA, other LEAs, and child welfare agencies to communicate and share data in order to improve educational outcomes for children in foster care. All communications and data sharing, however, shall comply with all statutory requirements to protect student privacy, including FERPA, District policies (Policy 8330 and AG 8330), and other privacy requirements under Federal, State, or local laws.

Failure to protect personal information can result in an inappropriate release of information that endangers students, their caregivers, and possibly school personnel. Therefore, the POC shall work with other school personnel to secure the PII contained in student databases and records. Conversations about students in foster care shall be held in private locations to prevent information from being overheard. Information regarding domestic violence or other safety issues must be addressed in student records and information release procedures.

Upon enrollment of a child or youth in foster care, the POC will coordinate with appropriate administrative staff to assure that the school last attended by the child/youth is immediately contacted to provide relevant academic or other relevant records. If upon enrollment the student does not have any immunization required for enrollment by State law or any other medical records, the POC will assist the family or student in obtaining the immunizations or necessary medical records. The POC will also contact the Director of Transportation to assure transportation of the homeless student is provided in accordance with the Board's Transportation policy and transportation procedures agreed upon by the District.

Dispute Resolution

Any disputes regarding the enrollment, assignment, or transportation service of a foster care student will be referred to the POC for expeditious resolution. When a dispute arises over school placement, the child or youth shall, to the extent feasible and appropriate, remain enrolled in the school of origin, pending resolution of the dispute, and shall be provided with all services, including adequate and appropriate transportation, for which they are eligible while the dispute is being resolved. The child welfare agency of record is considered the final decision maker in making best interest determination (unless State law or policy dictates otherwise) if there is disagreement regarding school placement for a child in foster care.

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ADMISSION TO KINDERGARTEN

5112A - **ADMISSION TO KINDERGARTEN**

Kindergarten Registration

The following guidelines shall be followed for the registration of all kindergarten students.

A. Children must be four (4) years old on or before September 1st to be enrolled in four (4) year old kindergarten (4K).

B. Children must be five (5) years old on or before September 1st to be enrolled in five (5) year old kindergarten (5K).

C. Children must be registered by their parent(s) or guardian(s). Guardians must present proper certification of legal guardianship and, when applicable, a parent is to provide a copy of any custody arrangements.

   If a birth certificate is not provided, the parent is to complete Form 5111 F1 and submit with the documentary evidence that is provided. If custody has been established by the courts, a copy of the court order must be provided.

D. A child who exhibits exceptional readiness on the screening will be further evaluated to determine if s/he is capable of first grade placement. If staff members and the parents concur, the child will be given a trial placement in first grade.

E. Final class placement will be made by each respective building principal on the basis of the evaluation mentioned above, a review of the student's records when available, and consultation with the appropriate staff members.

F. Five (5) year old kindergarten children shall be monitored early in the year to allow for possible changes in kindergarten placement. When a placement change is contemplated, additional standardized tests will be administered by the District's school psychologist and other certified personnel. The principal, the child's classroom teacher, and the District psychologist will review the data and render a placement judgment. Following this review, the findings will be shared with the parents.

G. Individual classroom assignments will be made by the building principal.

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ag5113

ADMISSION OF STUDENTS PARTICIPATING UNDER OPEN ENROLLMENT

5113 - **ADMISSION OF STUDENTS PARTICIPATING UNDER OPEN ENROLLMENT**

The School District will participate in the Wisconsin Public School Open Enrollment Program in accordance with applicable law and the relevant policies and rules of the District, all as amended from time-to-time. More specifically, the District, in administering its participation will:

A. harmonize to the extent possible Sections 118.145(4), 118.51, 118.52;

B. take account, as appropriate, of individual rights under the Wisconsin and United States Constitution.

Full-Time Open Enrollment

A. **Application Procedures for Nonresident Students**

Applications from nonresidents for full-time open enrollment into a District school must:

1. be submitted on the form provided by the Department of Public Instruction ("DPI"); and

2. be received between the first Monday in February and the last weekday in April, unless otherwise provided by the DPI or as described in Section K, below - Alternative Application Procedures.

If a student submits applications to more than three (3) nonresident school districts, all applications submitted are invalid.

Untimely applications will not be processed nor will the review process be delayed by failure to submit supporting documentation. Copies of all nonresident student applications will be sent to the resident school district of each nonresident student and the DPI no later than the first weekday after the last weekday in April, unless otherwise provided by the DPI.

The District shall provide to any nonresident district to which a resident student with a disability has applied for open enrollment a copy of the student's Individualized Education Program no later than the first Friday following the first Monday in May.

B. **Timetable for Decisions on Applications**

District decisions on full-time open enrollment applications will be made after April 30th and no later than the Friday following the first Monday in June, unless otherwise provided by the DPI.

C. **Procedure for Processing of Open Enrollment Applications**

If there are more applications than spaces, the Board will fill the available spaces by random selection, provided that first priority will be given to nonresident students already attending District schools and their siblings.

If the District determines that space is not otherwise available for open enrollment students in the grade or program to which an individual has applied, the District may nevertheless accept an applicant, who is already attending school in the District.

D. **Decisional Criteria for Nonresident Applications**

Decisions on nonresident open enrollment applications will be based only on the following criteria:

1. The availability of space in the schools, programs, classes, or grades within the District. In determining the amount of space available, the District will count resident students, students attending the District for whom tuition is paid under 121.78(1)(a), Wis. Stats. and may include in its counted occupied spaces students and siblings of students who have applied under Section 118.51(3)(a) or (3m)(a) and are already attending public school in the District. Other factors the District Administrator may consider include:

    a. District practices, policies, procedures or other factors regarding class size ranges for particular programs or classes.

b. District practices, policies, procedures or other factors regarding faculty-student ratio ranges for particular programs, classes, or buildings.

c. Enrollment projections for the schools of the District which include, but are not limited to, the following factors: the likely short and long-term economic development in the community, projected student transfers in and out of the District, preference requirements for siblings of nonresident open enrollment students, the required length of K-12 attendance opportunities for open enrollment students and current and future space needs for special programs, laboratories (e.g. in technology or foreign languages) or similar District educational initiatives.

2. Whether an applicant for a pre-kindergarten, four (4) year old kindergarten, early childhood or school operated day care program resides in a district which offers the program for which application is made.

3. Whether the nonresident student has been expelled from any school district within the current school year or the two (2) preceding school years, or has any pending disciplinary proceeding, based on any of the following activities:

a. Conveying or causing to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy school property by means of explosives.

b. Engaging in conduct while at school or under school supervision that endangered the health, safety or property of others.

c. Engaging in conduct while not at school or while not under the supervision of a school authority that endangered the health, safety, or property of others at school or under the supervision of a school authority or of any school employee or Board member.

d. Possessing a dangerous weapon (as defined in Section 939.22(10), Wis. Stats.) while on school property or under school supervision.

Notwithstanding the Board's acceptance of a nonresident student's application, the Board may withdraw acceptance if, prior to the beginning of the first school year in which the nonresident student will attend a school in the District, s/he is determined to fall under any of the above.

The Board may request a copy of a nonresident student's disciplinary records from the resident School Board.

4. Whether the special education program or related services described in the nonresident student's individualized education program ("IEP") are available in the District.

5. Whether there is space available in the District to provide the special education or related services identified in the nonresident student's IEP, after consideration of class size limits, student-teacher ratios, and enrollment projections.

6. Whether the non-resident student has been referred to his/her resident school board under Wis. Stat. § 115.777(1) or identified by his/her resident school board under Wis. Stat. 115.77(1m) (a), but not yet evaluated by an individualized education program team.

If a nonresident student's IEP is developed or changed after starting in the District, and it is then discovered that the District does not have necessary programs available or does not have space in the special education program, the District may notify the student's parent and the student's resident school board. If such notice is provided, the nonresident may be transferred to his/her resident school district.

7. If the Board has made a determination that a non-resident student attending the District under the Open Enrollment Program is habitually truant from the District during either semester of the current school year, the Board may prohibit the student from attending in the succeeding semester or school year.

The truancy determination shall be made on the sole basis of enrollment in the nonresident district. Open enrollment may not be denied based on the student's truancy from any other district.

E. **Notice of Decisions**

Written notice of acceptance or denial of nonresident applications must be sent to all applicants on or before the first Friday following the first Monday in June. Nonresident students whose applications are accepted shall be notified of the specific school or program that the student may attend the following school year.

The District shall notify any resident student and the nonresident school district if the Board denies enrollment in the nonresident district in writing by the second Friday following the first Monday in June.

Notices of denial will include a reason for the determination.

1. **Additional Notices When a Nonresident Student is Accepted**

If the Board approves an open enrollment application of a nonresident student it will also send the following notices:

a. written notice to the applicant no later than the first Friday following the first Monday in June of the specific school or program that the applicant may attend during the following school year; and

b. notice to the resident School Board no later than July 7th stating the name of the student.

The parents or guardians of an accepted nonresident student must notify the Board no later than the last Friday in June of the student's intent to attend school in the District during the following school year.

If an accepted nonresident student has not attended school in the district by the third Friday in September, the open enrollment is terminated.

2. **Additional Notice When a Nonresident Student is Not Accepted but Placed on the Established Waiting List**

If space becomes available, the student on the waiting list will be notified in the order in which s/he appears on the list. The student will be sent notice that space is now available and the school to which the student will be placed. The notice will also state that the applicant has ten (10) days to accept the offer of open enrollment from the postmarked date on the notice.

When a selected applicant notifies the District that the open enrollment position is being rejected or fails to respond within ten (10) days, the offer will be rescinded and the space will be offered to the next applicant on the waiting list. The District will continue to notify students on the waiting list of available spaces up to the third Thursday in September of the school year for which the waiting list applies, provided that the student will begin attendance no later than the third Friday in September. A non-resident student accepted for enrollment once the school year has begun may attend the District even if the student has already attended school in the resident school district, but not if the student has enrolled in the current term in another non-resident school district.

Disciplinary Records

The District shall provide the disciplinary records of any resident student that applies for enrollment in a non-resident school district. Such disciplinary records should include, but are not limited to: A copy of any expulsion findings and orders pertaining to the student; a copy of any records of any pending disciplinary proceedings and the length of term of the expulsion; or the possible outcomes of the pending disciplinary proceedings. Such records shall be provided no later than the first Friday following the first Monday in May or within ten (10) days of an application under the Alternative Application Procedures (Section K below).

F. **Reapplication Procedures**

The Board will not require accepted non-resident students to reapply under the open enrollment policy as long as the student is continuously enrolled in the District.

G. **Transportation**

The parents or guardians of a student attending a nonresident school district will be solely responsible for providing transportation to and from the school site. The District will provide transportation for a non-resident student with an identified disability for whom transportation is required by his/her IEP.

H. **Tuition Waivers**

Students are eligible for tuition waivers as follows:

1. **Current Year Permissive**

When the student was:

a. a resident of the School District on July 1st;

b. enrolled in the School District on July 1st of the current school year; and

c. after July 1st changes residence by moving to a new school district.

The District may permit the student to complete the school year. The school district of attendance (the nonresident school district) counts the student in membership.

2. **Current Year Mandatory**

When the student:

a. was a resident of the School District and enrolled on either the third Friday in September or the second Friday in January of the current school year;

b. was enrolled in the School District for at least twenty (20) school days during the current school year; and

c. changes residence by moving to a new school district.

The District must permit the student to complete the school year. The school district of attendance (the nonresident school district) counts the student in membership.

3. **"Additional Year" Mandatory**

When the student:

a. was a resident of the School District on the second Friday in January of the previous school year;

b. was enrolled in the School District continuously from the second Friday in January of the previous school year to the end of the school term of the previous school year;

c. ceased to be a resident of the School District after the first Monday in February of the previous school year; and

d. continues to be a resident of Wisconsin.

The District must permit the student to attend the school year following the year in which the criteria are met. The resident district counts the student in membership and DPI transfers the open enrollment amount to the nonresident district.

I. **Rights and Privileges of Nonresident Students**

Nonresident students attending school in the District on a full-time basis will have all of the rights and privileges of resident students and will be subject to the same rules and regulations as resident students.

J. **Alternative Application Procedures**

1. Basis for Open Enrollment Outside Regular Deadlines:

The parent of a non-resident student who wishes to attend a school in the District may apply at any time throughout the year by submitting an application under this alternative application procedure if the student satisfies at least one of the following criteria and has not applied to more than three (3) non-resident school districts:

a. The resident school board determines that the non-resident student has been the victim of a violent criminal offense, as defined by the Department of Public Instruction. An application is not valid unless the District receives the application within thirty (30) days after the determination of the resident school board.

b. The student is or has been a homeless student in the current or immediately preceding school year. In this subdivision, "homeless student" means an individual who is included in the category of homeless children and youths, as defined in Policy 5111.01 – Homeless Students.

c. The non-resident student has been the victim of repeated bullying or harassment and all of the following apply:

1. The student's parent has reported the bullying or harassment to the resident school board.

2. Despite action taken by the parents and/or the resident school district the repeated bullying and harassment continues.

d. The place of residence of the student's parent or guardian and of the student has changed as a result of military orders. An application is not valid unless the District receives the application no later than thirty (30) days after the date on which the military orders changing the place of residence were issued.

e. The student moved into the state, but resides in another District. An application made on the basis is not valid unless the District receives the application no later than thirty (30) days after moving into this state.

f. The place of residence of the student has changed as a result of a court order or custody agreement or because the student was placed in a foster home or with a person other than the student's parent, or removed from a foster home or from the home of a person other than the student's parent. An application is not valid unless the District receives the application no later than thirty (30) days after the student's change in residence.

g. The parent of the non-resident student, the resident school board, and the Board agree that attending school in the District is in the best interests of the student.

h. The parent of a non-resident student and the Board agree, upon application by the parent, that attending school in the District is in the best interests of the student. The District shall immediately forward a copy of the application to the student's resident district and shall inform the parent of its decision regarding the student's best interests within twenty (20) days of receipt of the application. If approved, the written decision shall include a designation of which school and/or program the student may enroll in.

2. Decisions Regarding Resident Students Seeking Enrollment out of the District under the Alternative Procedure

   The Board shall review all applications received for Open Enrollment out of the District under this section upon receipt. The District shall allow such student's enrollment in a non-resident district unless the District determines that the criteria relied on by the applicant to qualify for the alternative application procedure does not apply to the student.

3. Appeal Procedures

   If the District rejects the application of a resident student despite agreement by the parent and a nonresident school district that the interests of the student are best served by enrollment in the non-resident school district, the parent may appeal the decision to the State Department of Public Instruction. The decision of the State Superintendent will be final.

   If the District rejects the application because a special education or a related service is not available, the student's parent(s) may appeal the decision to the State Department of Public Instruction within thirty (30) days after the receipt of the notice.

4. If a non-resident student is notified that the Board has approved his or her application to enroll in the District because it is in the best interests of the student, the student may immediately begin attending the school or program in the nonresident school district and shall begin attending the school or program no later than the 15th day following receipt by the parent or the student of the notice of acceptance from the District. If the nonresident student has not enrolled in or attended school in the District by then, the District may notify the student's parent in writing, that the student is no longer authorized to attend the school or program in the District.

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OPEN ENROLLMENT FOR STUDENTS WITH DISABILITIES

5113B - **OPEN ENROLLMENT FOR STUDENTS WITH DISABILITIES**

The resident school district is responsible for the screening of a child to determine if there is reasonable cause to believe that the child has a disability and should be referred for a special education evaluation. This should be done prior to the open enrollment of a student to another school district. The resident school district will inform the nonresident district of the student's need for special education.

When a child who is attending the District under open enrollment is referred for evaluation, the evaluation must be consistent with the requirements under the Individuals with Disabilities Education Act (IDEA) and State law. An IEP team is required to consult with appropriate personnel designated by the student's resident school district, in conjunction with the non-resident school district the student is attending.

When a child who is attending the District under the open enrollment program is subject to an annual IEP review, the review must be performed by staff appointed by the District in collaboration with staff designated by the student's resident school district.

The District will provide an appropriate educational program to implement the IEP of a child attending school under the full-time open enrollment program unless the IEP requires a special education program or services that are not available or in which no space is available. In those circumstances, the nonresident district may notify the student's resident district that the program or services are not available in the nonresident district. If the student's resident district is notified that the nonresident district does not have the required special education program or services or that there is no space available, then the resident district is responsible for providing an appropriate educational placement for the student.

The Department of Public Instruction will make aid transfer payments for all open enrolled students with disabilities in accordance with State law.

Procedural Safeguards

Once a student has transferred to the District under the Open Enrollment program, the District is responsible for the following:

A. Receiving referrals for students who are suspected of having a disability. (A referral may be made to either the nonresident or resident school district. Whichever school district receives the referral must notify the other school district.)

B. Appointment of an IEP Team (the resident school district must appoint a representative to the IEP team).

C. Conducting initial evaluations and re-evaluations.

D. Development and revisions to the IEP.

E. Notification and provision of procedural safeguards and due process.

F. Providing a placement.

The nonresident district must not change the placement of the child who is the subject of a hearing or court proceeding during the pendency of the hearing or court proceeding except where the parents' consent or the health and safety of the child or other person is endangered by delaying the change.

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ag5114

NONIMMIGRANT STUDENTS AND EXCHANGE VISITOR PROGRAMS

5114 - **NONIMMIGRANT STUDENTS AND EXCHANGE VISITOR PROGRAMS**

Exchange Visitor Program (EVP) for Nonimmigrant Students with J-1 Visas

Sponsoring Exchange Organizations

The Board of Education will recognize non-profit organizations that are designated as sponsoring exchange organizations by the U.S. Department of State (USDOS) as sponsors of exchange visitor students. Documentation of the non-profit organization's status as a current USDOS-designated sponsoring exchange organization should be submitted annually, but will be required in any year when the organization seeks to place an exchange visitor student in the District's high school.

Pursuant to Federal law, a sponsoring exchange organization may not have more than five (5) students enrolled in the District's high school unless the school itself has requested, in writing, the placement of more than five (5) students from the sponsor.

Selection, Acceptance, and Enrollment of Exchange Visitor Students

Pursuant to Federal law, the sponsoring agency shall select a foreign national to participate in the exchange visitor program (EVP) when it has been determined that the program is suitable to the exchange visitor student's background, needs, and experience, and that the exchange visitor student possesses sufficient proficiency in the English language to participate in the program.

The sponsoring exchange organization must contact the Principal of the high school in which the student would enroll to request acceptance of the prospective exchange visitor student. The sponsor shall provide written assurance that the prospective exchange visitor student meets all criteria for eligibility for the program set forth in Federal law. The Principal shall inform the District Administrator whether or not s/he supports the enrollment of the prospective exchange visitor student. If the Principal supports the enrollment of the prospective student, the District Administrator shall provide the sponsoring agency with written acceptance of the student's enrollment. A copy of the Student Handbook will be provided with the written acceptance.

Following receipt of written acceptance of enrollment, the sponsoring organization shall be responsible for issuing certificates of eligibility to participants for use in securing their U.S. non-immigrant J-1 Visa.

Following receipt of written acceptance of enrollment, the sponsoring organization shall also be responsible for the selection of a host family for the exchange visitor student. Following the selection of the host family by the sponsoring agency, the District shall be notified of the host family's name and contact information.

Pursuant to Federal law, an agreement between the sponsoring organization, the student's parents, and the student must clearly delineate the sponsoring organization's rules, as well as costs and refund policies. A copy of the Student Handbook shall be a part of this agreement.

The sponsoring organization shall submit the following at the time of the exchange visitor student's enrollment:

A. A copy of the agreement between the sponsoring organization, the student's parents, and the student.

B. Documentation that the exchange visitor student has had the required immunization(s).

C. Evidence of medical insurance coverage for the exchange visitor student.

Following the enrollment of the exchange visitor student, the Principal will designate a member of the faculty or school administration as the student's advisor during his/her stay at the school. The advisor shall serve as liaison between the school and host family, the school and the sponsoring organization's local coordinator, the exchange visitor student and the student body, school faculty, and the community.

The Principal will provide the local coordinator with any data related to school attendance and performance that the sponsoring agency is required to report to the USDOS via the Student and Exchange Visitor Information System (SEVIS).

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ag5120

ASSIGNMENT TO SCHOOL, CLASS, AND GRADE

5120 - **ASSIGNMENT TO SCHOOL, CLASS, AND GRADE**

The following guidelines shall be followed in assigning students to schools, classes, and grades. All inquiries regarding elementary and secondary school boundaries are to be directed to the District Administrator.

A. **School Assignment/Transfer**

1. Fundamentally, student assignment to a school shall be determined by attendance areas. Such areas will be adjusted to balance class size, to provide for diversity, and to maintain teacher-student ratios.

   Elementary students may be assigned to the building which serves the area in which they live. The boundaries of the elementary schools shall be:

   a. West Elementary: Students residing west of the Rock River

   b. East Elementary: Students residing east of the Rock River and west of Paradise Road (south of Highway 18) and west of or on Coffee Road (north of Highway 18)

   c. Sullivan Elementary: Students residing east of or on Paradise Road (south of Highway 18) and east of Coffee Road (north of Highway 18)

2. When feasible, children in the same family will be assigned to the same school, but children may be assigned to different schools when they live in a divided area, an overloaded area, or when requested by a parent and transportation can be provided through existing bus routes.

3. Whenever possible, commitments made, in writing, to parents in earlier years - either implicitly by tradition or verbally - will be given priority in the process of assigning students for the year ahead. Placement policies and individual placements will be reviewed annually and adjusted when necessary.

4. A parent(s)/guardian(s) may request that his/her/their child be allowed to attend a school outside the student's elementary school attendance area for an upcoming school year. Requests must be filed in writing with the Superintendent. (See AGForm 5120) Approval of said request will be made by the Superintendent in consultation with the building principal(s). A response to all written requests will take place within a timely fashion. Within thirty (30) days of receipt of response from Superintendent, a parent/guardian may submit a written request to appeal said response to the Board.

   The administration shall consider available space before responding to a request to attend a school outside the regular attendance area. Transportation will not be provided for outside the regular attendance area requests unless the administration, in consultation with the District's transportation provider, determines that busing can be provided at no additional cost to the district. Once a request to attend a school outside the established attendance boundary is approved, the student shall remain in that elementary school until the parent(s)/guardian(s) requests a transfer or the student moves to the middle school. Parent/guardian requests that result from the Board's decision to restructure elementary school grade configuration shall be considered outside this policy. Specific guidelines and considerations shall be developed as part of any reconfiguration planning.

5. When families relocate from one neighborhood to another within the District during the school year, the children affected may continue their education at their original school if:

   a. the transportation can be provided through existing bus routes, or

   b. parents provide transportation to/from school.

Such determinations will be made by the District Administrator in consultation with the building principal.

B. **Class and Grade Assignment/Transfer**

1. Assignments to class and grade shall be made by the principal after consultation with relevant staff.

2. Placement will be based on several factors including the intellectual, physical, social, and emotional development of the student as revealed by the use of available data and observations of the staff.

3. The District shall establish the criteria, including the intellectual, social, and emotional characteristics, by which students are assigned to classes and/or teachers or are transferred after initial assignment.

   The following procedures shall be followed in a transfer of a student within a school:

   a. A written request shall be made to the principal by the parent of the student, a professional staff member, or by a student. Transfer requests may also be initiated by the principal.

   b. After consultation with the appropriate personnel, a determination regarding the validity of the request shall be made by the District Administrator.

   c. If the transfer request is initiated by the District or a minor student, parents shall be advised of the request and the reasons it will be beneficial to the student or is necessary to maintain program effectiveness. They shall be advised of their rights of appeal if they do not agree with the transfer.

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ag5120.01

GUIDELINES FOR ESTABLISHING CLASS SIZE/ STAFFING ALLOCATIONS

5120.01 - **GUIDELINES FOR ESTABLISHING CLASS SIZE/ STAFFING ALLOCATIONS**

It is the intent of the Board and administration, where feasible, to limit class size. The following maximum class sizes are recommended:

A. 4K Student/Teacher Ratio by grade 18 students*
Kindergarten Student/Teacher Ratio by Grade 22 students**

B. Grade 1-3 Student/Teacher Ratio by grade 24 students

C. Grades 4-5 Student/Teacher Ratio by grade 26 students

D. Grades 6-8 Student/Teacher Ratio by grade 30 students

E. Grades 9-12 Student/Teacher Ratio by grade 30 students

F. *4K staffing is based on a 9:1 ratio by including a classroom paraprofessional.

G. **5K staffing includes paraprofessional support.

Within instructional units in grades 4 and 5 and academic blocks in middle school and high school, the number of students in some classes may be more than, or less than, the unit or block student/teacher ratio as a result of grouping for instruction based on the needs of students.

It is recognized that class size may increase beyond desirable numbers with little notice. Therefore, in order to be able to respond in a timely manner, the following alternatives will be considered and an action plan formulated when the grade level enrollment is within one (1) student below the recommended maximum number. Faculty requirements, staffing levels, class characteristics, and budget considerations are factors influencing the decision and planning process. Alternatives to be considered, not necessarily in priority order, are:

A. Add additional teacher time;

B. Add paraprofessionals (the hours depends on class make-up);

C. Transfer students to another school on an optional or non-optional basis;

D. Hire an additional teacher;

E. Consider other creative solutions as appropriate to the situation.

Principals will utilize teaching staff input in formulating recommendations to the District Administrator. Staff and parents/guardians will be advised when any of the above alternatives are implemented. Exceptions to the recommended class size range or action plan may occur due to the type of class, such as reading, students with disabilities, or physical education.

STAFFING:

Annually, prior to the first Board meeting in May, the District Administrator/designee shall present a staffing plan to the Board. The plan shall be based on the best information available relative to projected K-5, 6-8, and 9-12 enrollments. Once presented, the plan shall be implemented the following school year. It is not the Board's intent to make changes after the school year has begun should there occur occasional instances where desired student/teacher ratios may be exceeded. However, principals and their staff are expected to make the most equitable use of their human resources to address such occurrences.

MIDDLE/HIGH SCHOOL SCHEDULING GUIDELINES:

A. Minimum Class Sizes: A minimum of 15 students should be scheduled in a single section or in a course at the beginning of a sequence (e.g., Art).

B. Minimum Class Size for Upper-Level Sequence Courses: A minimum of ten (10) students should be scheduled in upper-level sequence courses (e.g., cooperative educational programs, and supervised occupational experiences).

1. Upper-Level Courses: Those courses are the last courses in a sequence series or courses offered due to enrollment in prerequisite courses or a combination of prerequisite courses. The high school principal will identify upper-level courses before student scheduling. These courses must be recommended by the high school principal and approved by the District Administrator

2. Exceptions:

a. When two (2) or more courses can be combined, which results in a total enrollment of ten (10) (e.g., Spanish III and IV).

b. Technology Education, Agriculture, and Art classes with limitations based on safety or access to equipment.

c. Students enrolling in sequential courses will be able to complete the sequence only if sufficient class enrollments are outlined above or with the approval of the District Administrator.

d. Smaller sections may be approved to maintain the availability of an Advanced Placement high school course. Any course with less than ten (10) students requires the approval of the District Administrator.

C. Maximum Enrollment Regular Courses: By the third Friday in September, enrollments in all classes should be leveled to a maximum of 30 students.

1. Exceptions:

a. Physical classroom capacity (square footage, furniture, etc.).

b. Classrooms with limited capacity for learning stations.

c. EL, Special Ed, and Interventions

2. Exceptions for Large Group Instruction Include (But Are Not Limited to) the following:

a. Music sections, e.g., band, choir, and orchestra.

b. Physical education classes.

c. Sections that could have support services of a paraprofessional.

3. Closed Class Sections: Class sections will be closed when thirty (30) students are enrolled in a section except for those exceptions allowed above.

a. A waiting list will be maintained for students who desire to enroll in a closed section.

b. Students will be notified when openings are available in closed course sections, with entry into the course left to the discretion of the building principal.

D. All district students will be considered based on the following (in priority):

1. Requirements to graduate,

2. Year in school,

3. College entrance program requirements and/or,

4. The first come, first served basis is used when deciding who will be assigned to courses that cannot accommodate all that apply.

The principal must recommend deviations from these guidelines and have prior approval from the District Administrator.

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ag5130

WITHDRAWAL/TRANSFER FROM SCHOOL

5130 - **WITHDRAWAL/TRANSFER FROM SCHOOL**

Withdrawal

In compliance with Board policy, whenever a student withdraws from school a report is to be submitted to the District Administrator by the Principal documenting:

A. date and school;

B. reasons for withdrawal, if known;

C. alternatives recommended to the student;

D. verification of last address and anticipated address;

E. follow-up actions, if any, by District staff.

Transfer Out of the District

Upon notification by the parent that a student is transferring out of the District, the school shall use a procedure that ensures the items on the appropriate check-out Form 5130 F1, Form 5130 F2, or Form 5130 F3 are properly completed.

A. A parent signs the necessary release forms and a copy is placed in the student's cumulative record.

B. The student's name is taken off the class list, and a memo is sent to appropriate personnel notifying them of the transfer.

C. The student's cumulative record is completed by teachers and counselors and sent to the principal.

D. The principal arranges for the proper delivery of the student's records to the receiving school as specified in AG 8330 - Student Records.

E. If, after two (2) weeks, no receiving school has requested the student's records, the principal shall notify the transferring school.

F. In the case of a student with disabilities, the Director of Pupil Services and Special Education shall also be notified of the transfer, date of transfer, and the receiving school or agency.

G. If the student transfers when school is not in session, the building principal shall complete the process as soon as possible.

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ag5200A

ELEMENTARY ABSENCE AMOUNTS GUIDELINES

5200A - **ELEMENTARY ABSENCE AMOUNTS GUIDELINES**

Per DPI, student attendance should be reported to the one-half day. Any percentages outside of this are converted via the following guidance when the data is published to DPI (WISEdata).

- Students who receive at least 66% of district-supervised educational services for the day have accrued a full day (1.0) of actual attendance for that day.
- Students who receive at least 33% and less than 66% of district-supervised educational services for the day have accrued a half day (0.5) of actual attendance for that day.
- Students who receive less than 33% of district-supervised educational services for the day have accrued no attendance for that day.
- If a school district has decided that a student can be present for one-half day** or less than one-half day (as occurs in certain pre-kindergarten/kindergarten programs) and that student is present, the actual days of attendance should be reported as 0.5.

Source: https://dpi.wi.gov/wise/data-elements/attendance#

Given this, assessing the Elementary schedule of 8:05 am - 2:55 pm, the following guidelines can be followed:

Time Absent	Code on PowerSchool	Daily Attendance Percentatge
2 hours 20 minutes or less	LE “left early” in applicable period (AM or PM)	100% present / 0% absent
Between 2 hours 21 minutes and 4 hours 35 minutes	Code based on the reason for absence, should only be entered in either AM or PM.	50% present / 50% absent
4 hours 36 minutes or more	Code based on the reason for absence, should only be entered in both AM and PM.	0% present / 100% absent

Example - Mid-day Absence:

Student leaves at 9:00 am and returns at 1:00 pm for a parent excused reason. Student marked with code LE - left early in the AM period, and enter P - parent excused in the PM period. This will report the student as present for half a day.

- If the student is absent more than 2 hours and 20 minutes but less than 4 hours and 36 minutes, the student should be marked absent in only one period, the second should have either the LE or T code.
- If the mid-day absence exceeds 4 hours 35 minutes, the student should be marked absent both periods.

Example - End-of-day Absence:

Student leaves at 1:00 pm for an appointment. Enter code LE in the PM period. The student is considered present the full day.

- If they leave before 12:40 pm, The appropriate absence code in the PM period will be used. This student will be considered absent for a half day.
- If they leave before 10:20 am, The appropriate absence code in both AM and PM periods will be used. This student will be considered absent for the full day.

Example - Late Arrival:

Student arrives at 10:30 am due to a family emergency. This is more than 2 hours and 20 minutes late, so the student will be marked with code P - parent excused for the AM period. This will report the student as present half a day.

- If they arrive by 10:25 am, the student will be marked with code T - tardy and enter a note with the arrival time. This student will be considered present the full day.

Revised 4/22/24

ag5200

ATTENDANCE

5200 - **ATTENDANCE**

School Attendance Officer

The principal or associate principal shall be the School Attendance Officer. The School Attendance Officer shall be responsible for dealing with matters relating to school attendance and truancy and have all of the powers and duties specified in state law. The duties of the School Attendance Officer shall include, but not be limited to the following:

A. Determining daily, from attendance reports submitted by teachers, which students enrolled in the school are absent from school, or failed to fulfill the attendance requirements of a virtual instruction program component, and whether the absence is excused in accordance with Board policy.

   If a parent/guardian fails to notify the school of a student's absence by 8:30 a.m. on the day of the absence, attempt to contact the parent/guardian at all phone numbers listed on the emergency card. If a parent/guardian cannot be contacted, the emergency contact person will be notified. School officials may request a well check by law enforcement if the school is unable to make any contact.

B. Review and act on requests for and notifications of pre-arranged, parent/guardian-excused absences.

C. Informing students and their parents/guardians annually of student attendance policy and procedure requirements. The parents/guardians of open enrollment students will also be informed upon the student's initial enrollment (a) about the student attendance policy and procedures and (b) that the student's open enrollment may be terminated due to habitual truancy in accordance with the Board's open enrollment policy and procedures.

D. Reviewing student attendance data. If a review of the data reveals concerns, the school attendance officer will work with pupil services and classroom teachers to identify and address barriers to school attendance and develop a plan of intervention.

E. In the event of a challenge to or possible error in a student's attendance records, evaluate the totality of circumstances and whether a student's official attendance records should ultimately reflect that the student was attending, tardy, or absent with or without an acceptable excuse. The reason for any discretionary changes to a student's existing official attendance record will be sufficiently documented.

F. Review and follow-up on accumulative student absences (excused and unexcused) as outlined below:

   1. An attendance notification letter will be mailed to the student's parent/guardian after the student has a total of five days (5) days absent (excused and unexcused). If the five (5) absences are in the first semester, the school attendance officer will review the student's attendance records for the last three (3) years. Exceptions to mailing this letter are rare and at the principal's discretion. Reference Form 5200(3)

   2. When a student has absences, which total ten (10) days, a second attendance letter will be sent. At this time the school attendance officer will review prior attendance records to see if the student has a pattern of excessive absences. If such a pattern exists, the attendance officer will request a meeting with the parent/guardian. Reference Form 5200(4)

   3. If absences are excessive and/or a pattern has existed over the past school years, the attendance officer may refer the student and his/her parents/guardians to the county Department of Health and Human Services for assistance.

G. Submitting to the District Administrator, on or before August 1st of each year, a report of the number of students enrolled in the school who were absent in the previous year and whether the absences were excused. The District Administrator shall then submit this information to the State Superintendent. To the extent feasible, absentee data shall be separated by absences for in-person instruction periods and absences based on virtual instruction attendance requirements.

H. Providing student attendance information to individuals and agencies for purposes authorized by State law and the Board's Student Records Policy (see Board Policy 8330).

I. When a student is truant, the School Attendance Officer shall ensure that all applicable provisions of the District's Truancy Plan are carried out.

J. When a student initially becomes a habitual truant, the School Attendance Officer shall ensure that all applicable provisions of the District's Truancy Plan are carried out.

K. Performing the duties and responsibilities assigned to him/her under this Administrative Guideline.

Students with Special Needs

School administrators and teachers shall ensure that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the District's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 and Chapter 115, Wis. Stats.

Encouraging Attendance

Promoting and fostering desired student attendance habits requires a commitment from the administration, faculty, and parents. No single individual or group can - in and of itself - successfully accomplish this task.

Professional Staff Member

A professional staff member's responsibility must include, but not be limited to:

A. providing meaningful learning experiences **every day**such that a student absent from any given class period would miss a significant component of the course;

B. speaking frequently of the importance of students being in class, on time, ready to participate;

C. keeping accurate and timely attendance records (excused vs. unexcused) as directed by the School Attendance Officer, or School Attendance Officer designee;

1. Elementary school teachers are required to take student attendance by 8:15 a.m.

2. Secondary school teachers are required to take student attendance within the first ten (10) minutes of each class period.

D. requiring an admit slip from a student when they return from an absence and invoking a consequence if the student does not have one;

E. incorporating defined, daily participation as part of the teaching/learning process and each grading period (see AG 2220 - Preparation for the World of Work);

F. requiring students to make up missed quizzes, tests, and other pertinent assignments before or after the regular school day and not permitting students to use instructional time to do make-up work. Teachers may establish reasonable deadlines for the completion of make-up work.

Parent/Guardian Responsibilities

It is the responsibility of the student's parent or guardian to ensure that their child attends school regularly. Parents are expected to provide a written excuse for all absences as required under this Guideline.

A. Parents/Guardians should keep their contact information up-to-date and notify the school secretary of any address or phone number changes.

B. Parents/Guardians must call the school by 8:30 a.m. on the day their child is absent from school to explain the reason for the absence, except that no such call is necessary for any absence(s) that the parent/guardian arranged and that the school excused in advance. Parents/Guardians must identify the date(s) the student will be (or was) absent from school and the reason(s) for the absence as required by state law.

C. Parents/Guardians may pre-arrange a student’s absence from school by calling the student’s school with the information about the scheduled absence and by providing a written excuse. Parents/Guardians must notify the school at least one (1) full day prior to the absence.

1. If a student will be absent more than three (3) days, the parent/guardian should request assignments for the student from the school. Parents/Guardians of elementary students should ask the school secretary or the child’s teacher for assignments; middle/high school parents/guardians should notify the school office and fill out prearranged absence form.

2. For absences less than three (3) days or for suspended students, parents/guardians should contact teachers directly.

Student Responsibilities

Students are required to attend all classes and other school activities on their daily schedule unless they have been excused from school as set forth in this Guideline.

A. During the entirety of the scheduled school day for students, students are required to attend all of their classes, study halls, lunch periods, and other school-approved activities on time, unless either they are absent from school for an excused (or excusable) reason or some other school-approved or school-directed exception applies. Failing to attend all or a portion of a scheduled class, lunch period, or other activity (e.g., skipping class) without an appropriate excuse or school approval subjects a student to appropriate consequences as both an attendance matter and as a violation of school rules.

B. Other than at the regular student arrival and departure times for the day in question, students are required to check in and check out at the school office whenever they arrive at, leave from, or return to school during the scheduled school day for students.

C. When the student returns to school following an absence (excused or unexcused), or before a pre-arranged absence if applicable, he/she should consult with teachers about the work that has (or will be) missed and needs to be made up. A student with an absence will be permitted to make up all assignments, quizzes, and tests missed during the absence. Students will make up work missed during the absence according to procedures published in the school's Student Handbook.

Parents and students shall be informed of the provisions of Policy 5200 - Attendance and AG 5200 - Attendance.

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ag5215

MISSING CHILDREN

5215 - **MISSING CHILDREN**

Each school should make a concerted effort to assist in identifying missing children using the following guidelines.

A. **Student Absence:**

A parent must notify the school by 9 a.m. on the day a student is to be absent unless previous notification has been given in accordance with school procedure for reporting absences. If such notification is not received, the principal should notify, by telephone or in writing, the student's parents, guardian, or legal custodian of a child's absence. The parent is responsible for providing the school with **current**home and/or work telephone numbers and to notify the school of any change in the above information.

B. **Voluntary Fingerprinting:**

Fingerprinting programs, conducted through law enforcement agencies, shall be encouraged to help with the identification of missing children.

1. No student will be required to participate.

2. All fingerprinting cards are to be given to the parents and not retained by the school, School District, law enforcement agency, or any other person other than the parents.

3. Fingerprinting of students will be for the sole purpose of aiding in the identification and location of missing children.

C. **Missing Child Investigations:**

School personnel are required by law to provide law enforcement officials access to a student's record when conducting a missing child investigation, providing they have the permission of the parent.

D. **Pictures for Identification:**

District personnel, authorized to enter into contracts for the taking of student pictures, will request the photographer to provide, free of cost to the school, a photograph of each student for identification purposes.

E. **Enrollment of New Students:**

A student seeking entry into a District school must comply with admission requirements specified in AG 5111.

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ag5230

EARLY DISMISSAL

5230 - **EARLY DISMISSAL**

Board policy requires that the following guidelines be followed for early dismissal of any student.

A. Only principals or their designee may release a student from school before the end of the school day.

B. Principals or their designee may release students before the end of a school day only upon presentation of a written, including e-mail communication or face-to-face request from the child's parent or for emergency reasons. A phone call request from a parent may be accepted by school officials if the child is to be released to a properly-identified person authorized to pick-up the child on the parent's behalf.

C. Requests for early dismissal should be submitted to the principal or their designee as early in the school day as possible.

D. Students may be released only to a parent, identified in the student management system software or to a properly-identified person authorized to act on their behalf.

E. When a parent telephones a request that a child be released early from school, the identity of the caller and any custodial arrangements should be confirmed before the child is permitted to leave. If the parent is calling from home, the school can verify the request by a return telephone call. In the event the telephone call is not being made from the child's residence, the caller should be asked detailed questions about the child. These questions might include the child's date of birth, the courses s/he is studying, names of teachers and classmates, and similar facts which should be known to his/her parents.

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ag5320

IMMUNIZATION OF STUDENTS IN SCHOOL

5320 - **IMMUNIZATION OF STUDENTS IN SCHOOL**

Principals are to use the following guidelines in addition to those provided in AG 5111.

Immunizations Which are Medically Contraindicated

The licensed physician's/practitioner's statement shall be maintained by the school as part of the immunization record of the student.

Specific annual immunization requirements are available from the Wisconsin Department of Health Services and are published and made available to each School District annually. The standards are also available at the Department of Health Services website at: https://www.dhs.wisconsin.gov/immunization/index.htm.

If the District conducts a preschool or day-care program, all children must be immunized in accordance with the regulations provided by the Wisconsin Department of Health Services (DHS).

Admission to School

By the 30th of the school year, the parents must present documentation that their child has received all required doses of vaccines or that their child has received at least one (1) dose of each of the required vaccines and is waiting to receive the subsequent doses at the appropriate time intervals.

Exemptions: Parent Objections

The immunization requirement is waived if the student, if an adult, or the student's parent submits a written statement to the school objecting to the immunization for reasons of health, religion, or personal conviction.

This statement will be kept by the school as part of the student's immunization record.

Documents Accepted as Evidence of Immunization

The following documents will be accepted as evidence of a student's immunization history provided they comply with State requirements and contain the date when each immunization was administered.

A. an official school record from any school

B. a record from any public health department or the Wisconsin Immunization Registry (WIR)

C. a certificate signed by a licensed physician

If a parent cannot provide any of the above documentation, their child may not be admitted until such documentation is provided or until the child has received at least one (1) dose of each required vaccine by the 30th day of school. The child may then attend school and must follow guidance from DHS and their health care professional for subsequent vaccinations in accordance to the applicable State laws. Details of student immunization requirements are found each year in the DHS publication entitled Wisconsin School Immunization Requirements.

Required Records

Each school shall maintain a record of immunization for every student which shall include the date of each individual immunization.

If a student transfers to another school, this record or a copy thereof shall be sent to the new school in accordance with Policy 8330 - Student Records.

Report to be Sent to Local Health Department

A summary report of the immunization status of the students in each school, by total and without students' names, shall be sent within forty (40) school days of the start of the school term to the Wisconsin DHS and the local Department of Health.

Records Available for Inspection

The Principal shall make immunization records available for inspection by authorized representatives of the Wisconsin Department of Health Services or the local or County Health Departments, only with parental consent, in the event of an emergency, or as otherwise permitted under State or Federal student record laws.

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ag5330A

DRUGS ADMINISTERED ON AN EMERGENCY BASIS

5330A - **DRUGS ADMINISTERED ON AN EMERGENCY BASIS**

Board Policy 5330 and the procedures on the administration of medication in AG 5330 must be observed at all times.

A. School personnel should administer only practitioner prescribed kits, or equivalent.

B. Schools are to be notified, in writing, of a student who may need [a] drug[s] administered on an emergency basis by his/her parents or practitioner. In all cases, this information should be conveyed to the school nurse who will be responsible for ensuring that selected staff members receive appropriate instruction in the administration of such medication.

C. In addition, a notation should be made on the student's health forms for use on field trips. The medication should be available to the trip leader who should be trained in its proper application.

D. The student's parent will be responsible for providing the drug[s] and is to be informed that the school will call emergency medical services when his/her child receives the drug[s].

E. If a serious situation does occur requiring the administration of [a] drug[s] administered on an emergency basis, the principal is to contact 911 and request that a mobile unit be dispatched to the school to deal with complications that may arise. The parents should be contacted after the call to emergency services.

F. Parents are responsible for providing the school with the proper drug[s] with an adequate expiration date at the beginning of each school year.

G. These procedures should be reviewed with appropriate staff at the beginning of school each year.

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ag5330B

ADMINISTRATION OF NALOXONE (NARCAN)

5330B - **ADMINISTRATION OF NALOXONE (NARCAN)**

Board Policy 5330 and the procedures on the administration of medication in AG 5330 must be observed at all times.

Purpose

The School District of Jefferson (SDOJ) wishes to prevent opiate-related overdose deaths by making Naloxone available in the schools. Naloxone (also known as Narcan) is a medication found to reverse the effects of an opiate-related drug overdose. 2017 Wisconsin Act 29 permits trained school bus operators, employees, or volunteers to administer an opioid antagonist (i.e., Naloxone/Narcan) to pupils and other persons who appear to be undergoing an opioid-related drug overdose.

Medical Advisor Standing Order

The School Nurse or designee shall obtain a standing medical order from the SDOJ medical advisor who will authorize the school district to obtain, store and administer Narcan, by authorized school personnel, to any individual suspected of experiencing an opiate-related overdose while at school. The standing order shall be maintained in the School Nurse office and copies of the standing order shall be kept in each location where the Narcan is stored.

Training

Members of the Medical Emergency Response Team (MERT) in each building and the School Nurse will be trained to administer Narcan. Before being authorized to administer Narcan, individuals must:

Complete the Wisconsin DPI approved medication training program that includes recognizing opioid related overdoses, administering Narcan, and promptly activating the emergency medical system for drug overdoses.

A list of SDOJ individuals who have successfully completed the training will be maintained by the School Nurse.

PROCEDURES

A. Recognize the signs of an overdose:

1. Pale, clammy skin
2. Not breathing or very shallow breathing
3. Deep snorting or gurgling
4. Unresponsive to stimuli (calling name shaking, sterna rub)
5. Slowed heart beat/pulse
6. Blue lips or fingertips
7. Pinpoint pupils

B. Respond:

1. Immediately call for help – dial 911 (request advance life support)
2. Place the person on their back
3. Tilt head
4. Lift chin
5. Check for breathing for no more than ten (10) seconds

6. Check to see if there is anything in their mouth blocking their airway (e.g., gum, tooth pick, undissolved pills, syringe cap, cheeked Fentanyl patch)

   If present, remove it

7. If no breathing or shallow breathing, begin rescue breathing or CPR using a barrier mask
8. Give two (2) even, regular-sized breaths
9. Blow enough air into their lungs to make their chest rise. If you don't see their chest rise out of the corner of your eye, tilt the head back more and make sure the seal around the mouth and nose is secure.

   If you don't see their chest rise out of the corner of your eye, tilt the head back more and make sure the seal around the mouth and nose is secure
10. Breath again

11. Give one (1) breath every five (5) seconds

C. Reverse – Administer Intra-Nasal Narcan:

1. Tilt head back and give spray (4 mg) into one (1) nostril

2. Move the person onto their side (recovery position) and monitor until EMS arrives

3. If the person does not respond by waking up, to voice or touch, or breathing normally, another dose may be given. Narcan nasal spray may be dosed everytwo (2) to three (3) minutes, if available

4. Repeat the above steps using a new Narcan nasal spray to give another dose in the other nostril. If additional Narcan nasal sprays are available, the above steps may be repeated every two (2) to three (3) minutes until the person responds or emergency medical health is received

5. Seize all illegal and/or non-prescription opioid narcotics found on the victim and give them to EMS along with used Narcan

6. School Nurse and/or site Administrator will be notified of any administration of Narcan by trained SDOJ staff

D. Refer:

1. Have the individual transported to the nearest medical facility, even if symptoms seem to get better

2. If victim is a student, contact parent/guardian per school protocol

3. MERT member to complete the medical emergency response form and submit to School Nurse

4. If victim is a student, follow up with treatment referral recommendation

E. Additional Considerations:

1. The victim may be angry or combative when he or she wakes up, therefore, it is important to stand back from the victim and, if possible, have a second adult present

2. Potential adverse effects include nausea, diarrhea, abdominal cramping, irritability, restlessness, muscle or bone pain, tearing or nose running, and craving of an opioid

3. Narcan wears off in thirty (30) to ninety (90) minutes

PROCUREMENT

The medication will be acquired through a written prescription from the SDOJ medical advisor in accordance with Section 441.18 or 448.037 of the State Statutes. The Narcan will be administered under the standing order from the SDOJ medical advisor.

STORAGE

The Narcan will be stored in an unlocked medication cabinet in each school's main office.

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ag5330

ADMINISTRATION OF MEDICATIONS

5330 - **ADMINISTRATION OF MEDICATIONS**

For purposes of this guideline:

A. “Practitioner" means any physician, naturopathic doctor, dentist, optometrist, physician assistant, advanced practice nurse prescriber, or podiatrist licensed in any state.

B. 'Medication' shall include all drugs including those prescribed by a practitioner and any nonprescription drug products.

C. Prescription Medication: A substance recognized as a drug defined in Wis. Stat. 450.01 (1)(10) (a-d). This statute defines drugs as: Any Substance recognized in the official U.S. Pharmacopoeia and national formulary of Homeopathic Pharmacopoeia of the U.S. or any supplemental publication of these references.

D. 'Nonprescription drug product' means any non-narcotic drug product which may be sold without a prescription order and which is prepackaged for use by consumers and labeled in accordance with the requirements of State and Federal law.

E. Nonprescription drug products include cough drops that contain active ingredients. These cough drops must be handled in the same manner as aspirin, Advil and Tylenol. If a cough drop contains only sugar, water, and some menthol, the procedures for handling nonprescription drug products are not required.

F. 'Administer' means the direct application of a nonprescription drug product or prescription drug, whether by injection, ingestion, or other means, to the human body.

G. Controlled Substances: Those drugs which are defined and regulated by the Uniform Controlled Substances Act of 1970.

Prescribed Medications

In those circumstances where a student must take prescribed medication during the school day, the following guidelines are to be observed:

A. Parents should determine with their practitioner’s counsel whether the medication schedule can be adjusted to avoid administering medication during school hours.

B. An acceptable authorization form must be filed with the school nurse before the student will be allowed to begin receiving any medication during school hours. Acceptable forms include: Food Allergy & Anaphylaxis Emergency Care Plan, Seizure Action Plan, School Asthma Care Plan, or other facimile. This written and signed request form is to be submitted on an annual basis, or more often if changes in dosage occur, and will include:

1. student's name and date of birth;
2. medication and dosage or procedure required;
3. times required;
4. special instructions including storage and sterility requirements;
5. date prescribed medication will be started;
6. date prescribed medication will no longer be needed;
7. practitioner's name, address, and telephone number;
8. probable side effects, including any already experienced by the student from the medication;
9. authorization for trained school personnel to administer the prescribed medication, with school authorization;
10. agreement to notify the school in writing if the medication, dosage, schedule, or procedure is changed or eliminated. A new request form must be submitted each school year or for each new medication.

C. For each prescribed medication, the medication shall be in the original pharmacy-labeled package with the following information in a legible format:

1. student's name
2. practitioner's name
3. date
4. pharmacy name and telephone
5. name of medication
6. prescribed dosage and frequency
7. special handling and storage directions

D. All medications to be administered during school hours must be registered with the nurse's office. Upon receipt of the medication, the health office attendent shall verify the amount of medication brought to the school and indicate that amount on the student's medication log sheet.

E. Medication that is brought to the office will be properly secured. Medication may be conveyed to school directly by the parent or transported by transportation personnel (bus driver and/or bus aide) at parental request. This should be arranged in advance. Two to four (2-4) weeks' supply of medication is recommended. Medication **MAY NOT**be sent to school in the student's lunch box, pocket, or other means on or about the student's person. An exception to this would be prescriptions for emergency medications.

Nonprescription Drug Products

In those circumstances where a student must take a Nonprescription Drug Product during the school day, the following guidelines are to be observed:

A. An acceptable authorization form must be filed with the school nurse before the student will be allowed to begin taking any medication during school hours.

B. For each nonprescription drug product, the container shall be the original manufacturer's package and the package must list in a legible format the ingredients and recommended therapeutic dose.

The parents request to administer a nonprescription drug product shall contain the following information:

1. student's name
2. date
3. name of medication
4. dosage and frequency
5. special handling and storage directions
6. authorization for trained and authorized school staff to administer the medication
7. health care practitioner's note authorizing administering medication in a dosage that varies from the label's recommended dosage, if applicable

General Procedures

A. A Medications Administration Daily Log, either in digital or paper format, recording the administration of each prescribed medication and nonprescription drug product shall be maintained. The log will note the personnel giving the medication, the date, the exact dosage administered, and the time of day. The log will include each error in the administration of the medication and each missed administration of the medication. This log will be maintained along with the practitioner's written request and the parent's written release.

B. Written documentation of the Department of Public Instruction approved training provided for each person authorized to administer a prescribed medication or treatment will show:

1. what training was given;

2. the trainer's name and professional status;

3. when the training was given.

C. Any unused medication unclaimed by the parent will be destroyed by administrative personnel when a prescription is no longer to be administered or within seven (7) days after the end of a school year. Medication must be disposed of in an approved manner, not by flushing medications. School personnel may contact law enforcement or local hospitals to identify locations for disposal of medications.

D. The staff member administering the medication shall make a reasonable effort to see that the student takes the medication properly.

E. If a student does not take the medication at the proper time, the staff member responsible for administering the medication shall take appropriate steps to locate the student and administer the medication and to then notify the parents of the importance of the child reporting on time for their medication.

F. All medications are to be administered in such a way as to protect the student's privacy.

G. A medication error includes any failure to administer medication as prescribed for a particular student, including failure to administer the medication within appropriate time frames, in the correct dosage, in accordance with accepted practice, and to the correct student. In the event of a medication error, the school nurse shall notify the parent(s) immediately. If there is a question of potential harm to the student, the school nurse shall also notify the student's practitioner.

The school nurse shall document medication errors on the Medications Log. The school nurse shall review reports of medication errors and provide consultation to ensure appropriate medication administration in the future.

H. **Student with Severe Asthmatic Symptoms**

Use of Metered Dose or Dry Powder Inhalers

Students with asthma may, while in school, at a school-sponsored activity, or under the supervision of a school authority, possess and use a metered dose inhaler or dry powder inhaler when the following three (3) conditions are met.

1. The student is required to carry an inhaler for use prior to physical activity to prevent the onset of asthmatic symptoms or for use to alleviate asthmatic symptoms; and

2. the completed Parent Consent form for a minor student has been submitted to the Principal; and

3. the practitioner's order for medication administration has been submitted to the Principal authorizing the student to possess and use an inhaler.

Students with asthma who are not required to carry an inhaler shall follow the guidelines which apply to all other prescription medications and their administration.

I. **Students with Severe Allergic Reactions**

Use of Epinephrine Auto-Injector

Students who may suffer from severe allergic reactions may, while in school, at a school-sponsored activity, or under the supervision of a school authority, possess and use an epinephrine auto-injector when three (3) conditions are met.

1. The student is required to carry the epinephrine auto-injector for use to prevent the onset of an allergic reaction; and

2. The completed Parent Consent form for a minor student has been submitted to the Principal; and

3. The practitioner's order for medication administration has been submitted to the Principal authorizing the student to possess and use the epinephrine auto-injector.

Students who are known to have severe allergic reactions but are not required to carry an epinephrine auto-injector shall follow the guidelines which apply to all other prescription medications and their administration.

Use of Epinephrine Auto-Injector by School Officials

The main office of each school shall obtain a prescription for the school to keep on hand at least two (2) epinephrine auto-injectors (both junior and regular) for use by trained and willing staff in the event of an anaphylactic emergency situation. The school nurse shall assure that staff are provided with training opportunities to both identify the symptoms of an anaphylaxis emergency and how to administer an epinephrine injection consistent with the approved plan adopted by the Board per Policy 5330 - Administration of Medication/Emergency Care. The school nurse shall assure that epinephrine stock is maintained and that unused expired pens are properly discarded and replaced. This is subject to the ability to obtain the epinephrine pens through prescription.

School personnel are not required to administer a nonprescription drug product or prescription drug by means other than ingestion. However, personnel designated to administer medications may indicate a willingness to provide medications, in an emergency or special situation, by means other than ingestion. This is done only upon completion of the training specified in the plan adopted per Policy 5330. The school nurse shall provide documentation that any designated school personnel approved to administer an epinephrine auto-injector has completed the requisite training.

A school nurse or designated school personnel authorized to administer an epinephrine auto-injector may do any of the following during the period of time that a standing protocol approved by a physician, physician assistant, or advanced practice nurse prescriber:

1. Provide one of the school's epinephrine auto-injectors to a student to self-administer consistent with a prescription specific to that student which is on file with the school.

2. Administer an epinephrine auto-injector to a student consistent with a prescription specific to that student which is on file with the school.

3. Administer an epinephrine auto-injector to a student who does not have a prescription on file with the school or to a student for whom the school nurse or designated school personnel does not know whether a prescription is on file if the following apply:

    a. the school nurse or designated school personnel believes in good faith that the student is experiencing anaphylaxis;

    b. the school nurse or designated school personnel contacts emergency medical services (911 or local equivalent) as soon as practicable after administration of the auto-injector

Use of Diphenhydramine (Benedryl)

Diphenhydramine will be used for significant but non-life-threatening allergic reactions.

1. Administer Diphenhydramine to a student consistent with a prescription specific to that student which is on file with the school.

2. Provide Diphenhydramine to a student that does not have a prescription on file with the school or to a student for whom the school nurse or designated school personnel does not know whether a prescription is on file if the following apply:

    a. the school nurse or designated school personnel believes in good faith that the student is experiencing a non-life-threatening allergic reaction;

    b. the school nurse or designated school personnel contacts the students parent/guardian as soon as practicable after administration of medication.

J. **Administration of Opioid Antagonist**

School bus operators, a school employee, or school volunteer may administer an opioid antagonist to a person who appears to be experiencing an opioid overdose under the following conditions:

1. the person has been authorized to administer such drugs, in writing, as required by Policy 5330; and

2. the person has received any training required for the administration of opioid antagonist in the form in which it is to be administered, consistent with the plan adopted pursuant to Policy 5330 in consultation with a registered nurse

employed by or consulting with the District.

K. **Nonprescription Drug Products**

Students in grades 9-12 may be allowed to possess and self-administer a nonprescription drug product upon the written authorization of the parent. The parent must complete an acceptable authorization form and submit it to the school office.

If a student is found in possession of medication the student's record should be checked to determine if the proper authorization is on file. If not, the matter is to be reported to the Principal for possible disciplinary or other action. The Principal may take one or more of the following actions, depending on the particular situation:

1. Contact the parent and arrange for the parent to submit an acceptable authorization form as soon as possible.

2. Take the medication from the student and keep it in the school office until the completed form has been submitted.

L. Dispensing of nonauthorized, drug products by District employees to students served by the District is prohibited. Where investigation confirms such conduct, prompt corrective action shall be taken, up to and including dismissal.

M. To minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and lay coaches should never dispense, supply or recommend the use of any drug, medication, or food supplement for performance-enhancing purposes.

School personnel trained to administer medications and authorized in writing by the Principal to administer drugs to students shall keep a copy of the Administration of Medication Policy and Guidelines in an accessible spot for quick reference and have the right to refuse to administer medication to students when the required authorization forms and signatures have not been completed.

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ag5340A

STUDENT ACCIDENT/ILLNESS/CONCUSSION

5340A - **STUDENT ACCIDENT/ILLNESS/CONCUSSION**

In the event of a student accident or illness, staff members shall:

A. **if properly trained**, administer first aid;

B. report the accident to the appropriate administrator;

C. summon professional medical assistance, if needed;

D. notify the parents as soon as possible by telephone or written report;

E. contact parents immediately if the accident indicates professional medical care is required;

F. record on the Injury Report Form, as soon as possible, all pertinent facts concerning the accident and submit it to the Principals office.

School personnel shall not diagnose illness or administer medication of any kind except in accordance with AG 5330.

Records are to be kept on all injuries requiring medical attention that occur while students are on school property, in school buildings, on the way to or from school, or at school-sponsored activities.

A copy of the Injury Report Form is to be filed with the carrier of the District's liability insurance when requested.

Each principal shall prepare in-building procedures for dealing with illness at school which ensures prompt attention to the child and proper communication with the parents.

Concussions

A concussion is a type of traumatic brain injury. Concussions occur when there is a forceful blow to the head or body that results in rapid movement of the head and causes any change in behavior, thinking, or physical functioning. Concussions are not limited to situations involving loss of consciousness. Some symptoms of a concussion include headache, nausea, confusion, memory difficulties, dizziness, blurred vision, anxiety, difficulty concentrating, and difficulty sleeping.

Students/parents have access to an information sheet regarding concussion and head injury. If a student is going to participate in an activity where a concussive event may occur, the appropriate release must be signed at least once per school year.

Pre-season Concussion Assessment

A. Optimally a concussion history should be included as part of all of a student/athlete's pre participation physical health examinations with their health care professional.

B. Pre-season neurocognitive testing of all athletes is highly recommended and can be accomplished through a computerized system. This testing is required once every two (2) years for participation in all high school sports except cross country, swimming, golf, and tennis. Parents may request testing for students in these excluded sports.

The ImPACT program is designed to measure specific brain functions that may be altered following a concussion. The program is designed in such a way as to allow athletes to be tested pre season so that post-injury performance may be compared to the athlete's own baseline.

Return to Play

After medical clearance, students will follow an individualized, stepwise, Return-to-Play protocol managed by healthcare providers, athletic trainer, and coaches.

A. No student will be allowed to return to play while having symptoms.

B. Athlete must return to full-load academics without accommodations before returning to the sport.

C. Must not be taking any pain control or headache medication.

D. The plan will allow for no more than one step of increased activity per twenty-four (24) hours. The plan will allow for a gradual increase in heart rate and physical exertion, coordination and, finally, allowing contact.

E. If symptoms return, the athlete should stop activity and notify the health care provider before progressing to the next level.

Parents who inform coaches and teachers that their child is being treated by a healthcare professional for a concussion must provide written clearance from that healthcare professional for full or limited participation in class, practice, activity, or competition. Prior to receiving written clearance from a healthcare professional, students who have sustained a concussion may not participate in any school-related physical activities.

If a concussion is suspected by a teacher or coach, the student will be removed from the class, practice, activity, or game. The student will not be permitted to return to full participation until s/he is evaluated by a healthcare professional experienced in concussion management and receives written clearance for full participation from that professional. Limited physical activity in the physical education context may eventually be permitted, depending on the recommendation of the healthcare professional.

Teachers or coaches who suspect a student has been concussed shall record on the Injury Report Form, as soon as possible, all pertinent facts concerning the incident and submit it to the Principal's office.

Parents shall be notified about the possible concussion and given information on concussions and the need for medical attention.

Prior to the beginning of each season and pre-season training, coaches shall notify parents and student-athletes of the fact that written clearance for full participation will be required from a healthcare professional when a concussion is suspected or diagnosed. Information about this guideline will be included in the student handbook.

Coaches and physical education staff will be trained in concussion recognition and response. Specifically, training will include information on how to recognize the signs and symptoms of a concussion, how to obtain proper medical treatment in cases of suspected concussions, and return-to-play standards.

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ag5340B

HEALTH EMERGENCIES AND FIRST AID CARE

5340B - **HEALTH EMERGENCIES AND FIRST AID CARE**

Emergency Procedure

If a student or staff member requires immediate attention for an accident or illness, call:

A. 911 and request a paramedic if needed.

B. Medical Emergency Responce Team (MERT) if needed.

When the call is made, be sure to indicate:

A. where the emergency situation is located (include cross streets, if applicable);

B. telephone number where calling from;

C. brief description of what happened;

D. how many persons need help;

E. what has been or is being done for the victim(s).

Be sure to hang up last!

The person in charge is to give clear, precise directions to those who need to be involved in the emergency and to clear the area of all unnecessary persons.

First Aid Procedures

Any staff member qualified to do so may administer first aid. For response to an incident requiring first aid, staff shall refer to the WISHeS Injury and Illness Protocols (digital version located at http://c.ymcdn.com/sites/www.wpha.org/resource/resmgr/WiSHES_Project/Injury_and_Illness_Protocols.pdf).

After initial first aid treatment, the legal responsibility for subsequent care rests with the victim or the parents of a student victim.

Any administration of medication and emergency care must be consistent with Policy 5330 and AG 5330 and AG 5330A.

In any case involving bodily fluids, the District's Blood-Borne Pathogens Policy 8453 and Policy 8453.01 and AG 8453 and AG 8453.01 must be followed.

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ag5340D

TRANSPORTATION FOR ILL OR INJURED STUDENTS

5340D - **TRANSPORTATION FOR ILL OR INJURED STUDENTS**

A. When a student becomes ill or injured at school, it may be necessary for the student to be taken home, to a doctor, or to a hospital. This responsibility should be assumed by the parent, except in an emergency when it is apparent that an ambulance or emergency medical service should be called immediately. (See AG 5340A for calling procedure.)

B. The final responsibility for the safe transportation of a sick or injured student from school to home, hospital, or to emergency medical care rests with the principal.

C. No seriously sick or injured student should be allowed to go home unless there is a responsible adult to provide for his/her care. The student will remain in school when all measures available to locate a responsible adult have failed. When school is dismissed and no adult is available, contact the appropriate local law enforcement agency.

D. Ambulance and emergency medical service cost is the parent's responsibility but should never be a deterrent in providing this emergency service.

Emergency Situations

For critically injured or ill students who may warrant an ambulance or emergency medical service, the following procedures should be taken:

A. Determine how severe the emergency is.

B. Call ambulance or emergency medical service.

C. Administer necessary first aid, if trained or if prudence requires.

D. Contact the principal and school nurse.

E. Call parent. If parent cannot be located, call designated emergency number.

F. Complete an injury report Form.

Nonemergency Situations

There are those situations when the injury or illness of the student is not considered an emergency. In such situations, the procedure to follow is:

A. Notify parent (emergency number provided) to pick up the student. Provide whatever information is available to help the parent decide whether or not the student should receive medical care.

B. If the parent has no available transportation, discuss other possible alternatives they might have (neighbor, relative, taxi, etc.).

C. In the event the parent cannot provide any alternative suggestions for transportation and it is inappropriate for the student to ride the bus, the principal may arrange for staff members (two (2) if possible) to transport the student home or to the location designated by the parent.

D. There may be situations in which the principal may designate staff members to transport the student to the doctor or the emergency room, after the parent has been notified, with the plan that the parent will meet school personnel with the student on arrival. This may be a situation when time is a factor, but emergency medical service or an ambulance is not warranted.

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ag5350

SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION

5350 - **SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION**

Instruction

At appropriate secondary grades, the District's suicide prevention instruction shall be designed to help students:

A. identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy, and anxiety can lead to thoughts of suicide;

B. identify alternatives to suicide and develop coping and resiliency skills;

C. learn to listen, be honest, share feelings, and get help when communicating with friends who show signs of suicidal intent;

D. identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking mental health, substance abuse, and/or suicide prevention services.

Prevention

The District recognizes that the prevention of youth suicide, violence, and substance abuse and the early identification and treatment of mental health disorders are most effective when students, staff, parents, and community members have access to prevention information and resources.

Suicide Prevention Training for Staff Shall Include the Following:

A. Identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stress or loss, family instability, and other factors;

B. Identifying warning signs that may indicate suicidal intentions, including changes in students' appearance, personality, or behavior particularly among:

1. Youth bereaved by suicide;

2. Youth with disabilities, mental illness, or substance abuse;

3. Homeless youth;

4. LGBTQ youth;

5. Youth in the juvenile justice or welfare system;

6. Native American youth;

7. Youth on the fringes of mainstream social groups;

C. Research-based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health;

D. School and community resources and services;

E. District procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide;

F. Training will be provided annually for all teachers and staff.

Suicide Prevention Curriculum for Students Shall Include the Following:

The following process should be followed throughout the year to inform and educate students in the following grade(s) or school grade groups:

Developmentally-appropriate, student-centered education materials will be integrated into the curriculum of all K-12 health classes. The content of these age-appropriate materials will:

A. encourage positive social and emotional development;

B. Teach life skills such as problem-solving and sound decision-making;

C. Provide knowledge of the relationship between youth suicide and the use of alcohol and controlled substances;

D. Promote awareness of the warning signs of suicide, how to respond to potential suicidal persons and available community counseling and mental health services;

E. Stress the importance of safe and healthy choices and coping strategies;

F. Instruct how to recognize risk factors and warning signs of mental disorders and suicide in oneself and others;

G. Facilitate help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help. In addition, schools may provide supplemental small group suicide prevention programming for students.

Intervention

In compliance with Board of Education Policy 5350, any time a staff member encounters a situation in which a student appears to be contemplating suicide, the following process should be followed carefully.

Step One - Stabilize the Situation

A. Under no circumstances is a suicidal student to be left alone.

B. Converse with the student immediately to determine if s/he has any dangerous instrumentalities (weapon, substance, or other material capable of inflicting a mortal wound) on or nearby his/her person.

C. If the student will allow, immediately remove any dangerous instrumentalities from the student and the student's environment.

D. If the student will agree, accompany him/her to a prearranged, nonthreatening place away from other students and other people but where there is another adult and a telephone close by. If the principal can be notified without leaving the student, do so as quickly as possible. If the student will not agree, stay calm and remain with him/her until someone comes.

Pupil Services should proceed to Step Two without delay.

Step Two - Assess the Risk

A. Stay relaxed and talk calmly to the student to assess the risk of the student harming himself/herself. Listen intently to what the student is saying and avoid giving advice. Keep questions nonjudgmental.

B. If the student will not relinquish a dangerous instrumentality, use EXTREME RISK PROCEDURE (Step Three A).

C. If the student is in imminent danger of harming himself/herself, use SEVERE RISK PROCEDURE (Step Three B).

D. If the student is not in imminent danger of harming himself/herself, use MODERATE RISK PROCEDURE (Step Three C).

Step Three - Take Appropriate Action

A. EXTREME RISK PROCEDURE

1. Contact the police.

2. Keep the student engaged in conversation as well as reassuring him/her until the police arrive.

3. After the police arrive, and if good rapport has been established with the student, remain present to provide continuity and support as the police attempt to get the student to relinquish the dangerous instrumentality.

4. Contact the student's parents and inform them of what has transpired and of the actions being taken.

B. SEVERE RISK PROCEDURE

1. Determine if the student's distress is the result of parental abuse, neglect, or exploitation. If so, notify Protective Services immediately, give them the facts, request them to intervene, and follow their instructions. If not, call the Mental Health Services immediately, give them the facts, request them to intervene, and follow their instructions.

2. If neither agency will intervene before the end of the school day, call the emergency squad.

3. Make sure the student's parents have been contacted.

C. MODERATE RISK PROCEDURE

1. Try to determine the reason(s) for the student's distress. Contact the parents, give them the facts, and ask them to come to the school right away.

2. Assist the parents in making contact with an agency or resource person who can provide appropriate intervention.

Step Four - Communicate

Inform the appropriate members of the District staff such as the Crisis Response Team, the school psychologist, and the student's teachers and counselors of the facts and the actions being taken. Alert them that they need to observe the District's confidentiality requirements (AG 2411), although the occurrence was not something that developed during counseling.

Step Five - Follow-Up

A. Determine the extent to which emergency or short-term procedures were completed properly.

B. Find out if arrangements have been made for long-term clinical and/or support services.

C. If neither short-term procedures nor long-term services were properly conducted or pursued, consult with the District Administrator to determine appropriate action.

D. Maintain continuing contact with the student to communicate interest in his/her welfare and support of the long-term services being provided.

E. Remain alert to the possibility of "copy-cat" suicide attempts by other students.

F. Evaluate Steps A - E.

RE-ENTRY

For students returning to school after a mental health crisis (e.g., suicide attempt or psychiatric hospitalization), a school employed mental health professional and the Principal will request to meet with the student's parent, and if appropriate, meet with the student to discuss re-entry and appropriate next steps to assess the student's readiness for and facilitate his/her return to school.

A. A school employed mental health professional or other designee will be identified to coordinate with the student, their parent, and any outside mental healthcare providers.

B. The parent will be asked to provide documentation from a mental healthcare provider that the student has undergone examination and that they are no longer a danger to themselves or others.

SUICIDE POSTVENTION PROCESS

If, despite all prevention and intervention efforts, a suicide should occur, refer to the SDoJ Crisis Response Plan Appendix B-D.

Memorial activities should be expressed through actions toward suicide prevention activities. Donations can be made to favorite charities or youth support programs. If students are interested encourage them to honor their friend by respecting life through suicide prevention walks or other things that encourage living life. Avoid memorial activities that are permanent markers, lowering the flag to half-mast, or dedications at sports events. In no way should death by suicide be glamorized to others as a way to solve problems. Refer to SDoJ Crisis Response Plan Appendix D: Crisis Team Information.

If additional guidance is needed, contact the American Association of Suicidology, 5221 Wisconsin Avenue N.W. 2nd Floor, Washington, D.C. 20015. (202) 237-2280.

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ag5360

RECESS GUIDELINE FOR HARSH WEATHER

5360 - **RECESS GUIDELINE FOR HARSH WEATHER**

Each principal, in collaboration with staff, is to establish the criteria (weather conditions) for determining, on a day-by-day basis, when recess will be held. The decision may vary from grade to grade.

Conditions that should be considered are:

A. temperature

B. wind chill (see below)

C. humidity

D. age

E. length of time outdoors

F. adequacy of clothing of the children

G. condition of the playground

Exercise outdoors is healthy and is strongly encouraged. If conditions preclude the full recess time, even a five (5) minute break can revitalize children and prepare them for more sitting and academic learning.

The school's recess guidelines should be placed in the student/parent handbook and/or included in parent orientation meetings.

All staff members who have recess duty need to be familiar with the recess guidelines.

IMPORTANT - Children with special health conditions, in particular, asthmatic children, may need special accommodation of their needs during cold weather or periods of high pollen or inversion. The parents of these children are to be consulted in creating a workable system for determining when other arrangements are necessary and for the child's supervision.

Hot Weather Guidelines:

A. Provide for frequent water breaks or have plastic water bottles easily accessible.

B. Watch carefully for possible heat exhaustion or over-exertion but do not give salt tablets, unless authorized.

C. Plan for less vigorous physical activity after mid-day.

Cold Weather Guidelines

WIND CHILL TEMPERATURES

How cold it feels on a winter day is a complex function of several factors, of which the most important are air temperature and wind speed. The wind moving past the skin during cold weather increases heat loss from the body. As the heat is lost, the body continues to pump new, warm blood to the outer extremities in an attempt to maintain the proper body temperature. If the air temperature is quite low and the wind strong, the body, in some cases cannot keep up with the heat loss and, therefore, the skin temperature decreases. The freezing of exposed portions of the body can result. However, the usual effect of the wind chill is plain old discomfort. Feeling colder than it really is, so to speak.

A chart which gives the wind chill temperatures may be found at www.weather.gov/om/windchill/index.shtml.

It should be noted that water will not freeze until the actual air temperature is 32^{o} F or less, regardless of what the wind chill temperature is.

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ag5410

PROMOTION, PLACEMENT, AND RETENTION

5410 - **PROMOTION, PLACEMENT, AND RETENTION**

Each student's level of academic achievement and progress will be measured throughout the school year. We use a variety of assessments. Although assessment instruments are subject to change and evolve, the following represent the assessments we currently use to gather a variety of data points regarding each student's academic achievement:

A. A universal screener will be administered multiple times per year in grades one (1) through nine (9) and will be the primary index of a student's growth.

1. Math

2. Reading

B. The current mandatory Wisconsin Academic Assessment for grades three (3) through eight (8).

C. For students in Kindergarten, a screening assessment will be administered twice a year. This instrument helps identify those students at risk of reading difficulties.

D. Classroom performance and teacher recommendations will also be considered in the determination of the advancement or retention of a student. The assessments above will be shared with parents via mail, parent-teacher conferences, school counselor meetings, and other such meetings as necessary.

All students' progress will be monitored. For those students falling far below benchmark, the school's Multi-Leveled Systems of Support ("MLSS") team will determine appropriate research or evidence-based interventions to be implemented within the EMLSS model; that is, additional instruction beyond the instruction provided to all students will be provided. The progress of these students will be monitored to determine the effectiveness of the intervention. If sufficient progress is not made, an alternative research or evidence-based intervention will be utilized with the same process. The parents of students identified for interventions will be notified before the process begins. They will be notified of their child's progress regularly.

Multi-Leveled Systems of Support (Grades K through Eight (8))

A. The Multi-Leveled Systems of Support Team, led by the building principal, may include the school psychologist, school counselor, core/classroom teacher(s), and other relevant staff who work with the student consistently. As appropriate, the parent(s) or guardian(s) and other individuals will be invited to contribute to team discussions.

B. The team will meet regarding each student who has not responded to academic supports that have been implemented and who remains far below academic benchmarks for the student's grade level.

C. Coordinated and scheduled by the principal, meetings and decisions regarding student retention will occur as soon as possible after the student is identified, but no later than the last day of school. An exception to this deadline is acceptable only if summer school remediation is necessary to make a promotion decision. In this case, a decision must be made no later than August 15.

D. The team will review multiple assessments indicating academic achievement. In addition, the team should review attendance records, previous retention(s), and previous recommendations for retention(s). The team should also study the student's ability to learn as reflected in 504 plans and IEPs for students with special needs.

E. After reviewing all pertinent information for a particular student, the team will render a decision on grade advancement.

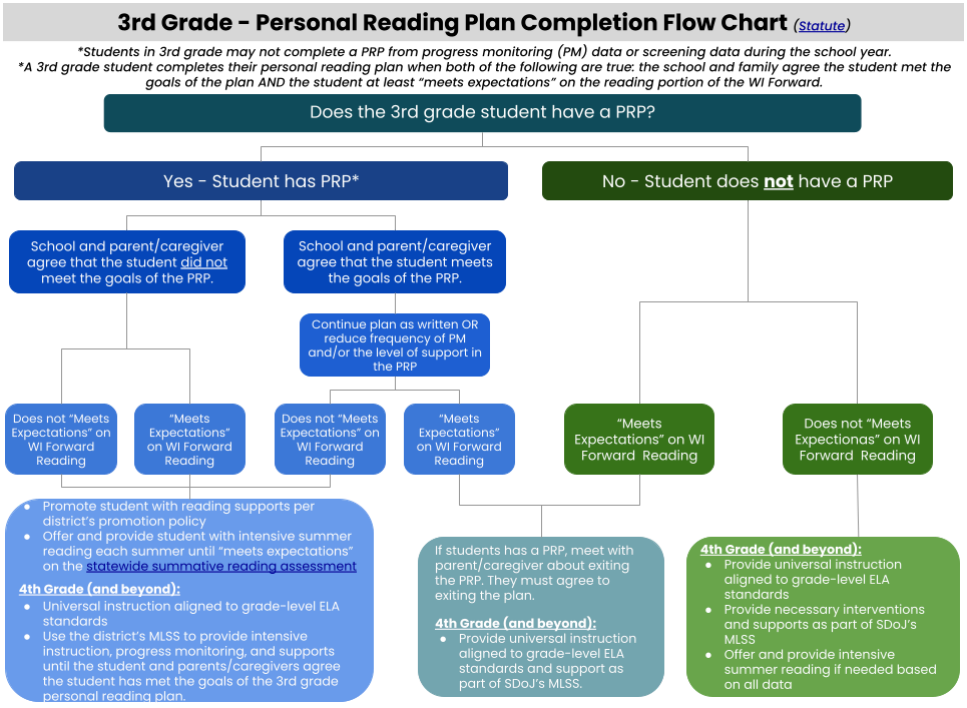
ag5411

THIRD GRADE PROMOTION AND RETENTION: AT-RISK STUDENTS

5411 - **THIRD GRADE PROMOTION AND RETENTION: AT-RISK STUDENTS**

For any student who has not exited their personal reading plan by the end of the student's 3rd-grade year, the District/school will engage in a process to determine whether to promote that student to the 4th grade. This process will carefully consider all relevant factors that contributed to the student not completing their personal reading plan and alternatives to retention that can help support the student in achieving reading proficiency.

Exiting a Personal Reading Plan - 3rd Grade



Process for Making Promotion Determinations

For any student who has not exited their personal reading plan by the end of the student's 3rd-grade year, the District/school will engage in a process to determine whether to promote that student to the 4th grade. This process will carefully consider all relevant factors that contributed to the student not completing their personal reading plan and alternatives to retention that can help support the student in achieving reading proficiency. This process will be described in the school handbook and include, at a minimum, the following elements:

A. A team of individuals will engage in the determination process, which shall include, but is not limited to, the student's parent(s) as defined by Wis. Stat. §.115.76(12) and school/District representatives who have knowledge of the reading instruction and interventions provided to the student, as well as how the student responded to both instruction and interventions;

   School representatives may include, but are not limited to, the teacher of record, the District/school reading specialist, a staff member who has provided additional reading support and conducted progress monitoring, and a student services professional with knowledge of the social and emotional implications of grade retention.

B. Representatives from the school/District will consider all available data demonstrating the student's response to reading instruction and intervention, and data demonstrating the student's progress towards meeting personal reading plan goals;

   This data may include, but is not limited to, the most recent and previous universal reading screener data, diagnostic reading assessment data, progress monitoring data, classroom data, and observations and data related to the student's social, emotional, and behavioral functioning.

C. Representatives from the school/District will determine whether the student is eligible for a good cause exception and communicate that to the parent or guardian;

D. If the student has an individualized education program ("IEP") in an area of reading or is an English learner with a language acquisition plan, the school/District representatives will review the student's progress toward those goals and communicate that to the parent or guardian;

E. Representatives from the school/District will communicate long-term risks of retention to the student's parent or guardian;

Such risks may include, but are not limited to, the following:

1. Students who are retained are more likely to have adverse outcomes, including dropping out of school and obtaining lower-paying jobs in the future (Cockx, B., Picchio, M., & Baert, S. 2018; Hughes, J.N., West, S.G., Kim, H., & Bauer, S.S. 2018);

2. Students who are retained are more likely to experience emotional distress (Buckmaster et al., 2024; Carlton & Winsler, 1999; Demanet & Van Houtte, 2016; Goos et al., 2013b; Carlton, M. P., & Winsler, A. 1999; Jimerson & Ferguson, 2007; Lavrijsen & Nicaise, 2017; Martin, 2009; Martin, 2011);

3. Students who are retained are more likely to have lower socioeconomic status and more likely to be eligible for government assistance (Goos, M., Pipa, J., & Peixoto, F. 2021);

4. Students who are retained are at higher risk for future criminal behavior (Eren, O., Lovenheim, M., & Mocan, H. 2022);

5. Students who are retained do not achieve increased academic achievement and make less progress compared to other students (Silberglitt, B., Appleton, J., Burns, M., & Jimerson, S. 2006).

F. Representatives from the school/District will consider alternatives to retention available to the student in the District/school and communicate these alternatives to the student's parent or guardian;

G. The District/school will not deny any student advancement to 4th grade based solely on the student's performance in reading on the 3rd-grade state summative assessment or the universal reading screener;

H. The District/school will not deny any English learner advancement to 4th grade solely based on level of language proficiency (Wis. Admin. Code §13.09(1)(b));

I. The team may conclude that promotion (with applicable services/supports) is in the best interest of a student even if the team also concludes, based on clear documentation, that the student was unable to complete their personal reading plan primarily due to the student's lack of reading proficiency;

J. After reviewing all data and considerations named above, representatives from the school/District will make a recommendation of promotion or retention to the student's parent or guardian;

K. If the representatives from the school/District recommend retention, those representatives will identify and communicate the following to the student's parent or guardian:

1. Supports that will be provided to the student that will mitigate the harm that is likely to occur as a result of retention, including social stigmatization, loss of friendships, damaged self-esteem, and other mental health impacts; and

2. The additional academic services and supports that will be provided to the student as they repeat 3rd grade to ensure they reach grade level proficiency by the time they finish 3rd grade the second time;

L. Based on the holistic evaluation described above, the entire team will make one (1) of the following choices:

1. Promotion to 4th grade (with applicable services/supports) is more appropriate than retention in 3rd grade, and the student is promoted;

2. The student's noncompletion of the student's personal reading plan was not primarily due to the student's lack of reading proficiency, and the student is promoted;

3. The parents or guardians and school/District representatives agree that retention (with applicable services/supports) is more appropriate than promotion to 4th grade, and the student's parent or guardian gives written consent to retention;

4. The school/District representatives recommend retention, but the student's parent or guardian does not consent. Regardless of any other facts, circumstances, or analysis, the student is promoted to 4th grade.

Any student who enrolls as a 3rd-grade student late in the school term without any accompanying record of a personal reading plan (i.e., after the final annual administration of the universal screening assessment and, potentially, also after the 3rd-grade Forward Exam) shall be promoted to 4th grade under the criteria that the student did not have a personal reading plan in effect at the end of 3rd grade.

If a student transfers into a school enrolled as a 4th-grade student and the provided records indicate the student may have met requirements to be retained in 3rd grade, the School District will provide adequate and necessary supports including, but not necessarily limited to, the intensive instructional services, supports, progress monitoring, and parent notification referenced under Wis. Stat. §118.33(5m)(a).

For a student whose parents/caregivers opt the child out of the Wisconsin Forward, the District will use alternative standardized assessments in lieu of the Wisconsin Forward. The assessment must measure proficiency in all grade-level reading standards (not just reading foundational skills) in the Wisconsin Standards for English Language Arts (2020). The assessment must be norm-referenced (include percentiles), have a clear definition of proficiency, and be technically adequate.

REPORTING STUDENT PROGRESS

5420A - **REPORTING STUDENT PROGRESS**

Reporting student progress serves many purposes, the most important of which is helping students and their parents understand how well the student is achieving program objectives and accomplishing the educational goals of the District.

To comply with Board of Education Policy 5420, each principal, in cooperation with the school's professional staff, is to prepare for the District Administrator's approval a plan for progress reporting that includes how:

A. report cards will be prepared, reviewed, and then delivered to parents;

B. parent conferences will be conducted both in terms of logistics and methods for involving the parent in any problem-solving and decision-making that may be needed;

C. follow-up will occur whenever a parent conference produces a plan of action for helping a student improve or maintain current performance.

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ag5420B

PARENT-TEACHER CONFERENCES

5420B - **PARENT-TEACHER CONFERENCES**

The parent-teacher conference can play a significant role in the education of our students in three (3) important ways:

A. providing the teacher with vital information from parents that will strengthen the plans and strategies the teacher uses with a student

B. helping parents understand more clearly what the school and the teacher are trying to accomplish with a student, what is required for students to accomplish such results, and what the parent can do to facilitate the process

C. building a strong home-school partnership that has implications for support of school programs beyond particular classroom or grade

Each principal, in collaboration with the school staff, should incorporate a parent-teacher conference plan as part of the educational plan that each building is to design and implement each year. Among the strategies contained in such a conference plan should be:

A. creating an environment in which the interaction with parents is based on a partnership mindset rather than one which communicates "we know and tell, you don't know, so listen";

B. beginning an open-house or initial conference with a clear, concise description for each academic area of:

1. what the desired learning outcomes are for the year;

2. why it is important that the student both acquires and then applies those learnings;

3. what learning processes and strategies the student will need to be able to use to achieve such outcomes;

4. what techniques, strategies, and other actions the teacher will be using to help the student achieve the outcomes;

C. providing opportunities for parents to ask questions regarding both the ends and the means and to suggest additions and modifications to both;

D. ensuring that at any special conferences with parents, the parents leave with:

1. one or more action plans for helping their child which the teacher and parent have developed and agreed upon;

2. a clear understanding of what progress reports and report cards will contain; how they should be interpreted and how they should be used by parents in supporting their child's learning efforts;

E. correlating the first conference with subsequent conferences by linking observations, comments, suggestions, etc. to the learning ends and means discussed at the first conference.

The plan should also provide for communication to staff and parents regarding:

A. the time schedule which includes the approximate length of the conferences and time of day (or night) conferences will be held;

B. the procedure for release of students.

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GRADING

5421A - **GRADING**

Since grades play such a significant role in the life of a student, it is imperative that the Board of Education's grading policy be implemented with as much professional expertise as can be applied. In determining grades at the various levels, staff should observe the following administrative guidelines.

Grades 4K - 5

Reporting in these grades will consist of a report card with descriptive marks and a narration. Descriptive marks will be:

4 = Exceeds targeted learning goals and expectations

3 = Meets targeted learning goals and expectations

2 = Developing an understanding of targeted learning goals and expectations

1 = Does not meet targeted learning goals and expectations

Principals, teachers, and other professional staff associated with these grades are to prepare a description of each of these words which will explain the following two (2) characteristics of learning:

A. The quality and, when appropriate, the quantity of what the student has accomplished and can apply that exceeds, meets, is developing, or does not meet targeted learning goals and expectations. This description is not to be based on comparisons with other students.

B. The level of current effort, social interaction, and emotional, physical, and social control over self that qualifies a student exceeds, meets, is developing, or does not meet targeted learning goals and expectations.

Grades 6 - 8

It is important that classroom instructors are provided the professional latitude to design and carry out their own methods when evaluating and calculating quarter grades. The instructor's professional responsibility is to maintain high, but achievable, academic expectations. The instructor must communicate the evaluation instruments with his/her students. Quarter grades cover a period of nine (9) weeks, which is approximately one-fourth of the school year. At mid-quarter, progress reports will be mailed home to the parent/guardian of all students.

A. **Computing Semester Grades**

The semester grade is shown on report cards. The semester grade is factored into the grade point average (GPA) and rank in class. A student must earn a passing grade (D- or above) for the semester to earn credit for the course. Unlike quarter grades, there is no subjectivity to calculating the semester grade. All staff must use the process and formula below to calculate the semester grade.

1. The semester grade is calculated by adding fifty percent (50%) of each quarter's percentage.

2. If a student passes one (1) of the two (2) quarters that factor into the semester grade but their semester grade for the course calculates to a failing grade, the student, in concert with the teacher, may seek administrative approval for a passing grade if extenuating circumstances exist that lead to the failing grade. These circumstances must be shared with administration no later than two (2) weeks after the grading period concludes.

B. **Grade Equivalency Table:**

Letter Grade	Percentile Equivalent	Grade Point Equivalent
A	92-100%	4.0
A-	90-91%	3.6

Letter Grade	Percentile Equivalent	Grade Point Equivalent
B+	88-89%	3.4
B	82-87%	3.0
B-	80-81%	2.6
C+	78-79%	1.4
C	72-77%	2.0
C-	70-71%	1.6
D+	68-69%	
F	0-59%	.00
P	Pass	Not factored in GPA
AU	Audit	Not factored in GPA
I	Incomplete	Not factored in GPA
W	Withdrawl	Not factored in GPA

Grades 9 - 12

It is important that classroom instructors are provided the professional latitude to design and carry out their own methods when evaluating and calculating quarter and exam grades. The instructor's professional responsibility is to maintain high, but achievable, academic expectations. The instructor must communicate the evaluation instruments with his/her students. Quarter grades cover a period of nine (9) weeks, which is approximately one-fourth of the school year. At mid-quarter, progress reports will be mailed home to the parent/guardian of all students.

Unless students qualify for a final exam exemption based on state and/or AP testing, students are required to take final exams or complete a final project in all courses. The final exam/project is to be a culmination of the entire semester or year to allow for the opportunity to address questions regarding final assessments. Instructors are to keep students' written final assessments (i.e. exams, rubrics, etc.) on file for a minimum of one semester.

A. **Computing Semester Grades**

The semester grade is shown on transcripts. The semester grade is factored into the grade point average (GPA) and rank in class. A student must earn a passing grade (D- or above) for the semester to earn credit for the course. Unlike quarter and exam grades, there is no subjectivity to calculating the semester grade. All staff must use the process and formula below to calculate the semester grade.

1. The semester grade is calculated by adding forty percent (40%) of each quarter's percentage, and twenty percent (20%) of the final exam percentage.

2. If a student fails two (2) of the three (3) marks (quarter, quarter, exam), regardless of the final grade percentage, the student fails the semester.

3. If a student passes two (2) of the three (3) grades that factor into the semester grade (quarter, quarter, exam) but his/her semester grade for the course calculates to a failing grade, the student, in concert with the teacher, may seek administrative approval for a passing grade if extenuating circumstances exist that lead to the failing grade. These circumstances must be shared with administration no later than two (2) weeks after the grading period concludes.

B. **Grade Equivalency Table:**

Letter Grade	Percentile Equivalent	Grade Point Equivalent	Weighted Grade Point Equivalent for Advanced Placement (AP) Courses only
A	92-100%	4.0	5.0
A-	90-91%	3.6	4.6
B+	88-89%	3.4	4.4
B	82-87%	3.0	4.0

Letter Grade	Percentile Equivalent	Grade Point Equivalent	Weighted Grade Point Equivalent for Advanced Placement (AP) Courses only
B-	80-81%	2.6	3.6
C+	78-79%	2.4	3.4
C	72-77%	2.0	3.0
C-	70-71%	1.6	2.6
D+	68-69%	1.4	1.4
D	62-67%	1.0	.00
P	Pass	Not factored in GPA	Not factored in GPA
AU	Audit	Not factored in GPA	Not factored in GPA
I	Incomplete	Not factored in GPA	Not factored in GPA
W	Withdrawl	Not factored in GPA	Not factored in GPA

Key:

Pass "P" - A pass grade can be used only for courses taken abroad, courses set up on a pass/fail contract through administrative approval, and courses designed to be pass/fail through an IEP, 504 Plan, ELL Plan, or At-Risk Plan. A "P" pass grade allows the student to earn the credit toward graduation, but is not factored into his/her GPA.

Audit "AU" - A student may choose to audit a class with prior approval through the teacher and administration. A student auditing a class earns no credit toward graduation and no points are factored into the GPA. The grade "AU" intent is for this student to benefit from learning the material in the course as enrichment. An example might be: a. A student with work skills who audits the course semester 1, and then may choose to take the course semester 2 for credit. b. A student passes a class. They earn credit, but do not feel ready for the next course in the sequence (i.e. geometry to advanced algebra). This student may choose to audit a course they already passed.

Incomplete "I" - An incomplete grade is a temporary grade. Students do not earn credit for incomplete grades and an "I" is not factored into their GPA. a. Use "Incomplete" in cases of extended illness at end of quarter, if a student misses the exam or has not completed the requirements for completion of the course, or as per administration. An incomplete grade should be changed to a grade within two weeks unless approved otherwise by administration.

Withdrawal "W" – A withdrawal grade indicates the student was in the course, but for an approved reason dropped the course. This student receives no credit and a "W" is not factored into GPA.

C. **Courses Included/Not Included in GPA and Class Rank**

Any course whose semester grades factor into GPA will also be factored into class rank.

1. **Courses Included in GPA/Class Rank:** Courses counted towards a student's GPA/class rank include all courses offered at Jefferson High School as a regular part of the curriculum, independent studies, and courses that follow an IEP, a 504 Plan, an At-Risk Plan, and/or an ELL Plan.

2. **Courses Counted for Credit but Not Included in GPA/Class Rank:**

    a. Web-based courses, with the exception of those offered through JEDI or District approved alternative curriculum.

    b. Correspondence courses

    c. Youth Options courses

    d. Courses taken for high school credit during 8th, 7th, 6th, etc., grades

    e. Courses taken abroad

    f. Independent studies involving courses not described in the high school course description catalog

    g. Pass/Fail courses

h. Courses not described in the high school course description catalog

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ag5451A

RECOGNITION OF STUDENT ACHIEVEMENT

5451A - **RECOGNITION OF STUDENT ACHIEVEMENT**

Each principal, in collaboration with appropriate staff, is to prepare a list of achievements by students in curricular, co-curricular, and extra-curricular activities that will qualify the student for special recognition by the school and possibly by the Board of Education.

Each school may submit to the District Administrator at any time, recommendations that the Board provide special recognition to any student or group of students who demonstrate unusual accomplishment.

Honor Rolls

Each school shall establish an honor roll to publicly recognize high academic achievement. Standards for selection to the honor roll and procedures for computation of averages are the responsibility of the Director of Teaching and Learning and should be developed so the same criteria and standards are used throughout the District.

The honor roll lists are to be published in school and community newspapers when possible.

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ag5451B

ATHLETIC AWARD REQUIREMENTS

5451B - **ATHLETIC AWARD REQUIREMENTS**

The requirements for Athletic Awards are to be developed by each head coach and submitted to the Athletic Director for review and approval. Such requirements must be reviewed with participating students prior to the beginning of the season.

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ag5463

STUDENT AND CREDIT TRANSFER FROM NONPUBLIC SCHOOLS

5463 - **STUDENT AND CREDIT TRANSFER FROM NONPUBLIC SCHOOLS**

The following procedures govern the District's process of enrolling students transferring from a non-public school program.

A. **Initial Enrollment Procedures**

1. **Student Transfer from Non-Public School**

Whenever a student seeks to transfer into the District from a nonpublic school, other than a home-based private education program or program not certified or licensed by the applicable State education agency, the following procedures should be used to determine the student's proper grade placement or credits toward graduation.

a. Identify the grade level that the student's age would indicate is the likely grade placement.

b. Review the courses of study for that grade to determine the critical learnings that would be prerequisite for success at subsequent grade levels or courses.

c. Review the student's performance (if available) on tests and/or other means of assessment that were used to assess the student's learning while participating in the nonpublic school. Determine whether the critical learnings identified in the District's courses of study were properly assessed and, if so, how well the student has achieved each critical learning.

d. If no prior assessment data is available, identify which tests (standardized or District-made), as well as other means of assessment (research project, term paper, and the like), could be used to assess the student's achievement of the critical learnings and arrange for the student to be assessed.

e. If the assessment so indicates, assign the student to the grade or course level suggested at the first step (with or without special assistance).

f. Make arrangements for any form of special assistance that will be needed for the student to succeed at that level.

g. If the assessment indicates that another grade or course level is more appropriate, register the student in that grade or course level and make whatever arrangements are necessary to provide for any needed assistance indicated by the assessment.

2. **Student Transfer from Home-Based Private Educational Program or Other Nonapproved Program**

The following applies to students who are transferring from a home-based private educational program, nonchartered religious school, or foreign school. It does not apply to any school that has been approved or licensed by the Department of Public Instruction or by another State's education agency in which the school is located.

a. The parent is to submit to the building principal written notification of the intent to enter the school no later than ten (10) school days prior to the expected date of enrollment.

b. The pupil services team is responsible for conducting a thorough placement study including an assessment of current learnings relative to each course of study (see item "b" above). The placement study should also include a review of information provided by the parent such as student achievement data, standardized test scores, topics studied, resources used, and samples of student work and accomplishments. It should also include a comparison with the criteria established for private schools under Wis. Statute 118.165, Wis. Stats. No student is to be placed in any school or grade without a written placement review.

c. A final meeting with the parent and student shall be scheduled to review the District's assessment results, establish credits (if applicable), and discuss placement.

d. In the event the advance notice is not provided, a temporary placement decision may be made by the building principal or designee while the placement review is conducted. The parent is to be informed of the District's placement review procedure.

e. Prior to placement, the parent must complete normal enrollment procedures as outlined in AG 5111 - Admission to the District.

f. A parent may request, during the placement procedure, that the child participate in special education programming. If so, the District's special education identification and evaluation procedure is to be followed. If there is no conclusive evidence that special education testing should be initiated or if the student does not qualify, the 504 evaluation procedure (2260.01A - Section 504/ADA Parents' Procedural Rights, Including Due Process Hearing) may be applicable or the school problem solving Team may be notified prior to student placement.

g. If the District's assessment of a student indicates mastery of curriculum objectives that far exceed the normal age/grade placement, and whose standardized test scores indicate qualification for gifted education, the student may be referred to the Advanced Learning Coordinator for placement.

B. **Additional Procedures for Enrollment of any Non-Public School Transfer Student (including Home-Based Private Educational Program Students)**

1. **Admission to Kindergarten Through Grade Eight**

Placement into a grade shall be made in accordance with the following:

a. age appropriateness

b. data resulting from the assessment procedure described above (i.e., - Student Transfer from Non-public Schools, Student Transfer from Home-Based Private Educational Program or Other Nonapproved Program);

c. results of the examination of the student's most recent annual academic assessment report which shall include one (1) of the following:

1. results of a nationally-normed, standardized achievement test;

2. written narrative indicating that a portfolio of the student's work has been reviewed and the student's academic progress for the year is in accordance with the student's abilities;

3. and the District's applicable courses of study.

d. review of previous regular education program records, if any, to check last grade placement;

e. results of competency tests at the appropriate grade level(s) to measure achievement of performance objectives in each applicable subject.

2. **Admission to Grades Nine Through Twelve**

Placement into each subject (e.g. English) shall be made based on:

a. age appropriateness;

b. data resulting from the assessment procedure described above (i.e., - Student Transfer from Non-public Schools, Student Transfer from Home-Based Private Educational Program or Other Nonapproved Program);

c. results of examination of the student's most recent annual academic assessment report which shall include one (1) of the following:

1. results of a nationally normed, standardized achievement test in the subject area;

2. a portfolio of the student's work that demonstrates the student has developed the knowledge and skills at the previous grade level to the one the student should be placed in based on age;

d. review of previous regular education program records, if any, to check last grade placement;

e. results on the appropriate competency tests or normed, criterion-references test in the subject area, if applicable to the grade placement.

Procedures for Receiving Credits

In accordance with Board Policy 5463 - Credits from Nonpublic Schools, no letter or number grades will be recorded for courses for which credit is granted. Credit will be issued on a pass/fail (P/F) basis and the transcript will indicate "transfer" credit. The credit will be recognized for high school graduation requirements. Students entering school at any point following the conclusion of the first grading period will be evaluated on a pass/fail basis for competency in the coursework dealt with during the grading period(s). Credits obtained by the student while enrolled in a non-public school program but obtained through courses offered in the District's schools pursuant to Policy 9270 - Home-Based, Private, or Tribal Schooling, shall be afforded the credit associated with them as would be provided to any District enrolled student at the time.

The maximum number of credits a student may receive for each year of academic study will be evaluated by the counselors in accordance with local criteria.

Procedures for Determining Grade Point Average (GPA)/Class Rank/Transcripts:

A. Students entering the high school shall have no established grade point average (GPA) or class rank until they have completed two (2) consecutive semesters.

B. Inclusion of the student in graduation honors such as Valedictorian shall occur if the student has been enrolled for two (2) consecutive semesters prior to senior year.

Graduation and Commencement Exercises

Before a diploma will be presented, the student must meet all of the Board's graduation requirements. (See Board Policy 5460 - Graduation Requirements).

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ag5464

EARLY GRADUATION GUIDELINES

5464 - **EARLY GRADUATION GUIDELINES**

A. **Early Graduation**

1. **After Seven (7) Semesters**: If a student desires to graduate early after seven (7) semesters of high school, then the student must submit his/her application for early graduation to the high school principal between July 1 and September 1 preceding the January graduation. This allows the early graduation committee time to consider the grades from all semesters through the past spring semester.

2. **After Six (6) Semesters**: If a student desires to graduate early after six (6) semesters of high school, then the student must submit his/her application for early graduation to the high school principal immediately after the fourth semester of grades are determined but prior to December 1. This allows the early graduation committee time to consider the grades from four (4) semesters with two (2) remaining.

B. The student must complete all graduation requirements as identified in Board Policy 5460.

C. The student must present a detailed plan of how the student will complete any/all remaining credits required for graduation that the student must complete in his/her final semester(s).

D. A written and set plan must be provided demonstrating the student's plans for work, postsecondary education, military or other similar plans. Supporting documentation must be provided upon request confirming these set plans. For example, if the student is planning to attend a four-year university a semester early, an acceptance letter from the university indicating the university's approval for the student to start a semester early may be required.

E. A review board consisting of the high school principal, the student's counselor, and the superintendent or his/her designee will review the merits of each application. The review board shall either recommend or deny the approval of the request for early graduation. Applications that are denied advancement for school board consideration may be appealed through a formal request to the school board. The school board then takes final action.

F. Students who are granted early graduation cease eligibility in clubs, sports, and co-curricular activities at the end of their final semester in school attendance.

G. Students who graduate after six (6) semesters shall cease eligibility for class rank and scholarships. Students who graduate after seven (7) semesters still qualify for class rank but may cease eligibility for scholarships. Their eligibility will be determined based on the individual scholarship stipulations.

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ag5500

STUDENT CODE OF CLASSROOM CONDUCT

5500 - **STUDENT CODE OF CLASSROOM CONDUCT**

Introduction

The District is committed to maintaining an orderly and safe academic atmosphere. Teachers are expected to create a positive learning environment and to maintain proper order in the classroom. Students are expected to behave in the classroom in such a manner that allows teachers to effectively carry out their lessons and allows students to participate in classroom learning activities. Students are also expected to abide by all rules of behavior established by the Board, the administration, and their classroom teachers.

To ensure adherence to these expectations and principles, the Board has adopted this Student Code of Classroom Conduct, which applies to all students. The Code of Classroom Conduct was developed in consultation with a committee of School District residents consisting of parents, students, members of the Board, school administrators, teachers, pupil services professionals, and other residents of the District appointed to the committee by the Board.

The Code of Classroom Conduct will be reviewed periodically.

Grounds for Removal of a Student From Class

Generally, standards for student conduct throughout the schools of the District should be the same. However, each school is expected to specify particular rules and procedures suited to the specific needs of the school.

Disturbances that interrupt the learning process cannot be permitted by any teacher. A rule of reason, restraint and understanding applied to any difficult situation will go furthest is resolving such matters. However, there may be circumstances that are most effectively addressed by removing a student from class. Removal may serve many purposes. Removing a student from class may eliminate disruption and give the student time to consider the wisdom of the student's actions. Addressing inappropriate behavior by removing a student from class may also avoid imposing more substantial disciplinary measures such as suspension or expulsion.

A teacher may temporarily remove a student from the teacher's class if the student violates the Code of Classroom Conduct. Additionally, the student may be removed from the class for a longer period of time within the discretion of the Principal. A student removed from class may also be placed in an alternative education setting.

Removal of a student from class for violating the Code of Classroom Conduct or placement of the student in an alternative educational setting does not prohibit the District from further disciplining the student for the conduct that caused removal or placement including, but not limited to, suspending or expelling the student.

It is neither possible nor necessary to specify every type of improper or inappropriate behavior for which a teacher may remove a student from class. Provided below, however, are examples of reasons a student may be removed from class. A teacher may remove a student from class for conduct or behavior that:

A. would result in suspension or expulsion under the Board's policies and administrative guidelines;

B. violates the behavioral rules and expectations in the Student Handbook;

C. is dangerous, disruptive, or unruly;

D. interferes with the ability of the teacher to teach effectively;

E. shows disrespect or defiance of the teacher, exhibited in words, gestures or other behavior;

F. is inconsistent with class decorum and the ability of others to learn.

1. possession or use of a weapon or look-alike or other item that might cause bodily harm to persons in the classroom;

2. being under the influence of alcohol or a controlled substance(s) or otherwise violating the District alcohol and drug policy;

3. behavior that interferes with a person's work or school performance or creates an intimidating, hostile, harassing, or offensive classroom environment;

4. arguing, taunting, baiting, inciting or encouraging an argument or disruption or group posturing to provoke altercations or confrontations;

5. disruption or intimidation caused by gang or group symbols or gestures, or gang or group posturing to provoke altercations or confrontations;

6. pushing, striking, or other inappropriate physical contact with a student or staff member;

7. interfering with the orderly operation of the classroom by using, threatening to use, or counseling others to use violence, force, coercion, threats, intimidation, fear, or disruptive means;

8. dressing or appearing in a manner that presents a danger to health or safety, causes interference with work, intimidates students or staff, or creates classroom disorder;

9. restricting another person's freedom to properly utilize classroom facilities or equipment;

10. repeated classroom interruptions, confronting staff, making loud noises, or refusing to follow directions;

11. throwing objects in the classroom;

12. repeated disruptions or violations of classroom rules, including disruptive talking;

13. behavior that causes the teacher or other students fear of physical or psychological harm;

14. willful damage to or theft of school property or the property of others;

15. repeated use of profanity;

16. possession of personal property prohibited by school rules or otherwise disruptive to the teaching and learning of others.

Procedure For Student Removal From Class

When a student is removed from class, the teacher shall send or escort the student to the Principal (or his/her designee) and inform the Principal of the reason for the student's removal from class. The teacher shall provide the Principal with a written explanation of the reasons for removal of the student within twenty-four (24) hours of the student's removal from class.

The Principal should give the student an opportunity to briefly explain the situation. The Principal shall then determine the appropriate educational placement for the student.

Student Placement

The Principal shall place the student, who has been removed from a class by a teacher, in one (1) of the following alternative educational settings:

A. an alternative education program approved by the Board under State law;

B. another instructional setting, time-out, in-school suspension or out-of-school suspension; or

C. the class from which the student was removed if, after weighing the interests of the student, the other students in the class, and the teacher, the Principal determines that readmission to the class is the best or only alternative.

When making the placement decision, the Principal should consider all relevant factors including, but not limited to, the following:

A. the reason the student was removed from class;

B. the severity of the offense;

C. the type of placement options available;

D. the estimated length of the placement;

E. the student's individual needs and interests;

F. the student's previous behavior in class (repeat offenders); and

G. the relationship of the placement to other disciplinary actions such as suspension or expulsion.

The Principal may consult with other school personnel and the student's parents as deemed necessary when making or evaluating the placement decision. All placement decisions shall be made consistent with Board policies and procedures.

Parent Notification Procedures

The Principal shall provide the parent of a student removed from class with written notice of the removal and the reason(s) for the removal. The notification shall be made as soon as practicable, but no later than two (2) school days after the student's removal from class. The notice shall also include the reasons for the student's removal and the placement made by the Principal. If the removal from class and change of educational placement involves a student with a disability, the parent notification shall be made consistent with State and Federal laws and regulations applicable to disabled students.

If the student removed from a class is subject to disciplinary action up to and including suspension or expulsion, for the particular classroom conduct and/or other disciplinary incidents, the parent shall also be notified of the disciplinary action in accordance with legal and policy requirements.

Recordkeeping

A record of a student's misconduct as well as disciplinary actions and suspensions and expulsions are to be made a part of the student's permanent record until the student leaves the school and such record(s) are to be released in accordance with AG 8330 - Student Records.

Students With Disabilities

A student with a disability under the Individuals With Disabilities Education Act, Section 504 of the Rehabilitation Act, and Section 115.758, Wis. Stats. may be removed from class and placed in an alternative educational setting only to the extent authorized under law. Where this Administrative Guideline conflicts with State or Federal law, the law shall govern.

Definitions

"Student" means any student enrolled in the District, an exchange student, or a student visitor to the District's schools.

"Teacher" means a person holding a license or permit issued by the State Superintendent whose employment by a school district requires that s/he hold that license or permit.

"Class" or "classroom" means any class, meeting or activity which students attend, or in which they participate while in school under the control or direction of the District. This definition of "class" includes, without limitation, regular classes, special classes, resource room sessions, labs, library time, counseling groups, assemblies, study halls, lunch, or recess. "Class" also includes regularly scheduled District-sponsored extra-curricular activities, either during or outside of school hours. Such activities include, by example and without limitation, District-sponsored field trips, after-school clubs, and sporting activities.

Non-Discrimination

The District will not discriminate in standards and rules of behavior, or disciplinary measures, including suspension and expulsion, on the basis of sex (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or State civil rights law (hereinafter referred to as "Protected Characteristics").

Parental and Student Notification

The District shall provide students and parents with access to the Student Handbook, that includes the Student Code of Classroom Conduct, at the beginning of each school year.

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DRESS AND GROOMING

5511 - **DRESS AND GROOMING**

Each principal, in consultation with his/her staff, shall develop and publish in the Student Handbook a dress code which complies with Board Policy 5511. The code should delineate what types of clothing or manner of clothing does **not**comply with Board policy and **why**such clothing or manner of wear is not permitted.

It is essential that any such restriction on students also applies to District office administrators, building administrators, and all professional staff so that District leadership of students is by example.

The appeal procedure shall include:

A. a written request to the District Administrator.

B. a conference with the student and if the student is a minor with the student and his/her parent(s).

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USE OF TOBACCO AND NICOTINE BY STUDENTS

5512 - **USE OF TOBACCO AND NICOTINE BY STUDENTS**

Board Policy 5512 - Use of Tobacco and Nicotine by Students recognizes that the use of tobacco products, as well as other nicotine delivery systems, such as electronic smoking devices, are a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is acutely aware of the serious health risks associated with the use of these products, both to users and non-users, and that their use or promotion on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff, and visitors.

Ceremonial Tobacco

The Administration recognizes that some nicotine usage has a cultural significance, particularly within Indigenous communities. Nothing in these guidelines is intended to infringe upon the legitimate exercise of cultural beliefs or ceremonial representations. In the event of a potential conflict between the Board's policy prohibiting the use or possession of nicotine-containing products and a student's exercise of cultural traditions, the Administration shall consult with appropriate tribal representatives to apply this guideline and Board Policy 5512 - Use of Tobacco and Nicotine by Students in a manner that respects such cultural significance.

Implementation and Accountability

Responsibility for the oversight and implementation of Board Policy 5512 - Use of Tobacco and Nicotine by Students is the responsibility of all staff. enforcement processes are delegated to the Principal and Pupil Services Department. The District administration may review data and policy initiatives to inform decisions related to the improvement of enforcement efforts.

Notification To The Public

The District may inform students, staff, caregivers, and the public, in the student handbook, about the existence of the policy.

Tiered Approach to Violations of the Policy

Any student violating Board Policy 5512 - Use of Tobacco and Nicotine by Students may be subjected to disciplinary action. In addition, the District recognizes the addictive qualify of nicotine and therefore the value in supporting students through education and cessation efforts in any students' efforts to cease use of tobacco or other products containing nicotine.

Community Partners

To support students in abstaining from or reducing tobacco product use and complying with Policy 5512 - Use of Tobacco and Nicotine by Students, the district may consult with health insurers, the local public health department, and/or other community-based organizations to provide information about and access to free or low-cost evidence-based programs and services for tobacco prevention and cessation.

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CARE OF PROPERTY

5513 - **CARE OF PROPERTY**

The following guidelines shall be followed to ensure proper implementation of Board of Education policy.

A. **Furniture and Equipment**

1. Furniture or equipment is not to be moved from its assigned location without the permission of the principal.

2. Students shall operate school equipment only when authorized by the principal or supervising staff member and only if the student has been properly trained in both the operating and safety procedures associated with the equipment.

B. **Personal Property**

From time-to-time students and teachers use personal equipment to enrich the educational program. It is the teacher's responsibility to inform his/her principal so that arrangements can be made for safekeeping such property. The District is not responsible and cannot obtain insurance to cover such property. All such equipment shall be inspected to ensure its safety for classroom use.

C. **Security Deposit**

Each year, each student shall be required to maintain a deposit as security for any loss or damage to District property and equipment. The amount of the deposit shall be determined by the principal. The deposit balance is to be returned to the student at the close of the school year or when the student transfers or withdraws from the school.

D. **Textbooks**

1. Teachers shall keep a written account of all textbooks issued to students. The accounting shall include the following:

   a. name and number of book

   b. condition

   c. student's name

   When textbooks are returned at the end of the school year, they shall be checked against the record.

2. In the case of the students being graduated, no student may participate in graduation activities until all obligations are met.

Parents and adult students shall be liable for any damages to or loss of school property caused by the student.

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OPERATION OF VEHICLES ON DISTRICT PROPERTY

5515 - **OPERATION OF VEHICLES ON DISTRICT PROPERTY**

A detailed description of the rights and responsibilities concerning student use of motor vehicles is contained in the high school student handbook. The Motor Vehicle Code and the following guidelines apply to anyone who drives a vehicle onto District property.

A. Vehicles are to be operated on designated roadways and parking lots only. Drivers are prohibited from driving or parking on any natural areas of District property without the consent of the Building Principals.

B. Students shall complete an application for a parking permit to receive the privilege of parking on District property during the school day. Parking on District property, if approved, is a privilege. If abused in any way, it may be revoked at any time.

   If a student's parking permit is suspended or revoked, no fees will be refunded. Failure to comply with these administrative guidelines may result in loss of privileges and/or disciplinary actions for the student.

   In the event a vehicle is found to be parked or used improperly, the District may take one or more of the following actions:

   1. Prohibit the person from driving on District property.

   2. Contact the police to have the vehicle towed from the premises at the operator's expense.

   3. Invoke disciplinary procedures as described in the Student Handbook, staff handbook.

   4. Seek the assistance of law enforcement.

C. The District shall not be responsible for any vehicle or items in a vehicle that are lost, stolen, or damaged as a result of being on District property.

When transportation is available through the District, participating students shall not drive to school-sponsored activities unless written permission is granted by their parents and approved by the principal.

No other students are allowed to be driven to a school-sponsored activity by the approved student driver without a note from parents granting permission and approval by the principal.

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ag5520

STUDENT DISORDER

5520 - **STUDENT DISORDER**

Emergency Procedures for Handling Student Disorder

How effectively the building principal handles a disturbance depends frequently upon the speed and type of action which is taken. Hopefully, this plan will assist the principal in making effective and timely responses. The following guidelines will be useful in either preventing student disorder or managing it properly if it occurs.

During any student crisis, the building principal shall be in charge of the situation. The District Administrator may be called to advise and counsel but, the principal shall serve as the spokesperson during the crisis period.

A. **Guidelines for Teachers**

1. Be alert to any deviation from normal group behavior.
2. Notify the principal immediately if information is received about a possible demonstration or other student unrest.
3. Conduct classes as usual; the majority of the students will remain in class.
4. Withhold comments about the demonstration until the facts are known.
5. Stand in the corridor at the change of classes and help clear the halls for orderly passage.
6. Be prepared to provide assistance if requested by the principal.
7. If possible, avoid physical contact with students during the time of incidents.
8. In the event of a demonstration, each teacher shall provide the principal with as many names of demonstrators as s/he can identify

B. **Guidelines for Principals**

1. **Serious Disorders**

   Involve immediate threat to the safety of persons and/or the destruction of property. Refer to District Crisis Response Plan for guidelines.

2. **Student Boycott, Sit-Ins or Other Forms of Passive Resistance**

   This situation assumes that no immediate crisis exists which endangers life or property and that some "lead time" is available.

   a. Notify the District Administrator's office immediately indicating the nature and size of the disturbance.

   b. Refer to District Crisis Response Plan for guidelines.

   c. If students trespass, loiter, or remain in the building or upon the grounds of any school against the directions of the building principal, s/he may contact law enforcement authorities.

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ag5530

DRUG PREVENTION

5530 - **DRUG PREVENTION**

In implementing Policy 5530, appropriate District personnel and resources will be assigned to accomplish the following:

A. emphasize the prevention of drug use;

B. provide for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:

1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;

2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;

3. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;

4. promotes positive emotional health, self-esteem, and respect for one's body;

5. meets the minimal objectives as stated in the essential performance objectives for health education as established by the Wisconsin Department of Public Instruction;

C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;

D. provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;

E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions;

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.

F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;

G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;

H. require the notification to parents and students that compliance with the standards of conduct is mandatory;

I. provide a biennial review of the School District's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;

J. provide for a student assistance program which includes guidelines for preventive, intervention, referral, treatment, and after-care. Such a program must be comprehensive in nature addressing all issues affecting students' academic, social, and emotional well being in the educational setting which may negatively affect behavior and interfere with their ability to learn;

K. establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in school and ensure that the District's Policy 5610 and Policy 5771 and AG 5610 and AG 5771 on Search and Seizure and Suspension and Expulsion are complied with fully.

Professional staff members are not liable for referring a student to law enforcement or for removing a student from school premises or from participation in a school-related activity for suspicion of possession, distribution, or consumption of any alcoholic beverage or a controlled substance.

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ag5540

RELATIONSHIP WITH GOVERNMENTAL AGENCIES

5540 - **RELATIONSHIP WITH GOVERNMENTAL AGENCIES**

On occasion, principals will need assistance from law enforcement but should avoid unnecessary and inappropriate law enforcement involvement. Principals are expected to be proactive in calling law enforcement when necessary, and not to leave the decision to the discretion of other staff members, except by delegation in their temporary absence. The situations listed below are examples of situations in which it is appropriate to call law enforcement. The District Administrator should be advised of any such situation as soon as feasible.

A. refusal of a person to leave school property after being requested to do so by the appropriate school authority;

B. willful destruction of school property--particularly if the District is likely to seek restitution;

C. theft--particularly if items are of value and insurance claims will be filed;

D. obvious crime;

E. arson;

F. assaults or serious fighting--if not controlled or if serious injury results;

G. forgery--if assistance is needed in determining whether it is forgery;

H. possession of a dangerous weapon;

I. possession of alcohol or drugs;

J. sale or distribution of controlled substances;

K. blackmail, threatening, or extortion of students or staff members;

L. bona fide threat against a person's life or threats of terrorist acts, bomb scares, etc.;

M. illegal or inappropriate operation of a motor vehicle;

N. child abuse or molestation;

O. mass walkout from or sit-in on school property--if not controlled or if property damage or personal injury result;

P. setting off firecrackers, pulling fire alarms and similar behaviors;

Q. a student leaving school property without permission, a missing person situation, or a self-inflicted injury by a student.

Interview Procedures

School officials stand **in loco parentis** (in place of the parent) in respect to the child. This will require the Administrator to strive to maintain a standard of care and concern similar to that of a parent.

A. All attempts to notify the parent(s) should be documented according to District procedures.

B. Law enforcement and other governmental authorities should investigate alleged law violations off of school property if at all possible. The investigation can take place immediately on school property, at the request of the principal, if the alleged law violation took place on school property or at a school-related event.

C. When law enforcement or other governmental authorities arrive at the school and wish to interview a student or investigate an alleged law violation, they will contact the principal indicating the nature of their investigation and their desire to question a student or students. Access will be granted consistent with Policy 5540 - The Schools and Governmental Agencies or Policy 5540.01 - Investigations Involving Suspected Child Abuse.

D. If the principal concurs that the questioning is appropriate, s/he will send for the student, move him/her to an unoccupied room and, if appropriate and a parent is not present, remain in the room during the questioning. If the situation involves suspected child abuse or an emergency requiring prompt action, notification of parents will be determined by the investigator (see also the investigation procedure in AG 8462 – Mandatory Reporting of Child Abuse or Neglect and Threats of Violence).

E. Should a student be taken into custody or removed from the school premises by law enforcement, the principal shall attempt to notify the student's parents as soon as practicable.

T.C. 5/20/24

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ag5605A

DISCIPLINING A 504 STUDENT

5605A - **DISCIPLINING A 504 STUDENT**

If a student disabled under Section 504 violates the Code of Conduct and is subject to suspension of more than ten (10) days and has been provided notice of expulsion, a meeting of the student's 504 Team will be convened to determine whether or not there is a causal relationship between the behavior and the disability. A causal relationship exists when the conduct in question is caused by or has a direct and substantial relationship to the child's disability.

When a student with a Section 504 plan is suspended for more than ten (10) non-consecutive days in a school year, the District will determine whether the series of removals is a pattern of removal and, therefore, a significant change of placement requiring a review of the relationship between the conduct and the student's disability. In determining whether a series of suspensions each shorter than ten (10) days has resulted in the aggregate in a pattern of removal (and, therefore, a significant change of placement), the District will consider whether the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in removals, the length of each removal, the proximity in time of the removals to one another, and the total amount of time the child is excluded from school. The District will make this determination on a case-by-case basis, and will notify the parents of their right to challenge the determination through an impartial due process hearing that conforms with the procedural requirements of 34 C.F.R. 104.36.

Prior to such a meeting, the principal shall ensure that a recent evaluation (not more than one (1) year old) is available for use by the Team to help them determine causal relationship. If no recent evaluation is available, then one is to be completed prior to the conference.

If the 504 Team determines that there is no causal relationship between the behavior and the disability, the disabled student may be suspended or expelled using the procedure described in AG 5610 - Suspension/Expulsion of Nondisabled Students.

If the 504 Team establishes a causal relationship between the behavior and the disability, then the student may not be suspended for more than ten (10) days in a school year and may not be expelled.

Emergency removal of a 504 student from his/her current placement may take place through parental agreement to an interim placement or through injunctive relief from a court, when the current placement presents a substantial likelihood of resulting in injury to the student or others.

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ag5605

DISCIPLINING STUDENTS WITH DISABILITIES

5605 - **DISCIPLINING STUDENTS WITH DISABILITIES**

When the behavior of a student who is eligible under the IDEA is such so as to justify serious disciplinary action, school personnel may consider any unique circumstances, on a case-by-case basis, when determining whether to order a change in placement for a student with a disability who violates a code of student conduct. When a student violates the school's code of conduct, the school must consider whether the disciplinary removal will result in a change in placement. Generally, a student may be subject to in-school or out-of-school suspension for a cumulative total of ten (10) school days in any one (1) school year without resulting in a change of placement and without having to provide services during the suspension. Federal law permits a suspension of ten (10) consecutive school days for one (1) incident. However, Wisconsin law only allows for a five (5) consecutive school day suspension, which may be extended an additional ten (10) school days if a notice of expulsion hearing has been sent to the student and the parents. If the disciplinary removal is for more than ten (10) consecutive school days, or otherwise results in a change of educational placement, the School District must conduct a manifestation review, as discussed below.

Under certain circumstances, the student may be unilaterally placed in an Interim Alternative Education Placement, for possession of a weapon or illegal drugs at school, or for inflicting serious bodily harm on another while at school. The third form of disciplinary action is expulsion from school. Each will be dealt with in the following guidelines.

Short-Term Removals/Suspensions

The Principal may remove a student from his/her current placement for short-term periods not to exceed five (5) consecutive school days, or ten (10) consecutive school days if a notice of expulsion is sent (see "expulsion" below), for one (1) incident during the school year. If the total cumulative school days exceeds ten (10) days during a school year, services must be provided. Such short-term suspensions from a program are not considered a change in educational placement unless they produce a pattern, and generally, the procedural safeguards associated with the change of placement are not required. The local educational agency (LEA) representative, however, should stay alert to the possible need to convene a student's IEP Team to review the appropriateness of the current IEP and its implementation and to determine whether or not the behavior and its frequency creates the need for, or review of, a Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP) (see below). An FBA and BIP should be used proactively to address behavior concerns prior to discipline; this policy addresses the required use of a FBA or BIP in the context of discipline.

Interim Alternative Educational Placement

A student may be placed in an Interim Alternative Educational Setting (IAES) under one of the following conditions:

A. an IAES has been made a part of the student's IEP;

B. the student has been found to possess or carry a weapon, or possess or use illegal drugs, or sell or solicit the sale of a controlled substance, or inflict serious bodily injury upon another person while at school, on school premises or at a school function (see below);

The District LEA may unilaterally place a student in an IAES for forty-five (45) school days, regardless of whether the behavior was a manifestation of the student's disability if the student is found to have engaged in any of the conduct listed in paragraph B, above. For the purposes of paragraph B, the following definition shall apply:

1. the definition of "weapon" is as specified in Policy 5772 - Weapons;

2. the definition of "serious bodily injury" is as follows: The term "serious bodily injury" means bodily injury which involves a substantial risk of death; extreme physical pain, protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ, or mental faculty;

3. the definition of "controlled substance" is as follows: The term "controlled substance" means a drug or other substance identified under schedule I, II, III, IV or V in Section 812(c) of Title 21 of the U.S. Code;

4. the definition of illegal drug is as follows: The term "illegal drug" means a controlled substance but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

The IEP Team should determine the IAES and it should be a more restrictive placement in which the IEP goals may be served. On the day a student is placed in an IAES for violation of the weapon or drug provision, the LEA representative shall notify the

parents of the decision and provide the parents with a copy of the procedural safeguards to which they are entitled (use the procedural safeguards produced by the Department of Public Instruction).

If the student engages in conduct which will result in a change in placement to an IAES (including a unilateral forty-five (45) school day placement under paragraph B), the student's IEP Team must be convened no later than ten (10) school days after the decision to change the student's placement to conduct a manifestation determination (see below).

If the parents appeal a student's placement in an IAES under this section, the student shall remain in the IAES placement pending the decision of a hearing officer or until the expiration of the forty-five (45) school day placement, whichever occurs first, unless the parents and the LEA agree otherwise.

C. the student is considered to be dangerous to oneself and/or others as determined by an independent hearing officer through an expedited due process hearing. The IEP Team may, however, choose to go directly to circuit court to obtain authority to remove a student to an IAES without involving a hearing officer.

If the LEA believes that maintaining the current placement of a student is substantially likely to result in injury to the student or to others, the LEA may request a hearing to initiate a change in placement. If the hearing officer finds that maintaining the current placement of a student is substantially likely to result in injury to the student or to others, the hearing officer may order a change in placement to an appropriate IAES for forty- five (45) school days.

In requesting an expedited hearing under this section, the LEA representative will provide the hearing officer with sufficient data for the hearing officer to determine that:

1. the school has demonstrated that keeping the student in the current placement would prove substantially likely to result in injury to the student or to others;

2. the current placement is appropriate;

3. the school has made reasonable efforts to minimize the risk of harm in the current placement, including the use of supplementary aids and services;

4. the IAES meets the following requirements:

    a. it has been designed by the student's IEP Team;

    b. it will enable the student to continue to participate in the general curriculum, although in another setting, and continue to receive the related services and modifications in the student's IEP that are designed to enable him/her to meet the IEP goals;

    c. it includes services and modifications designed to address the behavior which caused the request for the IAES or any other behavior that results in the student being removed from the student's educational placement.

    The services and modifications must be so designed as to prevent the behavior from recurring.

If the student has been placed in an IAES by a hearing officer because of danger to the student or others, the student is to continue in that placement pending the outcome of any appeal hearing or the expiration of the forty-five (45) school days, whichever happens first. If the forty-five (45) school day placement expires prior to a decision by the hearing officer concerning the causal relationship dispute, the school may ask for an expedited hearing in order to determine whether the student should continue in another forty-five (45) school day interim alternative educational placement. The school cannot unilaterally lengthen a forty-five (45) school day placement.

Should the student's behavior be so serious that the IEP Team believes that the student cannot continue to be educated in a public school setting, and the parents agree, a forty-five (45) school day IAES may be used to determine if other services within the community or in a residential setting could appropriately address his/her needs.

Expulsion

If the District Administrator recommends that the student should be expelled from school, the parents and student are to be notified in writing of the request for an expulsion hearing, accompanied by a notice of parental rights, which delineates all of the rights and procedural safeguards to which the parents and students have access in connection with an expulsion hearing. Within ten (10) school days following the decision to seek expulsion, the IEP Team is to convene to conduct a manifestation determination to determine if the misconduct is related to the student's disability (see below).

Manifestation Determination

Whenever the District contemplates changing the placement of a student with a disability because of a violation of the code of student conduct, the LEA must determine whether the conduct subject to discipline is a manifestation of the student's disability. Within ten (10) school days of any decision to change the placement, the LEA, the parents, and relevant members of the IEP Team (as determined by the parents and the LEA) shall review the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine:

A. if the conduct or multiple separate incidents of conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or

B. if the conduct in question was the direct result of the LEA's failure to implement the IEP.

If the LEA, the parents and the relevant members of the IEP Team determine that either of the above statements are applicable for the student, the conduct shall be determined to be a manifestation of the student's disability. If it is determined that the conduct was a manifestation of the student's disability, then the IEP Team shall:

A. conduct an FBA and implement a BIP (see below), provided that the LEA has not conducted such an assessment prior to the behavior that resulted in change in placement.

B. if a BIP has previously been developed, the LEA will review the BIP and modify it as necessary to address the behavior.

The student must be returned to the placement from which the student was removed, unless the student is subject to a forty-five (45) school day placement in an IAES for possession of a weapon, or possession or use of illegal drugs, or sale or solicitation of a controlled substance, or for inflicting serious bodily injury upon another person while at school, on school premises or at a school function.

If the IEP Team determines that the behavior is not a manifestation of the student's disability, the school may apply disciplinary procedures to the same extent that it applies to the student's non-disabled peers. The IEP Team is to ensure that a copy of the student's special education records and disciplinary records are forwarded to the Board for their consideration in the expulsion hearing. If the parents appeal the manifestation determination, placement, pending appeal, is the disciplinary placement as determined by the District.

If the student is expelled, the District has a continuing responsibility for providing alternative educational service to the student. The IEP Team shall consider the nature and extent of educational services to be provided in order to make available a free and appropriate education (FAPE) to the student.

FBA and BIP

If it is determined that the conduct of a student with a disability was a manifestation of the student's disability, then the IEP Team will either conduct an FBA and implement a BIP, or review the existing BIP.

The FBA should include:

A. the specific behavior(s) of concern, including the intensity, frequency, and duration;

B. the setting where the behavior usually occurs, e.g., cafeteria, transition periods, bus, regular classroom, etc.;

C. the circumstances antecedent to the behavior;

D. the consequences of the behavior;

E. conditions that may impact the behavior, e.g., medications, diet, schedule, etc.;

F. the apparent purpose of the behavior;

G. modifications/interventions attempted to change the behavior;

H. behaviors that would serve as functional alternatives to the target behavior; and

I. consideration of culturally responsive practices, student trauma using trauma-informed analysis, and other student-specific considerations that consider the context of student behavior.

In addition, a BIP may need to be developed by the IEP Team and made a part of the student's IEP.

The BIP should clearly describe the target behavior(s) and the appropriate behavior that is sought, the positive reinforcements that will be used to modify the target behavior, and the progressive consequence that will be invoked if the target behavior does not change. The plan should address methods such as time-out, safe-haven, and more restrictive placements from the regular classroom when conditions warrant, etc., all of which focus on remediating or improving a student's behavior rather than on disciplining behavior. The plan should also describe who will be involved in the intervention (classroom teacher, aide, specialists), their respective roles and responsibilities, and how data will be collected to assess the effectiveness of the intervention.

SUSPENSION* OR REMOVAL TO ALTERNATIVE EDUCATIONAL SETTING**

No further discipline contemplated and removal is for ten (10) school days or less (strong encouragement to review and address behavior and the IEP if necessary).	Further discipline contemplated within ten (10) school days of suspension or removal.
	In the cases of removal to alternative educational setting for more than ten (10) school days, the LEA, the parents and relevant members of the IEP Team must also consider causal relationship (manifestation determination).*
	If the LEA, the parents, and relevant members of the IEP Team determine that the conduct subject to discipline was a manifestation of the student's disability, then the LEA must convene an IEP Team to develop/review the functional behavior assessment plan (FBA) and appropriate behavior interventions (BIP).

*	Suspensions of ten (10) school days or less, accumulating to no more than ten (10) school days per school year may be unilaterally levied by the school.
**	Removal to an alternative educational setting for a maximum of forty-five (45) school days unilaterally if the student brings a weapon to school or to a school function, or knowingly possesses or uses illegal drugs, or sells, or solicits the sale of a controlled substance while at school or at a school function, or inflicts serious bodily harm on another while at school or at a school function.

CAUSAL RELATIONSHIP MANIFESTATION DETERMINATION*
Student violates code of conduct

School decides to request expulsion	
or change to interim alternative educational placement	
for more than ten (10) school days	
Same day	
School notifies parents of decision and procedural safeguards	
Within ten (10) school days	
The LEA, parents and relevant members of the IEP Team must consider and determine causal relationship between the student's disability and the conduct subject to discipline.	
Manifestation determination:	
1. review the student's file (including relevant information from parents);	
2. observations of the student;	
3. student's IEP and placement;	
4. whether the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability;	
5. whether the conduct in question was the direct result of the LEA's failure to implement the IEP.	
* This determination may be made at the same IEP Team meeting where the functional behavioral assessment and behavior plan are discussed.	

Causal Relationship

Causal relationship exists if the IEP Team answers "yes" to #4, or #5. If there is a causal relationship, then the IEP Team must conduct a FBA and BIP (if no FBA/BIP exists), or review the existing BIP and modify it as necessary to address the behavior; and return the student to the placement from which s/he was removed (unless the student is subject to a unilateral forty-five (45) school days placement).

No Causal Relationship

Follow school's expulsion procedures (see AG 5610 - Suspension and Expulsion). Send special education records and disciplinary records to be considered in expulsion hearing.

Parents file request for due process hearing. (If the student has been placed in an interim educational placement for weapons, drugs, or for inflicting serious bodily harm on another, the student remains there unless the forty-five (45) school day period expires.)

Hearing officer reviews the causal relationship decision (according to above criteria).

Change in Placement By Hearing Officer of a Student Who Is Dangerous

Hearing officer may assign student to an appropriate interim alternative educational setting for not more than forty-five (45) school days IF the school can demonstrate by substantial evidence:

A. current placement is substantially likely to result in injury to self/others;

B. appropriateness of current placement;

C. school has made reasonable efforts to minimize risk of harm in current placement, including the use of supplementary aids and services; and

D. interim alternative educational setting is:

1. determined by the IEP Team;

2. will enable the student to continue to participate in the general curriculum (although in another setting)

and

continue to receive services and modifications to enable student to meet IEP goals;

3. will include services and modifications designed to address behavior so that it does not re-occur.

The hearing is an expedited procedure.

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ag5610A

STUDENTS SUBJECT TO EXPULSION BUT NOT IDENTIFIED AS ELIGIBLE FOR SPECIAL EDUCATION

5610A - **STUDENTS SUBJECT TO EXPULSION BUT NOT IDENTIFIED AS ELIGIBLE FOR SPECIAL EDUCATION**

School requests expulsion

Student claims disability (not previously identified)
and that school had knowledge

School deemed to have knowledge if:

A. parent has expressed concern in writing (unless the parent is illiterate in English or has disability that prevents a written statement) to school personnel that student is in need of special education and related services; or

B. behavior/performance of student demonstrates need for services; or

C. parent/student has requested an evaluation; or

D. student's teacher or other school personnel has expressed concern to Director of Special Education or other personnel regarding student's behavior/performance.

School must evaluate and hold I.E.P. Team prior
to proceeding with expulsion

IF request for evaluation is made during expulsion period

Expedited evaluation is performed while
student stays in educational placement determined
by school authorities

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ag5610

SUSPENSION AND EXPULSION

5610 - **SUSPENSION AND EXPULSION**

The following administrative guideline deals with suspending and expelling students.

A. **Suspension**

1. **Duration and Grounds for Suspension**

The District Administrator or any principal or teacher designated by the District Administrator may suspend a student for up to five (5) school days or, if a notice of expulsion hearing has been sent, for up to fifteen (15) consecutive school days (refer to AG 5605 if the student is eligible for special education services under Chapter 115, Wis. Stats.) if the suspension is reasonably justified and based upon any of the following misconduct:

a. noncompliance with school rules or Board rules, including rules identifying student conduct that is dangerous, disruptive, or unruly behavior that interferes with the ability of the teacher to teach effectively;

b. knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives;

c. conduct by the student while at school or while under the supervision of a school authority that endangers the property, health, or safety of others;

d. conduct while not at school or while not under the supervision of a school authority that endangers the property, health, or safety of others at school or under the supervision of a school authority; or

e. conduct while not at school or while not under the supervision of a school authority that endangers the property, health, or safety of any employee or Board member of the District in which the student is enrolled.

Under paragraphs c, d, and e above, conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

The District Administrator or any principal or teacher designated by the District Administrator shall suspend a student if the student possessed a firearm as defined in 18 U.S.C. 921(a)(3) while at school or while under the supervision of a school authority.

The suspension period applies to "school days." Thus, a suspension period does not include weekend days or vacation days.

2. **Suspension Procedure**

Prior to being suspended, on the day of the alleged infraction or as soon thereafter as is practicable, the student must be advised orally or in writing of the reason for the proposed suspension and given an opportunity to explain his/her conduct (Form 5610 F2).

The principal, within his/her discretion, may also inform the student's parents of the reason for the proposed suspension prior to suspending the student (Form 5610 F2).

3. **Notice of Suspension**

The parent of a suspended minor student shall be given prompt written notice of the suspension and the reason for the suspension by mail and by sending a copy of the notice home with the student. Oral notice may also be given to the student's parent; however, it must be confirmed in writing (Form 5610 F3).

4. **Sending a Student Home on the Day of the Suspension**

Generally, the student should remain in school on the day of the suspension until school is dismissed for the day. Except as provided below, if the situation requires that the student be removed from the premises before school is dismissed, the principal shall attempt to contact the student's parent to request that s/he pick up the student or authorize release of the

student on his/her own at the high school level. If the parent is unable to pick up the student, or if the student is not authorized to leave on his/her own, the student should remain under the school's supervision until school is dismissed, or in the event law enforcement is involved, under law enforcement supervision.

5. **Opportunity to Complete School Work**

A suspended student shall not be denied the opportunity to take any quarterly, semester, or grading period examinations or to complete course work missed during the suspension period. Such work shall be completed pursuant to the procedures established by the Board.

6. **Reference to the Suspension in the Student's Record**

The student's suspension from school shall be entered in the student's record as required by the rules adopted by the Board concerning the content of student records.

The suspended student or the student's parent may, within five (5) school days following the commencement of the suspension, have a conference with the District Administrator or his/her designee, who shall be someone other than a principal, administrator, or teacher in the suspended student's school, to discuss removing reference to the suspension from the student's records.

Reference to the suspension in the student's school record shall be removed if the District Administrator finds that:

a. the student was suspended unfairly or unjustly;

b. the suspension was inappropriate, given the nature of the alleged offense; or

c. the student suffered undue consequences or penalties as a result of the suspension.

The District Administrator shall make his/her finding within fifteen (15) calendar days of the conference.

7. **Co-Curricular or Extra-Curricular**

A student's participation in co-curricular or extra-curricular activities during a suspension shall be determined on a case-by-case basis. Conduct resulting in a suspension that is also a violation of the student code of conduct shall be referred for application of the code of conduct consistent with those procedures.

B. **Pre-Expulsion**

1. A Pre-Expulsion Behavior Contract may be considered in place of the expulsion process. This process is also known as an Abeyance Agreement.

2. The building principal or assistant principal will prepare document(s) with all of the relevant facts pertaining to the discipline incident and will share that information with the Director of Pupil Services and Special Education and the District Administrator.

3. A behavior contract must accompany all pre-exulsion recommendations and requirements.

4. A pre-expulsion hearing is required with parents or guardians present.

5. The standard length of an abeyance agreement is one calendar year. Students and parents who meet all conditions of the abeyance agreement after six (6) months may be offered the opportunity to end conditions outlined in the abeyance agreement early.

6. The following abeyance agreement language must be on the signature page of all pre-expulsion behavior contracts. A signature is required by all parties to signify agreement.

   In executing this Agreement, the Student and parents acknowledge the following:
   The School District shall hold in abeyance any proceedings regarding an expulsion for the current misconduct investigated by the Administration as long as the Student and parents continue to comply with all the terms of this Agreement.

   In the event the Student or parents violate any of the terms of this Agreement, the District, in its sole discretion, may reinstate disciplinary proceedings, including consideration of expulsion, or take any other action permitted by state and federal law in lieu of or in addition to proceeding to expulsion.

That the Student and parents have had an opportunity to consider the terms of this Agreement, including the opportunity to review it with a representative of their choice, should they so choose, with adequate time to reflect on the terms and conditions of this Agreement.

Student and parents have the right to proceed with an expulsion hearing at this time to challenge the findings and conclusions of the Administration to prove the Student did not engage in the misconduct as charged by the Administration and to appeal an adverse decision by the Board of Education to the State Department of Public Instruction.

Student and parents knowingly and voluntarily waive the right to an expulsion hearing at this time.

C. **Expulsion**

1. **Grounds for Expulsion**

The Board may expel a student only when it is satisfied that the interest of the school demands the student's expulsion and it finds that the student:

a. repeatedly refused or neglected to obey the rules established by the School District;

b. knowingly conveyed or caused to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives;

c. engaged in conduct while at school or while under the supervision of a school authority that endangered the property, health, or safety of others;

d. engaged in conduct while not at school or while not under the supervision of a school authority that endangered the property, health, or safety of others at school or under the supervision of a school authority or endangered the property, health, or safety of any employee or Board member of the School District in which the student is enrolled; or

e. was at least sixteen (16) years old and had repeatedly engaged in conduct while at school or while under the supervision of a school authority that disrupted the ability of school authorities to maintain order or an educational atmosphere at school or at an activity supervised by a school authority and that such conduct did not otherwise constitute grounds for expulsion.

Under this section, conduct that endangers a person or property includes threatening the health or safety of a person or threatening to damage property.

2. **Expulsion for Bringing a Firearm to School or for Possessing a Firearm at School**

The Board shall expel a student from school for not less than one (1) year whenever it finds that the student brought a firearm to school or, while at school or while under the supervision of a school authority, possessed a firearm, as defined in 18 U.S.C. 921(a)(3), unless the Board finds that the punishment should be reduced based upon the circumstances of the incident. Any such finding by the Board shall be in writing.

3. **Expulsion Hearing**

Prior to expelling a student, the Board shall provide the student with a hearing.

a. Notice of the Hearing

Prior written notice of the expulsion hearing must be sent separately both to the student and his/her parent(s) if the student is a minor; otherwise just to the student.

The notice must be sent at least five (5) calendar days prior to the date of hearing. In counting the number of days, the day the notice is sent is excluded.

The notice must include the following information:

1. the specific grounds upon which the expulsion proceeding is based, pursuant to State Statute;

2. the particulars of the student's alleged conduct, including the approximate date and location of the conduct;

3. the time and place of the hearing;

4. that the Board will keep written minutes of the hearing;

5. that the hearing may result in the student's expulsion;

6. that the student's, or the student's parent if the student is a minor, have the right to request a closed hearing or the Board may choose to close the hearing under Wis. Stat. section 19.85(1)(f);

7. that the student and, if the student is a minor, the student's parent may be represented at the hearing by counsel;

8. that the administration intends to present witnesses at the hearing with knowledge of the alleged conduct;

9. that the parties shall have the right to cross-examine witnesses and to present such evidence and witnesses as deemed appropriate;

10. that in considering whether to expel the student and if so, for what period of time, the Board may also consider the student's complete disciplinary and academic records;

    These student records are available for the student and parent to review as outlined in Sec. 118.125, Wis. Stats.

11. if the student is expelled, the Board will determine the length of the expulsion period, which may extend at a maximum to the student's 21stbirthday;

12. if the Board orders the expulsion of the student, the School District clerk shall mail a copy of the order to the student and, if the student is a minor, to the student's parent;

13. if the student is expelled by the Board, the expelled student or, if the student is a minor, the student's parent may appeal the Board's decision to the Wisconsin Department of Public Instruction;

14. if the Board's decision is appealed to the Department of Public Instruction, within sixty (60) calendar days after the date on which the Department receives the appeal, the Department shall review the decision and shall, upon review, approve, reverse, or modify the decision;

15. the decision of the Board shall be enforced while the Department of Public Instruction reviews the Board's decision;

16. an appeal from the decision of the Department of Public Instruction may be taken within thirty (30) calendar days to the circuit court for the county in which the school is located; and

17. the State statutes related to student expulsion are Secs. 119.25 and 120.13 (1), Wis. Stats.

(Form 5610 F6 and Form 5610 F7)

b. Hearing Procedures

The procedures for the expulsion hearing shall be as follows:

1. The hearing shall be closed.

2. The student and, if the student is a minor, the student's parent may be represented at the hearing by counsel.

3. A quorum of the Board shall be present at the hearing.

4. The Board shall keep written minutes of the hearing.

5. The parties shall have the right to cross-examine witnesses and to present such evidence and witnesses as deemed appropriate.

6. The student should be advised of his/her rights and the procedures to be followed during the hearing.

7. The Administration’s burden is to prove the allegations against the student by a preponderance of the evidence.

c. Expulsion Order

The Board shall reduce its decision to writing in the form of a written order. If expulsion is ordered, the order must state the length of time that the student is to be expelled. The order should also state specific findings of fact and conclusions of law in support of the decision (Form 5610 F8).

d. Post-Hearing Procedures

The following post-hearing procedures shall be followed:

1. If the Board orders the expulsion of the student, the School District clerk shall mail a copy of the order separately to the student and his/her parent(s) if the student is a minor; otherwise just to the student.

2. If the student is expelled by the Board, the expelled student or, if the student is a minor, the student’s parent may appeal the Board's decision to the Wisconsin Department of Public Instruction.

3. If the Board's decision is appealed to the Department of Public Instruction, within sixty (60) calendar days after the date on which the Department receives the appeal, the Department shall review the decision and shall, upon review, approve, reverse, or modify the decision.

4. The decision of the Board shall be enforced while the Department of Public Instruction reviews the Board's decision.

5. An appeal from the decision of the Department of Public Instruction may be taken within thirty (30) calendar days to the circuit court for the county in which the school is located.

4. **Student Records**

The student’s expulsion from school shall be entered in the student’s record as required by the rules adopted by the Board concerning the content of student records.

5. **Services During Expulsion**

No school board is required to enroll a student during the term of his/her expulsion from another school district. Notwithstanding Sections 118.125 (2) and (4), if a student who has been expelled from one (1) school district seeks to enroll in another school district during the term of his/her expulsion, upon request the school board of the former school district shall provide the school board of the latter school district with a copy of the expulsion findings and order, a written explanation of the reasons why the student was expelled, and the length of the term of the expulsion.

6. **Conditional Early Reinstatement**

"Early reinstatement" means the reinstatement to the school of an expelled student before the expiration of the term of expulsion specified in the student's expulsion order.

"Early reinstatement condition" means a condition that a student is required to meet before s/he may be granted early reinstatement or a condition that a student is required to meet after his/her early reinstatement but before the expiration of the term of expulsion specified in the student's expulsion order.

a. A Board, independent hearing panel, or independent hearing officer may specify one (1) or more early reinstatement conditions in the expulsion order. Early reinstatement conditions must be related to the reasons for the student's expulsion.

b. Conditional Early Reinstatement Appeal Rights

If the expulsion order is issued by an independent hearing panel or independent hearing officer:

1. The student or the student's parent must be informed of their right to appeal the determination regarding whether an early reinstatement condition specified in the expulsion order is related to the reasons for the student's expulsion to the Board. The appeal must be taken within fifteen (15) calendar days of the issuance of the expulsion order by the independent hearing panel or officer.

2. The decision of a school board regarding that determination is final and not subject to appeal.

c. Satisfaction of Early Reinstatement Conditions

The District Administrator or his/her designee, who shall be someone other than a principal, administrator or teacher in the student's school, has sole discretion to determine whether a student has met the early reinstatement conditions that s/he is required to meet before s/he may be granted early reinstatement.

1. If the District Administrator or designee determined the early reinstatement conditions have been met, s/he may grant the student early reinstatement.

2. The determination of the District Administrator or designee regarding the satisfaction of early reinstatement conditions is final.

d. Early Reinstatement Revocation

If a student violates an early reinstatement condition that the student was required to meet after his/her early reinstatement but before the expiration of the term of expulsion, the District Administrator or a principal or teacher designated by the District Administrator may revoke the student's early reinstatement.

Revocation Process

Before revoking the student's early reinstatement, the District Administrator or his/her designee shall do all of the following:

1. advise the student of the reason for the proposed revocation, including the early reinstatement condition alleged to have been violated;

2. provide the student with an opportunity to present his/her explanation of the alleged violation;

3. make a determination that the student violated the early reinstatement condition and that revocation of the student's early reinstatement is appropriate; and

4. if the District Administrator or designee revokes the student's early reinstatement, the District Administrator or designee shall give prompt written notice of the revocation and the reason for the revocation, including the early reinstatement condition violated, to the student and, if the student is a minor, to the student's parent.

e. Term of Expulsion Following Revocation

If a student's early reinstatement is revoked the student's expulsion shall continue to the expiration of the term of the expulsion specified in the expulsion order unless the student or, if the student is a minor, the student's parent and the Board, independent hearing panel or independent hearing officer agree, in writing, to modify the expulsion order.

f. Revocation Decision Appeal Rights

Within five (5) school days after the revocation of a student's early reinstatement the student or, if the student is a minor, the student's parent may request a conference with the District Administrator or his/her designee, who shall be someone other than a principal, administrator or teacher in the student's school.

1. If a conference is requested, it shall be held within five (5) school days following the request.

2. If, after the conference, the District Administrator or his/her designee finds that the student did not violate an early reinstatement condition or that the revocation was inappropriate, the student shall be reinstated to school under the same reinstatement conditions as in the expulsion order and the early reinstatement revocation shall be expunged from the student's record.

3. If the District Administrator or his/her designee finds that the student violated an early reinstatement condition and that the revocation was appropriate, s/he shall issue a written decision and mail separate copies of the decision to the student and, if the student is a minor, to the parent.

The decision of the District Administrator or his/her designee is final as to an appeal of the decision to revoke early reinstatement.

C. **Referral to Law Enforcement**

The District shall refer any student who brings a firearm (as defined in 18 U.S.C. 921(a)(3)) or a weapon to school to law enforcement.

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IN-SCHOOL DISCIPLINE

5610.02 - **IN-SCHOOL DISCIPLINE**

In-school suspension and detention are progressive discipline options that the principal may use to improve attendance and/or to modify student behavior and to monitor the student's behavior during the disciplinary process.

Students who have violated any section of the Code of Conduct may be assigned to in-school suspension or detention by the principal.

Students who violate the drug abuse section of the Code of Conduct may be assigned to in-school suspension in total or in part, if they agree to participate in a voluntary alcohol/drug education program approved by the principal.

Detention

A. **Lunch-Time Detention**

The principal (or faculty member) may designate an area in which the student must remain during the lunch period. Failure to report to or remain in the area may lead to in-school restriction, Saturday school, or out-of-school suspension.

B. **After-School Detention or Early Arrival**

The principal (or faculty member) may require a student to remain after school providing the parents have been given at least one (1) day's notice and have agreed to be responsible for their child's transportation at the end of the detention period. If the student is a bus rider and the principal cannot verify that the parents agree to be responsible for the student's transportation, after-school detention should not be used. The principal shall also ensure that there is adequate supervision of the student until such time as transportation arrives. The student is to be given definite assignments or duties to complete during the detention period.

In-School Suspension

As a means for keeping a student in school rather than suspending him/her to a probable, unsupervised out-of-school situation, the District has established an in-school suspension program. The student is not only removed from the classroom and assigned to a designated work area, s/he is also denied participation in any school activity for the length of the suspension. The same due process provided for out-of-school suspension shall apply.

The teacher(s) is to assign work related to a course of study for which the student will receive full credit.

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ag5630

ALTERNATIVES TO CORPORAL PUNISHMENT

5630 - **ALTERNATIVES TO CORPORAL PUNISHMENT**

Board policy defines corporal punishment as the deliberate infliction of physical pain by hitting, paddling, spanking, slapping, or any other physical force used as means of discipline. District personnel shall not threaten to inflict, or cause to be inflicted corporal punishment on any student.

Staff members shall not:

A. hit, strike, grab, punch, or inflict other bodily pain on a student;

B. restrict a student's movement by using physical restraint, unless specified in an I.E.P. and student's behavior presents a clear, present and imminent risk to the physical safety of the student or others;

C. deprive a student of meals, snack, rest, or necessary toilet use;

D. confine a student in an enclosed area such as a closet, locked room, box, or similar cubicle;

E. cause any of the above to occur.

Staff may, however, provide for a "time-out" area as a disciplinary procedure.

The following alternatives to the use of corporal punishment are recommended. As formerly with corporal punishment, these alternatives should also be viewed as last resort options when well-executed school and classroom management practices have not been effective. The principal has the authority to:

A. deny participation in special school and/or noncurricular-related activities;

B. assign before or after school detention;

C. assign in-school restriction or Saturday school;

D. assign out-of-school suspension;

E. confer with parents on sanctions which will be established both at school and at home or contractual agreements or restorative practices;

F. refer the student to a school counselor, a social worker, psychologist, and/or clinical specialists;

G. coordinate District services with social-service agencies such as Public Health, Social Services, Mental Health, etc., and/or with private institutions or agencies offering related appropriate services, providing there is no cost to the District;

H. arrange for a proper evaluation under Section 504 or IDEA, if there is reason to believe the student's behavior is related to a disability.

It is essential that any of the above alternatives that involve disciplinary actions be conducted in accordance with due process. (See Policy 5611)

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PROCEDURES FOR USING SECLUSION AND PHYSICAL RESTRAINT INTERVENTIONS

5630.01 - **PROCEDURES FOR USING SECLUSION AND PHYSICAL RESTRAINT INTERVENTIONS**

These procedures address incidents of seclusion or physical restraint of students by District employees and other covered individuals, as well as by law enforcement officers when the incident occurs at school or in connection with a school-sponsored activity. Seclusion and physical restraint are atypical, extraordinary interventions that may only be used in compliance with applicable law, School Board policy, and these procedures.

A. **DEFINITIONS**

These procedures adopt the definitions of "covered individual," "seclusion" and "physical restraint" that are established within section 118.305 of the state statutes, including all applicable exclusions and exceptions. Paraphrasing the applicable statutory provisions:

1. "Covered individual" includes any individual who is:

    a. An employee of the District, not including the members of the School Board;

    b. Under contract with the Board as an independent contractor to provide services for the benefit of the schools;

    c. Employed by a person/entity under contract with the Board to provide services for the benefit of the schools (excluding law enforcement officers); or

    d. Engaged in student teaching under the supervision of a District employee or independent contractor who is providing services for the benefit of the schools.

2. "Physical restraint" means a restriction that immobilizes or reduces the ability of a student to freely move his/her torso, arms, legs, or head. Briefly touching or holding a student's hand, arm, shoulder, or back to calm, comfort, or redirect the student is not considered a physical restraint. In addition, the following are not considered to be a type of prohibited mechanical restraint:

    a. The use of supportive equipment to properly align a student's body, assist a student to maintain balance, or assist a student's mobility, under the direction and oversight of appropriate medical or therapeutic staff.

    b. The use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

3. "Seclusion" means the involuntary confinement of a student, apart from other students, in a room or area from which the student is physically prevented from leaving. State law clarifies that the following interventions are not considered "seclusion" provided that the student is not confined to a room/area from which he/she is physically prevented from leaving:

    1. Directing a student who is disruptive to temporarily separate himself or herself from the general activity in the classroom to allow the student to regain behavioral control and the covered individual to maintain or regain classroom order.

    2. Directing a student to temporarily remain in the classroom to complete tasks while other students participate in activities outside the classroom.

B. **GENERAL CONDITIONS FOR THE USE OF SECLUSION**

A covered individual may use seclusion on a student at school, including during any school-sponsored activities, only if all of the following apply:

1. The covered individual must make a determination that the student's behavior presents a clear, present, and imminent risk to the physical safety of the student or others and that seclusion is the least restrictive intervention feasible.

2. The room or area in which the student is secluded must, at the time seclusion is initiated, be free of objects or fixtures that may injure the student.

3. No door connecting the room or area in which the student is secluded to other rooms or areas is capable of being locked or has a lock on it.

4. A covered individual must maintain constant supervision of the student, either by remaining in the room or area with the student or by observing the student through a window that allows the covered individual to see the student at all times.

5. The student must have adequate access to bathroom facilities, drinking water, necessary medication, and regularly scheduled meals.

6. The duration of the seclusion must be only as long as necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others.

C. **GENERAL CONDITIONS FOR THE USE OF PHYSICAL RESTRAINT**

A covered individual may use physical restraint on a student at school or at a school-sponsored activity only if all of the following apply:

1. The covered individual determines that the student's behavior presents a clear, present, and imminent risk to the physical safety of the student or others and that physical restraint is the least restrictive intervention feasible.

2. The covered individual either (a) has received state-mandated training related to physical restraint; or (b) makes a determination that the situation presents an emergency and no trained individual is immediately available.

3. There are no known medical contraindications to the use of the physical restraint.

4. The degree of force used and the duration of the physical restraint do not exceed the degree and duration that are reasonable and necessary to resolve the clear, present, and imminent risk to the physical safety of the student or others.

5. The covered individual may not use a mechanical restraint or chemical restraint.

6. The covered individual may not use any of the following maneuvers or techniques:

    a. Those that do not give adequate attention and care to protecting the student's head.

    b. Those that cause chest compression by placing pressure or weight on the student's chest, lungs, sternum, diaphragm, back, or abdomen.

    c. Those that place pressure or weight on the student's neck or throat, on an artery, or on the back of the student's head or neck, or that otherwise obstruct the student's circulation or breathing.

    d. Those that place the student in a prone position.

7. Restraint may never be used as a form of corporal punishment, as defined by state law to mean the intentional infliction of physical pain as a means of discipline.

8. When a physical restraint technique is used, a covered individual should, to the extent practical, make reasonable attempts to de-escalate the student's behavior or other aspects of the situation with the goal of minimizing the duration of the need for restraint; and if practicable, covered individuals should attempt to arrange for another staff member who is not participating in the physical restraint to remain present to witness the administration of the restraint, including assisting in monitoring for any signs of physical distress.

D. **POST-INCIDENT PROCEDURES**

The following apply to each incident of the use of seclusion or physical restraint on a student by a covered individual or law enforcement officer that occurs at school or in connection with a school-sponsored activity:

1. ***Administrative notification of incidents.*** At least one (1) of the covered individuals who was present during such an incident shall notify the school principal(s) or an administrative-level designee of the principal of the incident. Such notification shall occur as soon as practicable following the incident and, at a minimum, on the same day as the incident. The individual who notifies the administrator(s) is expected to sufficiently communicate that the incident needs to be evaluated under the post-incident response procedures for seclusion and physical restraint. However, if the school principal was personally present for the incident and clearly would be aware of the use of seclusion or

physical restraint, then no separate notification is required, and the principal shall directly initiate the post-incident response procedures. In addition:

a. Any covered individual who was actively involved in applying a physical restraint or in secluding a student has the highest level of responsibility for ensuring that the incident is promptly reported. Accordingly, if such an individual is not the person who makes a direct report, he/she should, at a minimum, promptly verify that an appropriate administrator has been notified of the material aspects of the incident.

b. If a law enforcement officer applied the physical restraint or used seclusion, a covered individual who is present during the incident should not assume that the law enforcement officer will report the incident to an appropriate administrator. Accordingly, the covered individual is expected to personally report the incident or directly arrange for another covered individual to make the report.

c. If a covered individual who was not present during such an incident is made aware of an incident in a manner that suggests that the incident may not have been reported, the individual is expected to contact an appropriate administrator to discuss the information that they have and obtain additional guidance. Failure to take such steps will not be excused if the District determines that the failure was unreasonable or in bad faith. In addition, any covered individual who has concerns regarding how any incident(s) of restraint or seclusion are being handled at the school level is encouraged to contact the school principal(s) or the Director of Special Education and Pupil Services.

2. ***Written incident reports and parent notification.*** Whenever a covered individual or a law enforcement officer uses seclusion or physical restraint on a student, the school principal or his/her designee shall do all of the following:

a. As soon as practicable, but **no later than one (1) business day after the incident,** notify the student's parent of the incident and of the availability, or pending availability, of the written report described in the next paragraph. For purposes of these procedures, "parent" includes a natural or adoptive parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

b. **Within two (2) business days after the incident** and after consulting with the covered individuals and any law enforcement officers present during the incident, prepare a written incident report containing all of the following information:

1. The student's name.

2. The date, time, and duration of the use of seclusion or physical restraint.

3. A description of the incident, including a description of the actions of the student before, during, and after the incident.

4. The names and titles of the covered individuals and any law enforcement officers present during the incident.

c. **Within three (3) business days of the incident,** provide a copy of the written incident report to the student's parent by 1st class mail, or by electronic transmission, or by hand delivering the report to a parent.

d. If the student is an adult and the student's parent is not otherwise entitled to access or receive copies of the student's behavioral records, the District shall ask the adult student to provide written consent for the District to provide the parent notification and parent copy of the incident report, as described in these procedures. If the District does not obtain such consent, such notification and report shall be provided only to the adult student.

3. ***Post-incident debriefing meetings.*** Whenever a covered individual or a law enforcement officer uses seclusion or physical restraint on a student, the school principal or his/her designee shall meet with the covered individuals who participated in the incident to discuss all of the following:

a. The events preceding, during, and following the use of the seclusion or physical restraint.

b. How to prevent the need for seclusion or physical restraint, including the factors that may have contributed to the escalation of behaviors; alternatives to physical restraint, such as de-escalation techniques and possible interventions; and other strategies that the school principal or designee determines are appropriate. If the student who was involved in the incident is a student with a disability, such post-incident debriefing meetings shall not amend the student's individualized education plan (IEP) in an unauthorized manner or otherwise exercise the authority of the student's IEP team. However, the information discussed or brought to light during a

post-incident debriefing should be assessed to determine whether any follow-up with the IEP team or via other special education procedures (such as an evaluation or functional behavioral assessment of the student) may be appropriate. This includes providing any relevant information to an IEP team that is convened as required in the next subsection.

4. ***Mandatory convening of IEP team.*** The second time that seclusion or physical restraint is used on a student with a disability within the same school year, state law requires the student's IEP team to convene as soon as practicable after the incident but no later than ten (10) school days after the incident. The IEP team shall review the student's IEP and revise it as the team determines necessary to ensure all of the following:

    a. That the IEP includes appropriate positive behavioral interventions and supports and other strategies to address the behavior of concern.

    b. That the interventions, supports, and other strategies included in the IEP related to a behavior that resulted in the use of seclusion or physical restraint on the student are based on a functional behavioral assessment of that behavior.

E. **TRAINING OF SCHOOL PERSONNEL/COVERED INDIVIDUALS**

1. State-required training relating to physical restraint. The Director of Special Education and Pupil Services and each school principal shall be responsible for designating the covered individuals in each school who will receive state-required training related to physical restraint, prioritizing those individuals/positions that are deemed most likely to be required to intervene in situations where there may be a need to use physical restraint.

    a. Upon satisfactory completion of the training, the individual will be deemed District-certified in physical restraint, which means that the individual is authorized to administer physical restraint in compliance with state law and District policy, and that, when reasonably available, the individual is expected to take the lead in evaluating and taking appropriate action in a situation where there may be a need to physically restrain a student. Further, a covered individual who has not received state-required training related to physical restraint may use physical restraint on a student only in an emergency situation and only if a District certified individual is not immediately available due to the unforeseen nature of the emergency.

    b. Training related to physical restraint shall address the mandatory content areas specified in state law and shall additionally provide instruction and practice opportunities in administering various types of physical restraint.

    c. After a covered individual receives initial training, if the individual will continue to be District-certified in physical restraint, the District shall ensure that the individual participates in appropriate follow-up or refresher training at least every other year, except that:

        1. Retraining will occur at earlier intervals to the extent the District relies on a third party to provide the training content and/or the delivery of the training and such third party specifies an earlier retraining interval.

        2. The District may require more frequent follow-up or refresher training if the District determines that there are material changes to legal requirements, best practices, or local expectations or procedures that create a need for earlier supplemental training.

    d. If a covered individual who the District has designated to receive training related to physical restraint has recently received such training from a non-District source, the Director of Special Education and Pupil Services may review the training that the individual completed for comparability to District requirements. If the individual's prior training is determined to be sufficiently comparable and current, the individual may be exempted from the relevant portions of the training that the District would normally provide. However, at a minimum, such an individual must be instructed in the District's local policies and procedures related to physical restraint.

    e. Per state law, the District shall maintain a record of the training related to physical restraint that is received by covered individuals, including the period during which the training is considered valid by the entity that trained the covered individual.

2. ***District-required training relating to seclusion.*** The Director of Special Education and Pupil Services and the school principal(s) shall be responsible for designating the covered individuals in each school who will receive District-provided training on the use of seclusion as a behavioral intervention, prioritizing those individuals/positions that are deemed most likely to be called upon to intervene in situations where there may be a need to use seclusion.

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ag5720

STUDENT RIGHTS OF EXPRESSION

5720 - **STUDENT RIGHTS OF EXPRESSION**

In accordance with Board of Education Policy 5720 and Policy 9700, students have the right, protected by the First Amendment to the U.S. Constitution, to exercise freedom of speech. This includes the right to distribute or display, at reasonable times and places, written material, petitions, buttons, badges, or other insignia, except expression which:

A. is obscene to minors;

B. is libelous;

C. is pervasively indecent or vulgar;

D. advertises any product or service not permitted to minors by law;

E. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religion, or ethnic origin);

F. presents a clear and present likelihood that, either because of its content or the manner of distribution or display, it will cause a material and substantial disruption of school or school activities, a violation of school regulations, or the commission of an unlawful act.

Distribution or display of material in any of the above categories is prohibited on school premises or at any school-related event.

Procedures

Any student wishing to distribute or display nonschool material must first submit for approval a copy of the material to the principal twenty-four (24) hours in advance of desired distribution/display time, together with the following information:

A. name of the student or organization

B. date(s) and time(s) of day of intended display or distribution

C. location where material will be displayed or distributed

D. the grade(s) of students to whom the display or distribution is intended

The principal should either approve the material or indicate how it violates the guidelines listed above or the time, place, and manner restrictions listed below. If permission to distribute or display the material is denied, the student shall have the opportunity to make necessary revisions and/or deletions.

Permission to distribute or display material does not imply approval of its contents by either the School, the administration of the School, or the Board.

The student submitting the request shall have the right to appear and present the reasons, supported by relevant witnesses and material, as to why distribution/display of the written material is appropriate.

If the student is dissatisfied with the decision of the principal, s/he may submit a written request for appeal to the District Administrator. The District Administrator will render a decision within forty-eight (48) hours. The student may appeal the decision to the Board of Education by notifying the Board President in writing. The Board or a committee of the Board will meet within five (5) days to review the District Administrator's decision. If the committee of the Board makes a recommendation to the Board, the Board shall review the recommendation at its next regularly-scheduled meeting and issue a decision prior to the close of that meeting. If the District Administrator or Board fails to make a decision within the time required, the student may resume display/distribution and continue to display/distribute the information until a decision is made.

Time, Place, and Manner of Distribution or Display

The distribution or display of written material shall be limited to a reasonable time, place, and manner as follows:

A. No material may be distributed or displayed during the time or at the place of a school activity if it is likely to cause a substantial disruption of that activity.

B. No material may be distributed or displayed if it blocks the safe flow of traffic within corridors and entrance ways of the school.

Definitions

The following definitions shall apply:

A. "Obscene to minors" is defined as:

1. the average person, applying contemporary community standards, would find that the written material, taken as a whole, appeals to the prurient interest of minors;

2. the material depicts or describes conduct that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors;

3. the material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

B. "Minor" means any person under eighteen (18) years of age.

Disciplinary Action

Distribution or display by any student of nonschool-sponsored material prohibited by these guidelines will be halted and disciplinary action will be taken in accordance with the procedures contained in AG 5600 and/or AG 5610.

Any other party violating this guideline will be requested to leave the school property immediately and, if necessary, the police will be called.

A version of this administrative guideline is to be published in student handbooks at the secondary level.

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ag5722

SCHOOL-SPONSORED STUDENT PUBLICATIONS AND PRODUCTIONS

5722 - **SCHOOL-SPONSORED STUDENT PUBLICATIONS AND PRODUCTIONS**

In general, the objectives of school-sponsored student publications and productions are to:

A. communicate to those who are actively interested in the school – i.e., students, teachers, parents, administration, alumni, and other members of the school community;

B. provide vehicles for the expression of student thought and action and to act as catalysts for helping students realize goals and objectives;

C. create a wholesome school spirit and to support the best traditions of the school;

D. promote and encourage school-sponsored activities;

E. provide training in useful and purposeful writing, speaking, artwork, photography, and layout;

F. create a desire for the best forms of journalism or theatrical production, both in and out of school;

G. record in permanent form the history of the school;

H. promote cooperation among taxpayers, parents, the school, and its students.

In implementing Board of Education Policy 5722, the following guidelines are applicable:

A. Under those circumstances when the school-sponsored student media is subject to prior review and restraint, the following school officials are designated to conduct the prior review/restraint:

1. Class/Activity Advisor

2. Building principal

3. District Administrator

Prior review involves the practice of a school official reading or previewing a student publication/production prior to its publication/performance. Prior restraint involves the practice of a school official – after reading or previewing the material – taking action to modify, inhibit, ban or restrain some or all of the style and/or content of the student publication/production prior to its scheduled publication/performance.

The reviewing school official may regulate the style and/or restrict the content of the student publication/production for legitimate pedagogical, school-related reasons. Any such prior review and restraint shall be conducted in a reasonable manner that is neutral as to the viewpoint of the speaker.

If an article/posting/publication/production is published/performed without being reviewed in advance and approved, the students involved in the unauthorized publication/performance may be disciplined.

Appeal: If the staff of the student publication/production disagrees with the reviewing official's determination, the staff may appeal the decision to the District Administrator, who retains the final authority to determine whether a school-sponsored student publication/production will be published/performed.

B. Students who work on school-sponsored student media shall:

1. endeavor to produce articles/postings/publications/productions based upon professional standards of accuracy, objectivity and fairness;

2. review and edit material to improve sentence structure, grammar, spelling and punctuation;

3. check and verify all facts and verify the accuracy of all quotations;

4. comply with all State and Federal laws;

5. determine the content of the school-sponsored student media (if the publication/production has been identified as a limited-purpose public forum);

6. perform with intelligence, objectivity, accuracy and fairness as set forth in the Code of Ethics adopted by the Society of Professional Journalists.

C. Excellence in writing and/or speaking will be sought and the ethics of responsible journalism and/or literary merit will determine what will be published/performed. Presentation of facts or ideas is to be based on careful research.

D. Language, pictures, music, or symbols that are obscene, libelous or protected by copyright and/or trademark are prohibited.

E. School-sponsored student media shall not promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or questions submitted at any election.

F. Advertisements shall reflect the spirit of these guidelines. Advertisements shall not be accepted that encourage or advocate violence or disregard of the law, promote the sale of any substance the use of which is prohibited by law (such as drugs and alcohol or of any paraphernalia associated with sex or drugs), any item that would be offensive to a significant population of the school community, or items not in keeping with school purposes or that violate State or Federal law.

G. All school-sponsored student media and productions are subject to prior review by the class/activity advisor(s) and/or building principal. Those who are denied approval for inclusion of materials in school-sponsored student publications/productions may appeal to the District Administrator.

H. The following types of student expression are not protected (i.e. such expression is subject to prior review and restraint, and/or disciplinary action subsequent to its publication/performance):

1. Expression that is obscene, harmful to juveniles and/or considered a sex offense under State or Federal law. "Harmful to juveniles" is defined as material or performance describing or representing nudity, sexual conduct, sexual excitement, or sadomasochistic abuse in any form to which all of the following apply:

   a. the material or performance, when considered as a whole, appeals to the prurient interest of juveniles in sex;

   b. the material or performance is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for juveniles; and

   c. the material or performance, when considered as a whole, lacks serious literary, artistic, political, and scientific value for juveniles.

2. Expression that is defamatory (i.e., speech that is libelous or slanderous). Libelous statements are provably false and unprivileged statements of fact that demonstrate injury to an individual's or business's reputation in the community. If the allegedly false statement involves a "public figure" or a "public official" the statement must be published "with actual malice" to constitute libel (i.e., the speaker knew the statement was false or the speaker published it with reckless disregard of the truth and/or without trying to verify the truthfulness of the statement). If the allegedly false statement involves an individual who is not a public figure or public official, libel occurs if the speaker published the statement willfully or negligently (i.e., the speaker failed to exercise reasonably prudent care when publishing the statement).

3. Expression that will cause or is reasonably likely to cause a substantial disruption of or material interference with school activities or the educational process, and/or an infringement upon the privacy and/or rights of others.

The duties of the faculty advisor and assistant advisors shall be to:

A. serve in a liaison capacity between the publication/production's staff and the faculty and administration;

B. establish criteria and standards by which students can assess the quality of their publication/production and their techniques;

C. instruct members of the publication/production's staff in proper journalistic, literary, theatrical and/or broadcast techniques;

D. advise, suggest, and edit syntax and punctuation when necessary;

E. advise, counsel and supervise the editing process;

F. interpret the foregoing guidelines.

Monitoring Postings on School-Sponsored Student Media

Staff who are charged with monitoring comments posted to social media platforms/sites that have been approved under Policy 7544 for use as school-sponsored student media shall fulfill their responsibility by verifying the age-appropriateness of the material, whether the comment includes unprotected speech, and whether the comment complies with posted rules for use of the forum and the platform/site's applicable terms of service.

The following content shall be removed:

A. comments that contain profanity;

B. comments that use language that is libelous, defamatory, obscene, threatening, offensive, demeaning, derogatory, disparaging, or abusive;

C. comments that violate the Board's policies against discrimination and/or harassment based upon Protected Classes and/or that constitute hate-speech;

D. comments that are off-topic;

E. comments that encourage or support illegal activity;

F. comments that contain material protected by copyright without the permission of the copyright owner;

G. comments that violate a person's privacy rights and/or disclose protected information, including personally identifiable information (See also Policy 8330);

H. comments that contain commercial messages.

The Class/Activity Advisor will determine whether a specific comment needs to be removed and/or whether a person who posted an inappropriate comment should have the person's right to post future comments restricted, suspended or terminated.

If possible, the Class/Activity Advisor will retain a record for a period of time in accordance with state statues and notify, in writing, any person whose posting is removed, including the reason why the posting was removed.

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ag5751

EDUCATION AND SERVICES FOR SCHOOL-AGE PARENTS

5751 - **EDUCATION AND SERVICES FOR SCHOOL-AGE PARENTS**

The District recognizes that pregnant and parenting students have the right and responsibility to attend school. This attendance right and responsibility applies to students regardless of their marital or parental status. Further, the District will educate pregnant and parenting students and will provide reasonable accommodations to support and encourage all pregnant and parenting students to obtain their high school diploma. No student will be excluded from, denied the benefit of, or discriminated against under any educational program or activity because of pregnancy or parenting responsibilities.

A school-age parent is any person under the age of twenty-one (21) who is not a high school graduate and is a parent, an expectant parent, or a person who has been pregnant within the immediately preceding 120 calendar days.

The District will not deny admission to or participation in any curricular, extra-curricular, student services, recreational, or other program or activity based upon pregnancy, marital, or parental status.

Procedure

Students who anticipate deviations from their regular school experience or accrue absences due to pregnancy or parenting should notify their school counselor or building principal as early as possible to discuss their educational programming. The school counselor and building principal will work with the student to develop a plan to assist the student in participating in District curriculum and extra-curricular activities. Such a plan may include, but is not limited to the following:

A. providing online courses;

B. accessing coursework on-line;

C. providing home-based independent study;

D. providing homebound instruction;

E. allowing for a modified or reduced schedule of classes;

F. arranging meeting times with teachers;

G. identifying child care providers that meet statutory requirements for quality and care;

H. providing schedule flexibility (e.g., later start times, changes to the class schedule) whenever possible to enable full participation and reduce school tardiness and absences due to medical, childcare, or other pregnancy or parenting related concerns;

I. permitting additional time to the pregnant or parenting student for class changes;

J. permitting the pregnant student the use of elevators when this need is supported by the student's physician and when it is possible to do so;

K. permitting the pregnant and parenting student to engage in alternative activities that satisfy physical education requirements when requested by the pregnant or parenting student and her physician;

L. providing hall passes for bathroom use;

M. providing pregnant and parenting students with class and homework assignments missed during any short term or an excused period of absence to enable the student to complete the assignments and receive credit for them if they are satisfactorily completed by the student within a reasonable amount of time; and

   Tests may also be made up within a reasonable amount of time and the teacher has the discretion to determine if the same or reasonably equivalent test shall be administered.

N. providing other curricular adjustments, modifications, and means of supplementing classroom attendance deemed appropriate by the school administrators.

Pregnant and parenting students shall be notified that they may request and be provided additional reasonable accommodations to ensure continued participation and enrollment in school. Accommodation requests will be evaluated on a case-by-case basis.

Alternative methods of instruction or other alternative programs for pregnant and parenting students are voluntary for the student, and the student may elect whether to engage in an alternative method of instruction or the traditional methods of instruction available to their peers. Pregnant and parenting students shall be allowed to attend their regular classrooms and complete regular coursework.

Attendance and Leave of Absences

Pregnant and parenting students are permitted to attend to their own health care, their child's medical care, or other pregnancy or parenting related appointments with the benefit of having any such absences or tardiness excused. A student must be permitted to take a leave of absence for pregnancy, childbirth, and any other pre-natal and post-natal related medical needs, along with recovery for the duration that is deemed medically necessary by the student's licensed health care provider. At the conclusion of the leave of absence, a student shall be immediately enrolled in the school of record at the same grade and status as when the leave began. Pregnant and parenting students shall be allowed to participate in all activities including extra-curricular activities throughout the student's pregnancy and thereafter. A pregnant and parenting student may be asked to obtain certification from the student's licensed healthcare provider regarding the student's safe participation in an extra-curricular activity when such certification is required of students for other conditions requiring the attention of a licensed health care provider.

Any absences accumulated due to pregnancy or pregnancy-related conditions, or care for an ill child, should not count towards any District policies in effect under Policy 5200. Pregnant and parenting students with excused absences or tardiness shall be treated like all other students with excused absences or tardiness for any other medical reasons.

Pregnant and parenting students will be provided with assignments, classwork, and any additional needed support to ensure the student keeps up with class requirements when absent.

Breastfeeding and Lactation

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use.

Reasonable accommodations include, but are not limited to:

A. access to a private, clean and secure room, with an electrical outlet, other than a restroom, to express breast milk or breastfeed an infant child;

B. permission to bring onto a school campus a breast pump and any other equipment used to express breast milk;

C. access to a power source for a breast pump or any other equipment used to express breast milk;

D. access to a place to store expressed breast milk safely; and

E. a reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child.

A student shall not incur an academic penalty nor face any attendance or tardy penalties as a result of her use during the school day of these reasonable accommodations and shall be afforded an opportunity to make up any work or tests missed due to such use.

Child Care

If in-school child care is not available, a list of qualified licensed child care providers will be provided to pregnant or parenting students. Nothing in this guideline is intended to prohibit or limit any referral for a student or a student's child to an early Head Start program or any other available community resources.

Privacy and Confidentiality

Pregnant and parenting students have the right to have their health and personal information kept confidential in accordance with applicable law. School staff should make every effort to keep personal information and health records confidential and in compliance with Wisconsin and Federal law. Information about students' pregnancies and related conditions should not appear in their cumulative record and cannot be used as an adverse factor when they are being considered for educational or job opportunities, awards, or scholarships.

Bullying and Harassment

Pregnant and parenting students have the same rights as other students to be free from discrimination, bullying, and harassment. Such school policies are incorporated herein and apply to all students.

Additional information regarding 'Instruction and Services for School-Age Parents' may be accessed through the following DPI link:

https://dpi.wi.gov/sites/default/files/imce/sspw/pdf/schoolageparents.pdf

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ag5771

SEARCH AND SEIZURE

5771 - **SEARCH AND SEIZURE**

Pursuant to Board Policy 5771 - Search and Seizure, the following guidelines shall be used when school administrators have reasonable suspicion that an illegal or dangerous substance or object, stolen property, or other form of contraband in violation of school rules may be in a student's possession:
Any search conducted based on reasonable suspicion must be limited in scope based on the circumstances that justified the search in the first instance.

A. All recommendations for the search of a student or the student's possessions shall be directed to the Principal or the person in charge of the students while out of the District.

B. Wherever possible, before conducting the search, the Principal shall notify the student and request the student's consent to the inspection if other than the student's locker, and inform the student that s/he may withhold consent. Such consent, if offered, shall be given voluntarily and with the knowledge that it could have been withheld. The principal shall conduct the search, however, with or without the consent.

C. Whenver possible, an adult third party shall be present at any search of a student or the student's possessions. Whenever possible, the Principal shall request the assistance of the School Resource Officer to conduct the search under the Principal's direction.

D. The Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student, whether during a student search or otherwise. The Principal shall create a record of any recovered items turned over to law enforcement. Confiscated items retained by the Principal shall be kept in a secured location.

E. Wherever possible, the student shall be present at any search of the student's possessions.

F. The Principal shall be responsible for the prompt recording of each student search. The record shall be in writing and shall include the reasons for the search, the persons present, the objects found, and the disposition made of them. The record shall be kept in a secure location.

G. Whenever the search is prompted by the reasonable suspicion that possession of a substance or object immediately threatens the safety and health of the student or others, the Principal shall act with as much speed and dispatch as is required to protect persons and property in the school while respecting the student's rights. The Principal shall immediately contact law enforcement.

Reasonable Suspicion

As used in this section, "reasonable suspicion" means grounds sufficient to cause an adult of normal intellect to believe that the search of a particular person, place, or thing will lead to the discovery of evidence that the student:

A. has violated or is violating a rule or behavioral norm contained in the student handbook;

B. has violated or is violating a particular law;

C. possesses an item or substance which presents an immediate danger of physical harm or illness to students and staff or District property.

Lockers and Other Storage Areas Provided for Student Use

A. All lockers and other storage areas provided for student use remain the property of the District. These lockers and storage areas are subject to inspection, access for maintenance, and search pursuant to these guidelines. A student using the locker or storage area has, by statute, no expectation of privacy in that locker or storage area (See Form 5771 F1). Search of a student's belongings in the locker or storage area, such as a backpack or purse, may only be conducted if there is reasonable suspicion that the contents may include evidence of a violation of policy or law, or if contents of such personal items are in plain view during the conducting of a locker search (e.g. the backpack is open and without searching through its contents some form of contraband is clearly visible). No student shall lock or otherwise impede access to any locker or storage area except with a lock provided by or approved by the principal. Unapproved locks will be removed and destroyed.

B. The Principal may search student lockers and storage areas at any time for any justifiable reason.

C. The Principal may, at any time, request assistance of the law enforcement agency having jurisdiction over the facilities of the District. The law enforcement officer must have probable cause, however, to conduct a search of the lockers and storage areas and the contents contained therein.

Desks and Other Storage Areas

A desk or any other storage area in the school provided for student use, may be searched when the Principal has reasonable suspicion for a search. Personal items in the desk or other storage areas, such as a backpack or purse, may only be searched if there is reasonable suspicion that contents of the item will include evidence of a violation of policy or law or if contents of such personal items are in plain view during the conducting of a search (e.g. the backpack is open and without searching through its contents some form of contraband is clearly visible).

Vehicles

A. Any vehicle brought on District premises by a student may be searched when the Principal has reasonable suspicion to justify the search.

B. One of the conditions for granting permission for a student to bring a student-operated vehicle onto school premises is written consent by the student driver, the owner of the vehicle, and the parent of the student to allow search of that vehicle. Refusal by any of the parties to provide or allow access to a vehicle at the time of a search request shall be cause for terminating the privilege without further hearing.

C. Searches of vehicles of staff members or visitors shall be conducted by law enforcement personnel.

Student

A. The personal search of a student may be conducted by the principal when s/he has reasonable suspicion for a search of that student. Authorized searches of the student's person must be limited in scope based on the basis of the information that provides reasonable suspicion to justify the search in the first instance. Where possible, school officials should request the assistance of law enforcement personnel to conduct a search under the school official's direction.

B. Strip searches are not to be conducted by any official, employee, or agent of the District.

C. Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and in the manner that is minimally intrusive to the student based on the reasonable suspicion justifying the search.

D. Personal searches shall be conducted in a private room by a person of the same gender as the student and designated by the Principal. At least one (1) but not more than three (3) additional staff members of the same gender as the student being searched shall witness but not participate in the search.

At the request of the student to be searched, an additional person of the same gender as the student designated by the student, and then reasonably available on school premises, shall witness the search. A minor student's parents shall be notified of the search as soon as reasonably possible. Parent notification is not a prerequisite to conducting a search.

Use of Breath-Test Instruments

The Principal may arrange for a breath test for blood-alcohol to be conducted on a student whenever the Principal has individualized reasonable suspicion to believe the student has consumed an alcoholic beverage.

The Principal shall first attempt to contact the appropriate law enforcement agency and arrange for it to conduct the test. The following procedure should be used:

A. Take the student(s) to a private administrative or instructional area on school property and have at least one other member of the teaching or administrative staff present as a witness to the test.

B. The purpose of the test is to determine whether or not the student has consumed an alcoholic beverage. The amount of consumption is not relevant, except where the student may need medical attention.

C. Make a written record of the instrument's serial number or identifier; the test result; the date, time, place of the test; the students' names; and the names of the witnesses.

D. If the instrument provides printed evidence, attach a print-out to the written record.

E. If the result indicates a violation of school rules as described in the student handbook, follow the disciplinary procedure described in the handbook.

F. If the student refuses to take the test, inform the student that refusal to participate implies an admission of guilt leading to disciplinary action. Allow the student a second opportunity to be tested, and if the student refuses again, ask the student to sign a refusal statement. Regardless of whether or not the student signs, prepare a written report of the incident.

G. If a staff member accompanying students on a school-related activity off school grounds has individualized reasonable suspicion to believe that a student has consumed an alcoholic beverage and no test instrument is available, the staff member should make a written record of all facts upon which an opinion that the student has consumed an alcoholic beverage is based. Since the staff member is responsible, for the welfare of a student who may be intoxicated, the staff member should supervise the student until the student is returned to the custody of the student's parents or a law enforcement official.

Use of Dogs

The Board has authorized the use of specially-trained dogs to detect the presence of drugs and devices such as bombs on school property under the following conditions:

A. the presence of the dogs on school property must be authorized, in advance, by the principal or be pursuant to a court order or warrant;

B. the dog must be handled by a law enforcement officer or a contracted person specially trained to safely and competently work with the dog;

C. the dog is represented by the Sheriff or Chief of the law enforcement agency providing the service as capable of accurately detecting drugs and/or devices;

D. the dog will be allowed to examine a student's possessions, including vehicles;

If the dog indicates on a particular item, that shall be reasonable suspicion to conduct a search.

E. the dog may be allowed to examine school property such as lockers as permitted by the building principal. Any limitation as to areas of school property to be examined by the dog shall be established by the Principal at the time the use of dogs is authorized.

Method of Search

The scope of any search should be limited by the reasonable suspicion that motivated the search. If an item is found that leads to reasonable suspicion that additional, correlated items may also exist, the search may be extended. If the initial search produces no evidence of contraband, there should be no extension of the search based on simple curiosity.

Items Found

Anything found in the course of a search that is evidence of a student violation of school rules or Federal/State laws may be seized and admitted as evidence in any suspension or expulsion proceeding if it is tagged for identification at the time it is seized and kept in a secure place by the Principal until it is presented at the hearing. It may also be turned over to any law enforcement officer after proper notation and receipt.

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ag5772

WEAPONS

5772 - **WEAPONS**

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

The term 'weapon' is defined in Policy 5772 - Weapons. Policy exceptions are also described in Policy 5772.

A principal or activity supervisor receiving a report of weapons possession shall have the option of conducting a search for the weapon in accordance with AG 5771 - Search and Seizure, or contacting the School Resource Officer for assistance.

Any interaction with the person should have as its primary objective the safety and welfare of people in the area rather than obtaining possession of the weapon.

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ag5780

ADULT STUDENT RIGHTS

5780 - **ADULT STUDENT RIGHTS**

A student who has reached the age of majority has the option to assume full rights of an adult and may sign his/her own report card, excuse slips, and permission slips, and have free access to his/her school records.

Each student who has reached the age of majority shall assume full responsibility for his/her performance in school, attendance, and compliance with school administrative guidelines.

Prior to assuming his/her full rights, the student should sign Form 5780 F1.

The administration reserves the right to advise parents of any situation regarding a student, regardless of age, which it deems worthy of parental involvement.

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ag5820

STUDENT GOVERNMENT

5820 - **STUDENT GOVERNMENT**

Board Policy 5820 authorizes and encourages the formation of student government organizations subject to the following guidelines:

A. The organization, operation, and scope of the student government body shall be defined in a written constitution developed through effective student participation with selected school advisors, and approved by the building principal.

B. Student government organizations shall function with respect to the provisions of their constitution and bylaws.

C. The principal shall ensure that all students have the right to vote and hold office in their student government organization.

D. The decisions of the student government organization shall not be influenced by the faculty and administration but should be subject to review by the principal to assure compliance with the purpose of the student organization.

E. The student government organization shall be responsive to the needs and interests of all students, and shall conduct open meetings to assure maximum involvement of all students.

F. Students shall have the right to and should be encouraged to recommend guidelines for their own conduct.

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ag5830

STUDENT FUND-RAISING

5830 - **STUDENT FUND-RAISING**

The following guidelines are to be followed for any activity that involves fund-raising by students and from students.

In any fund-raising activity involving students, the following conditions must be met:

A. Minimal instructional time is to be used to plan, conduct, assess, or manage a fund-raising activity unless such an activity is part of an approved course of study.

B. Fund-raising activities conducted in a school or on District premises are not to interfere with the conduct of any co-curricular or extra-curricular activity. Students involved in the fund-raiser are not to interfere with students participating in other activities in order to solicit funds.

C. Student participation in fund-raising activities conducted by school-related groups of which they are not members must be voluntary and must be approved by the student's teacher or counselor to ensure that participation will not adversely affect his/her school work and other school responsibilities.

D. No student group or volunteer group which uses students may conduct more than two (2) fund-raising activity(ies) in a school year.

E. In accordance with Board policy, each fund-raising activity must be approved by the principal if occurring on District premises and by the District Administrator if occurring off District property (See Fundraising Event Authorization Request Form). In order to be approved, the group leader or advisor is to submit a proposal in advance of the event so that all fund-raising efforts may be coordinated so as not to burden or be a nuisance to students, faculty, parents, or the community.

F. Contracts with outside suppliers for merchandise to be sold in a fund-raising activity are to be reviewed by the principal and signed by the staff member in charge who is personally responsible for the merchandise and monies collected. The contract must specify that any merchandise which is unsold and is resaleable can be returned for full credit. The District will not be responsible for any unsold merchandise that cannot be returned to a supplier for credit for any reason.

G. The staff member in charge should establish procedures to ensure that all merchandise is properly stored, distributed, and accounted for.

H. No staff member is to accept any special gifts or bonuses of more than nominal value offered by an outside supplier or vendor for any reason or purpose.

I. Fund-raising activities will not be permitted if they interfere with the District's educational program on nutrition.

J. If an activity involves the students providing a service in return for money, such as a car wash, a member of the professional staff shall supervise the activity at all times. His/Her responsibility is to ensure the service is provided in a proper manner and also the safety and well-being of the students and the property of both the purchaser and the owner of the site.

K. Any fund-raisers that require students to exert themselves physically beyond their normal pattern of activity, such as 'runs for .....', must be monitored by a staff member who has the necessary knowledge and training to recognize and deal appropriately with a situation in which one or more students may be over-extending themselves to the point of potential harm.

No nondistrict-sponsored organization may use the name, logo, mascot or any other name which would associate an activity with the District without the specific written permission of the Building Principal. Additionally, no nondistrict-sponsored organization may use any assets of the District, including but not limited to facilities, technology, or communication networks without the specific written permission of the District Administrator.

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ag5830B

FOOD AND BEVERAGE SALES

5830B - **FOOD AND BEVERAGE SALES**

Any student organization or District-support organization that seeks to raise funds by means of food or beverage sales must comply with the following guidelines in order to obtain approval for such sales on District premises:

A. No sales may take place during the hours that the District is providing food service to students.

B. Items sold through vending machines must comply with the conditions stated in Board Policy 8540 - Vending Machines.

C. A plan must be submitted which describes:

1. the items to be vended;

2. the time, date, and location at which the items will be sold;

3. how the funds will be safeguarded during and after the vending of the items;

D. The plan is to be submitted to the District Administrator at least seven (7) days prior to the fund-raising activity.

The sponsor of the activity must agree that the activity will be in compliance with all District policies and administrative guidelines related to food service and fund-raising.

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ag5840A

YOUTH GANGS

5840A - **YOUTH GANGS**

Board of Education policy prohibits all student organizations other than those approved by the Board under Policy 2430. In order to prevent the development of any type of youth gang, the following administrative guidelines are to be followed.

Definition

A youth gang is defined as any nonschool-sponsored group of students with secret and/or exclusive membership, whose purposes or practices include unlawful or anti-social behavior as well as actions that threaten the welfare of others. Staff members should be alert to the following indicators of youth gang activity:

A. surreptitious recruitment and/or initiation rites

B. grooming, hair style and/or wearing of clothing, jewelry, head coverings, or accessories which by virtue of color, arrangement, trademark or other attribute denotes membership in a group

C. gang tattoos and/or displaying gang markings or slogans on school or personal property or clothing

D. possessing literature that indicates gang membership

E. fighting, assault, hazing, extortion, establishing turf, use of hand signals, etc.

F. gang vocabulary and nicknames

G. possession of beepers or cellular phones

H. possession of weapons or explosive materials

I. possession of alcohol, drugs, drug paraphernalia

J. attendance at functions sponsored by a gang or known members

K. exhibiting behavior fitting police profiles of gang-related drug dealing

L. being arrested or stopped by police with a known gang member

M. selling or distributing drugs for a known gang member

N. helping a known gang member commit a crime, or any other action directly resulting from membership or interest in a gang

Intervention Procedures

Any or all of the following steps may be taken if a student in any school activity is suspected of or identified as being a member of a gang, shows interest in joining a gang, initiates or participates in any gang-related activity, or has been approached for recruitment.

A. Parents/Guardians will be contacted immediately and appropriate intervention initiated.

B. The student may be referred to counseling (personal and/or family); the Department of Human Services or other welfare or child care agencies of the respective county; and/or outside agencies or programs for treatment, if use of drugs and/or alcohol is involved.

C. Police, Juvenile Court, and other appropriate authorities will be notified in case of violence and/or illegal activities.

D. The student may be suspended from school or from a school-sponsored activity.

E. Parents and the student will be held liable and financially responsible for any and all forms of vandalism.

Community Cooperation

Since gang activity is a community concern, communication is to be maintained with the police department as well as private and community agencies on all matters related to gang activity within the schools and in the community.

The extent of involvement and jurisdiction of school personnel in gang-related incidents occurring off District property will be determined by the District Administrator, in cooperation with legal counsel and the police, and will take into consideration the nature of the incident, the safety of the those involved, the effect of the incident on other students, and the good order and functioning of the District.

Enforcement

In order to prevent the onset of gang-related activity:

A. Adherence to the Dress Code, as defined in the Parent/Student Handbook, will be required at all school activities.

B. Conduct for all District-sponsored activities on and off school property will be in accord with the Code of Conduct.

C. If there is reasonable suspicion of gang involvement, such as possession of weapons or drugs, search and seizure guideline (AG 5771) will be followed.

D. Parents are to be encouraged to prohibit their children from hosting or attending unsupervised parties or activities.

E. Any form of graffiti on District property will be removed immediately.

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RESPONSE TO GANG-RELATED INCIDENTS AND/OR SUSPICION OF GANG INVOLVEMENT

5840B - **RESPONSE TO GANG-RELATED INCIDENTS AND/OR SUSPICION OF GANG INVOLVEMENT**

A. **Types of Incidents**

1. Incidents of Violent Crime

   Examples:

   Assault, fighting, or imminent danger.

2. Incidents of Other Illegal Activity

   Examples:

   Intimidation, extortion, possession of beepers, cellular phones or weapons; arrest or detainment by police in the company of known gang member.

3. Suspicion of Gang Involvement and/or Activity

   Examples:

   Any manner of grooming, hairstyle, clothing, jewelry, or other accessories that may indicate membership; use of gang slogans, hand signals, nicknames, etc. indicating affiliation or association; graffiti on school or personal property; reasonable suspicion of the above.

B. **Initial Actions**

1. Immediately contact the law enforcement if the incident is violent or illegal.
2. Call the District Administrator and summon involved student(s) to the office.
3. Begin documenting the incident in a personal, private file. Be sure to include all available information.
4. Student(s) are to remain isolated from the student body until further direction from the principal to prevent escalation.
5. Notify parents and the District Administrator of allegations.

C. **Follow-Up**

1. If the incident is determined to be gang-related, immediately exercise right to search individual(s) locker and/or desk and/or personal effects for evidence of gang involvement.
2. Copies or photographs should be made of any evidence of gang membership or involvement, e.g. symbols, graffiti, etc. Additionally, any suspicious contraband is to be confiscated immediately.
3. Implement appropriate disciplinary procedures and/or make contact with one (1) or more of the following:
   a. Youth gang agencies.
   b. Department of Human Services.
   c. Other appropriate personal and/or family counseling services. This referral may be predicated on parent/guardian(s') agreement to a Behavior Contract (see Form 5840B F1) which will specifically outline the conditions for the student's continued attendance at school.

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ag5850

STUDENT SOCIAL EVENTS

5850 - **STUDENT SOCIAL EVENTS**

The following guidelines shall be used to conduct all social events.

A. Faculty advisors to school organizations will ensure that social events are adequately chaperoned in keeping with Board of Education policy. Other members of the staff shall cooperate with the advisors.

B. Chaperones must be present at social events sponsored by school organizations. The number needed shall be determined by the principal. In addition, the police, student-community relations persons, and security aides may be present.

C. Social events are restricted to current District students and their guests if prior approval has been given by the principal.

D. It is imperative that advisors and officers of organizations sponsoring dances or other social events set up an efficient checking system in both the boys' and girls' lavatories. Negligence on the school's part invites adverse public criticism.

E. It is essential that chaperones be present at the designated time so that students are not gathering without adult supervision.

F. Any police officers should be instructed by the advisors to maintain watch of the outside and to be available especially in the entrance area.

G. Students who leave the event are not to be readmitted unless granted permission by the person in charge.

H. Chaperones will circulate among the people present at the event to be sure that they behave properly and to locate any persons under the influence of alcohol and/or drugs who may have gained entrance.

Intoxicated students or students causing trouble should be dealt with using the following procedure:

1. Identify any or all of the students involved.

2. Obtain one (1) or two (2) witnesses.

3. Telephone parents at once and tell them that it **appears** their son/daughter is either drinking or causing trouble, or is associating with those who are. Ask the parents to come to the social event at once to take custody of their son/daughter.

4. Call Law Enforcement

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ag6111A

GRANT WRITING - RESPONDING TO RFP'S

6111A - **GRANT WRITING - RESPONDING TO RFP'S**

Grants of funds to develop or enhance a program can be obtained in one (1) of two (2) ways.

The first is to respond to requests for proposals (RFP's) put out from time to time by Federal and State agencies and sometimes private organizations. The second is to seek out funds from public or private sources through submission of a grant request.

This guideline provides a strategy for preparing responses to Requests for Proposals (RFP's). AG 6111B provides a guideline for preparing grant requests for a District project or program. Some elements are the same or similar to both processes such as in preparing the proposal or the plan itself. Many factors are different, thus requiring a different strategy.

Step One - Preliminary Approval

Prior to undertaking any response to an RFP, the project is to be discussed with the principal and then given preliminary approval by the Director of Business Services.

Step Two - Project Abstract

Summarize the need, objectives, activities and timelines, evaluation plan and project personnel so the reader could determine the merits/conformity of the proposal with just this statement.

Step Three - Statement of Need

A. Describe the need(s) the project addresses.

B. Describe the methods used to identify the need(s).

C. Indicate how the need(s) relate to the need identified in the RFP.

D. Document the need(s) by presenting and interpreting data that indicates the current status of the need.

Step Four - Objectives

Describe in specific terms the expected or desired changes/outcomes related to both implementing the project and affecting the status of individuals.

All objectives for which progress is expected could be performanceobjectives or facilitatingobjectives.

Performance objectives describe specific observable changes (e.g., knowledge, attitudes and abilities) in individuals as a result of the project, either during the grant period or as implemented in the future.

Facilitating objectives describe major tasks related to changes (e.g., development, implementation, evaluation of products or processes) which will facilitate achievement or realization of some aspect of a goal(s).

Elements of each type of objective include:

	PERFORMANCE OBJECTIVES		**FACILITATING OBJECTIVES**
-	What change will occur in persons' knowledge, attitudes or abilities because of experiencing the project		What has to be done
-	Who is to change	-	Who is responsible

-	Condition, if applicable		
-	Standard(s) -- quality and/or quantity aspects to be demonstrated in an observable fashion	-	Standards -- quality and/or quantity aspects a process or product must possess or exhibit
-	Measurement means	-	Verification methods
-	Measurement date(s)	-	Starting and completion dates

Step Five - Strategies/Activities and Timeline

Describe the specific activities related to accomplishing the objectives: i.e. person(s) responsible for seeing that each activity is completed; and other persons who will be involved in each activity and how they will be involved. Attach a timeline which shows the starting and completion dates of each activity.

At this point you may want also to indicate the evaluation or verification needed to determine that the objectives are met.

Step Six - Evaluation Plan

Using the Evaluation Plan Form develop an evaluation plan for RFP related objectives which will supply useful information. The following items should be addressed in the plan for each objective or group of related objectives:

A. Evaluation Data/Information Needed - specify determinants of the status and/or attainment/achievement of each objective.

B. Purpose(s) of Information - specify usefulness and applicability of evaluation data.

C. Means and Source of Acquiring Information - include appropriate evaluation techniques and instrumentation; indicate who and/or what will supply the information.

D. Means of Analyzing and Reporting Information - indicate how the information will be analyzed and reported.

E. Date(s) of Information Collection - indicate date(s) on which information is to be obtained.

F. Person(s) Responsible for Analyzing and/or Reporting Information - identify personnel responsible for reviewing and presenting the information obtained.

Step Seven - Project Personnel

Delineate all personnel who will be directly involved in project activities. Include the relationship between project staff members and other staff members; previous and/or current RFP-related experiences; and present availability to complete project activities.

Step Eight - Budget Worksheet

Complete the Budget Worksheet (See Form 6111 F5).

The proposed itemized budget must be prepared for expenditures directly related to the requirements of the RFP.

Step Nine - Proposal Review

Review the draft proposal against each of the criteria found on Form 6111 F1.

Step Ten - Final Check

After the proposal has been reviewed and revised (Step 6), submit it to staff members/administrators whose input is needed to confirm that District commitments can be fulfilled if the grant is received.

Step Eleven - Final Approval

Prior to submission, present the proposal to the Director of Business Services for written authorization.

Step Twelve - Proposal Submission

Submit the requested number of copies of the proposal in an envelope or container that is strong enough to withstand rough handling in transit. Check to make sure the label is complete and accurate so the proposal is being sent to the proper person or department.

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ag6111B

GRANT WRITING - REQUESTING A GRANT

6111B - **GRANT WRITING - REQUESTING A GRANT**

Step One

Prepare a preliminary proposal which describes in two (2) or three (3) paragraphs:

A. the purpose of the project (what problem is to be solved or what learning is to take place);

B. the desired outcomes (what will have been accomplished if the project is successful);

C. how the project will function (main activities that will produce the desired outcomes).

Ask key staff members to review the draft for clarity and accuracy since it will serve as the in-District "communication" while the proposal is being prepared and ultimately as the abstract for the fiscal proposal.

Submit the preliminary proposal to the Director of Business Services for approval prior to proceeding with creating the proposal.

Step Two - Statement of Need

A. Describe the need(s) the project addresses.

B. Describe the methods used to identify the need(s).

C. Document the need(s) by presenting and interpreting data that indicates the current status of the need.

Step Three - Objectives

Describe in specific terms the expected or desired changes/outcomes related to both implementing the project and affecting the status of individuals.

All objectives for which progress is expected could be performanceobjectives or facilitatingobjectives.

Performance objectives describe specific observable changes (e.g., knowledge, attitudes and abilities) in individuals as a result of the project, either during the grant period or as implemented in the future.

Facilitating objectives describe major tasks related to changes (e.g., development, implementation, evaluation of products or processes) which will facilitate achievement or realization of some aspect of a goal(s).

Elements of each type of objective include:

	PERFORMANCE OBJECTIVES		**FACILITATING OBJECTIVES**
-	What change will occur in persons' knowledge, attitudes or abilities because of experiencing the project		What has to be done
-	Who is to change	-	Who is responsible
-	Condition, if applicable		
-	Standard(s) -- quality and/or quantity aspects to be demonstrated in an observable fashion	-	Standards -- quality and/or quantity aspects a process or product must possess or exhibit

-	Measurement means	-	Verification methods
-	Measurement date(s)	-	Starting and completion dates

Step Four - Strategies/Activities and Timeline

Describe the specific activities related to accomplishing the objectives: i.e. person(s) responsible for seeing that each activity is completed; and other persons who will be involved in each activity and how they will be involved. Attach a timeline which shows the starting and completion dates of each activity.

At this point you may want also to indicate the evaluation or verification needed to determine that the objectives are met.

Step Five - Evaluation Plan

Using the Evaluation Plan Form develop a plan which will supply information needed to assess how closely the results the project actually achieves with those proposed in the grant request. The following items should be addressed in the plan for each objective or group of related objectives:

A. Evaluation Data/Information Needed - specify determinants of the status and/or attainment/achievement of each objective.

B. Purpose(s) of Information - specify usefulness and applicability of evaluation data.

C. Means and Source of Acquiring Information - include appropriate evaluation techniques and instrumentation: indicate who and/or what will supply the information.

D. Means of Analyzing and Reporting Information - indicate how the information will be analyzed and reported.

E. Date(s) of Information Collection - indicate date(s) on which information is to be obtained.

F. Person(s) Responsible for Analyzing and/or Reporting Information - identify personnel responsible for reviewing and presenting the information obtained.

Step Six - Project Personnel

Delineate all personnel who will be directly involved in project activities. Include the relationship between project staff members and other staff members; previous and/or current experiences related to the proposed project; and present availability to complete project activities.

Step Seven - Budget Worksheet

Complete the Budget Worksheet.

The proposed itemized budget should detail all expenditures for each activity described in Step Four.

Step Eight - Proposal Review

Review the draft proposal against each of the criteria.

Step Nine - Location of Funding Sources

A. Locate possible funding sources by identifying private foundations and/or government agencies which provide funds for the type of project being planned. The public library has reference books which list all types of foundations and the types of programs each will support. Also, there is a Foundation Center in New York which will provide assistance in linking the project to foundations. Call 1-800-424-9836.

B. For government agencies, contact the State Department of Public Instruction, the Federal Department of Education, or the office of Management and Budget. The latter will provide a document entitled Catalog of Domestic Assistance. Also, don't overlook local funding sources such as family or civic foundations, businesses, and industries, or individuals who would see the project as a significant program for local students.

Step Ten - Final Approval

Prior to submission, present the proposal to the Director of Business Services for written authorization.

Step Eleven - Submission of Proposal

Submit the requested number of copies of the proposal in an envelope or container that is strong enough to withstand rough handling in transit. Check to make sure the label is complete and accurate so the proposal is being sent to the proper person or department.

Step Twelve - Follow-Through

If the proposal is rejected by one or more of those to whom it was submitted, try to find out the reasons for the rejection to determine if the proposal needs to be revised. If it appears the proposal is still valid as is, submit it to other groups who have similar concerns. Reviewing committees differ in perspective, interests, and priorities, so don't give up after one (1) or two (2) rejections.

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ag6220

BUDGET (APPROPRIATIONS) PREPARATION

6220 - **BUDGET (APPROPRIATIONS) PREPARATION**

The budget is formulated under the direction of the Director of Business Services using a cooperative budgeting system in which the principals and department supervisors develop throughout the year, a list of items for implementing the instructional program, and/or for day-to-day operations in their schools/departments that they wish to include in the next budget. Prior to the start of the budget preparation process, the Director of Business Services will prepare a Timetable for Budget Preparation by which the preparation, review, and approval will take place.

At the beginning of each budget year, the District Administrator and Director of Business Services will estimate the costs of District-wide operations such as staff, building maintenance, transportation, capital improvements, etc., and determine the allocation for each school as well as the total allocation for each operating department.

A. These will be entered on a spreadsheet and distributed to each principal/department supervisor with the discretionary allocation highlighted along with the parameters and constraints they are to use in developing spending plans for the coming year.

B. Each principal is to review the current year's budget (appropriations) to determine whether the allocations for the current year are being used effectively and whether changes need to be considered when making allocations for the coming year.

C. If the assigned allocations are an increase over the previous year, each principal, as the budget manager for his/her school, will, in collaboration with the staff, allocate the increase in ways that will best accomplish the school's instructional goals. All increases, as well as all changes in percentages of the allocation from the previous year, are to be justified in terms of the effect on the accomplishment of the school's instructional goals.

D. If there is a decrease in per student allocation, the principal and staff are to apportion the decreases among the discretionary categories and justify the apportionment in terms of impact on accomplishing the school's instructional goals.

E. Operating department supervisors are to apportion their department's allocation and justify the apportionment in terms of the effect on accomplishing the department's operational goals.

F. When the allocations have been completed, the school's/department's proposed budget is to be submitted, no later than May 31 to the District Administrator for review and inclusion in the total budget.

G. The District Administrator, in collaboration with the administrative team, shall make a compilation of the budget requests and determine how any increase in revenues will be allocated.

The completed tentative budget shall contain:

A. the amount budgeted for proposed expenditures by funds, functions, and object;

B. the corresponding amounts budgeted by fund, function, and object that were actually expended during the last completed fiscal year and anticipated to be expended during the current fiscal year;

C. all revenues anticipated for the ensuing fiscal year classified as to funds and sources of income, including only those revenues which can be reasonably anticipated and excluding contingency revenues.

The proposed expenditures and anticipated revenues in the budget shall be supported by explanatory schedules or statements of sufficient detail to judge the validity thereof, including a statement which shall summarize the aggregate of revenues, appropriations, assets, and liabilities of each fund, in balanced relations.

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ag6320A

PURCHASING

6320A - **PURCHASING**

Purchasing - General Provisions

A. All purchases shall be by purchase order processed through the District Office.

B. The Director of Business Services shall encumber the funds as soon as the purchase order has been issued.

C. Employees are forbidden to use the name of the District, any discounts provided the District, or any other means for associating a personal purchase with the District. They are to make clear to any District supplier from whom they are purchasing an item that it is a personal purchase by the employee and is not associated with the District. Failure to abide by this provision could lead to disciplinary action.

D. Confirming purchase orders will be honored only in cases cited in the above paragraph.

E. Ongoing commitments such as service contracts and leases should be renewed at the renewal date.

F. Blanket purchase orders for goods or services are valid only for the time period and amount indicated on the purchase order. Extension of the commitment beyond that time and/or amount shall be confirmed by a new purchase order. Blanket purchase orders must be approved by the Director of Business Services before they are issued.

G. Purchases of contracted services shall be negotiated either verbally, by a Request for Proposal, or through the bid process, as determined by the District Administrator. Such services that cost more than $50,000 require the approval of the Board.

H. The Director of Business Services will determine the most appropriate method of obtaining prices for items or groups of items which are not subject to formal bidding procedures.

I. Quotes will be requested for any item or group of items in a single transaction exceeding the cost set by Board Policy.

J. Purchases of supplies, materials, and equipment items costing more than the amount stipulated in Board policy must be obtained through competitive, sealed bids and be approved by the Board.

K. Annual purchase order cut-off dates shall be as follows:

Purchase orders must be received in the District Office on or before April 30th prior to the close of the fiscal or project year, unless the services or supplies are essential to continue the daily operation of the department or building for the remainder of the current year, or unless an emergency exists.

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ag6320C1

PROCUREMENT BIDDING PROCESS

6320.01 - **PROCUREMENT BIDDING PROCESS**

Less than $5,000: The Director of Business Services shall determine the method to be used in evaluating prices for expenditures less than $5,000. All purchases less than $5,000 may be at the discretion of the Director of Business Services.

Greater than $5,000 but less than $10,000: All single item equipment purchases shall be based on multiple quotations as documented on the District's Quotation Summary Form (exhibit A).Quotation Summary Forms shall be attached to the applicable purchase requisition for supervisor review and approval.

$10,000 to $25,000: All contracts for and purchases of supplies, materials, equipment and contractual services in this range shall be based, whenever possible, on at least three (3) competitive bids. All purchases in this range shall be at the discretion of the Director of Business Services.

$25,001 to $50,000: A minimum of three (3) formal competitive bids shall be required for single item of project groupings of supplies, materials, equipment or contractual services of $25,001 to $50,000. Bids shall be evaluated on the basis of District specifications. If at least three (3) bids are not received for any single item or grouping, the Board Treasurer shall have the authority to approve the purchase as recommended by the Director of Business Services or to forward the decision to the Board of Education for action. If three (3) or more bids are received, the Director of Business Services shall have authority to approve the purchase.

Over $50,000: A minimum of three (3) formal competitive bids shall be required for single item or project groupings of supplies, materials, equipment or contractual services of more than $50,000. Bids shall be evaluated on the basis of District specifications. The Board of Education must approve any individual procurement transaction or contract for the procurement of goods or services in excess of $50,000.

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ag6320l

CHECK WRITING

6320l - **CHECK WRITING**

The Board authorizes the use of digitized signatures for check writing in accordance with the following provisions:

A. The signatures shall only be available to the Director of Business Services, Bookkeeper, and Assistant Bookkeeper using a passcode procedure.

B. A check signature register shall be maintained and the register shall be audited by the Director of Business Services and District Administrator.

C. All void or spoiled checks shall be marked as such and retained and the signature section shall be removed and destroyed.

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ag6325

PROCUREMENT - FEDERAL GRANTS/FUNDS

6325 - **PROCUREMENT – FEDERAL GRANTS/FUNDS**

Contracting with Small Businesses, Minority Businesses, Women's Business Enterprises, Veteran-Owned Businesses, and Labor Surplus Area Firms

When possible, the District shall consider small businesses, minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms.

Such consideration means:

A. these business types are included on solicitation lists;

B. these business types are solicited whenever they are deemed eligible as potential sources;

C. dividing procurement transactions into separate procurements to permit maximum participation by these business types;

D. establishing delivery schedules (for example, the percentage of an order to be delivered by a given date of each month) that encourage participation by these business types;

E. utilizing organizations such as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

F. requiring a contractor under a Federal award to apply this guideline to subcontracts.

Definitions

Small Business - A small business is a privately owned company in the legal form of a corporation, partnership, or sole proprietorship. The SBA defines a small business as one that typically makes a maximum of $750,000 – $38.5 million in annual revenue and has less than 100 – 1,500 employees, depending on industry.

Minority and Women's Business Enterprises - A Minority Business Enterprise (MBE) is an American term which is defined as a business which is at least fifty-one percent (51%) owned, operated, and controlled on a daily basis by one (1) or more (in combination) American citizens of the following ethnic minority and/or gender (e.g. woman-owned) and/or military veteran classifications:

A. African American

B. Asian American or Pacific Islander (includes West Asian Americans (India, etc.) and East Asian Americans (Japan, Korea, etc.))

C. Hispanic American - Persons with origins from Latin America, South America, Portugal and Spain (SBA.gov)

D. Native Americans, including Aleuts

E. Hasidic Jew

F. Service – Disabled Veteran Owned a.k.a. SDVBE (Service-Disabled Veteran Business Enterprise), a.k.a. DVBE (Disabled Veteran Business Enterprise) which became a Federally certified classification in 1999, subsequent to the passage of legislation by the United States Congress through the enactment of The Veterans Entrepreneurship and Small Business Act of 1999 (The Act); legislation that was further expanded by Congress in 2001.

MBE's can self-identify but are typically certified by a city, State, or Federal agency.

Veteran Owned Business

A veteran owned business (as defined in 38 U.S.C. 101(2)) must meet the following requirements:

A. the owner served on active duty with the Army, Air Force, Marines, Navy, or Coast Guard;

B. the owner was honorably discharged or released;

C. at least fifty-one percent (51%) of the business is veteran-owned; and

D. the veteran owner is actively involved in managing the company and its daily operations.

Labor Surplus Area Firm

A labor surplus area firm is a business concern that, together with its first-tier subcontractors, will perform substantially in labor surplus areas (as identified by the U.S. Department of Labor in accordance with 20 C.F.R. Part 654). Performance is substantially in labor surplus areas (areas of concentrated unemployment or underemployment) if the costs incurred under the contract on account of manufacturing, production, or performance of appropriate services in labor surplus areas exceed fifty percent (50%) of the contract price.

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ag6423

USE OF CREDIT CARDS

6423 - **USE OF CREDIT CARDS**

Employees will abide by the following guidelines when using a District credit card:

A. All credit cards issued to and in the name of the School District shall be held and supervised by the Director of Business Services.

B. Employees requiring the use of school credit cards shall request such cards from the Director of Business Services.

C. Each request for use of a school credit card shall contain:

1. date needed;

2. date to be returned;

3. purpose;

4. authorization.

D. After use, school credit cards are to be returned to the District Office along with appropriate receipt copies of all charges.

E. Credit cards may only be used for the purchase of the following types of goods and services for the District:

1. transportation for authorized trips;

2. lodging and meals for authorized trips or meetings;

3. approved services, supplies, and equipment.

F. The credit card is to be returned by the date specified in the authorization and be accompanied by documentation indicating the goods and services purchased, the amount(s) of the purchase, date(s) of purchase, and the District business to which each purchase relates.

G. All credit card invoices shall be reviewed and documented in the same manner as other invoices (see AG 6320A - Purchasing). Credit card balances must be paid within sixty (60) days of the initial statement date.

H. The staff member to whom a credit card is issued shall be responsible for its use and shall not allow the card to be used by anyone else or for any unauthorized purchases. Any unauthorized use shall subject the cardholder to disciplinary action in accordance with applicable law and District policy.

I. Inappropriate or illegal use of the credit card and/or failure to strictly comply with the limitations and requirements set forth in these administrative guidelines may result in a loss of credit card privileges, disciplinary action, up to and including termination, personal responsibility for any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase, and/or possible referral to law enforcement authorities for prosecution.

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ag6611

STUDENT ACTIVITY FUND

6611 - **STUDENT ACTIVITY FUND**

The Board has formulated Policy 6611 - District-Supported/Sponsored Student Activity Accounts which governs the management and control of student activity funds that are District-supported or District-sponsored. The following guidelines should be used to implement this policy.

A. Financial reports for student-activity funds shall be prepared as requested by the advisor.

B. Fund-raising projects for any student activity shall, in general, contribute to the educational experience of students and shall not conflict, but add to, the instructional program.

C. All sales projects or programs must be approved by the principal and the District Administrator at least two (2) weeks prior to the sale or event.

D. Receipts and expenditures must be coded by WUFARS Classification.

E. All expenditures from a student-activity fund shall be in accordance with the budget.

F. Expenditures must be approved by the appropriate student activity group advisor.

G. Student-activity funds shall not be used for any purpose which represents an accommodation, loan, or credit to Board employees or other persons. Postdated checks may not be accepted and checks may not be cashed for anyone.

H. Board employees or others may not make purchases through a student body in order to take personal advantage of student-body purchasing privileges.

I. No student-activity organization shall be obligated for purchases made by students, faculty, and/or others unless supported by a written purchase order signed by the Building Principal.

J. All monies collected should be deposited with the school office by the end of the day on which the money was collected or in a designated depository on the day on which the money was collected if the school office is closed.

K. Funds collected through the school office will be processed through either Fund 10 or Fund 21.

L. The disposition of unspent activity funds will be determined by the class officers, activity sponsor, and the principal.

M. An internal audit of the financial accountability and compliance of student activities policies shall take place on a regular basis.

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ag6611A

PROCEDURE FOR INACTIVE ACTIVITY ACCOUNTS

6611A - **PROCEDURE FOR INACTIVE ACTIVITY ACCOUNTS**

Prior to the termination of a District-supported/sponsored student-activity organization, all funds remaining in the treasury must be disposed of in one of the following ways:

A. Expended by vote of the organization controlling these funds as provided for in the bylaws.

B. Transferred to another student activity organization following the standard withdrawal procedure.

C. Transferred to the District for a specific and designated purpose. When the student activity organization votes to dispose of funds in this manner, the following procedure will be applied:

1. The organization submits a signed statement authorizing the District to use the funds in a specific manner as determined by the student organization.

2. The funds shall be held in a trust agency fund until the proper expenditures have been made. Any balance remaining after these expenditures will be transferred to the Fund 10 for use by the School District.

After one (1) year of inactivity, and if none of the procedures listed above have been implemented, the unexpended funds may, on the recommendation of the principal and the approval of the District Administrator, be transferred to another student-activity organization.

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ag6611B

TICKET SALES

6611B - **TICKET SALES**

The following guidelines apply to all (non-athletic) school events at which tickets are sold.

A. **Responsibilities of the Activity Sponsor**

1. Establish the price and make arrangements for the printing of the tickets.
2. Obtain approval from the advisor/organizer for any complimentary tickets to be given away.
3. Select the ticket sellers and provide them with the appropriate number of tickets, the forms needed to account for the sales, and the currency and coins needed for making change. Make sure they understand the sales and accounting procedure.
4. Make a record of the number of tickets given to each seller.
5. Receive the money, ticket-sales accounting form, and unsold tickets from each seller and reconcile the money collected with the ticket-sales accounting record. Maintain a record of unsold tickets.
6. Prepare the deposit record and deposit the funds in the depository designated by the Board.
7. Make note of any changes in procedure that should be incorporated into the next ticket sale.
8. Establish protocols for the appropriate handling of cash received in the course of the activity to include:
    a. Two (2) or more people should be counting/verifying the cash counts and ticket count reconciliation with cash counts at all times.
    b. A Cash Count Sheet that provides the names of the people counting the cash and the cash breakdown of coins, currency, checks, and credit card slips should always be used.
    c. The Cash Count Sheet should always be signed by all people counting the cash.

B. **Responsibilities of the Ticket Seller**

1. If tickets are numbered, make a record of the first and last numbers to verify the number of tickets received from the activity supervisor. Verify the prices, particularly if there are price differentials.
2. Complete the information called for on the form heading.
3. Collect the money from the purchaser, verify that the amount is correct, and provide the purchaser with the ticket(s).
4. At the end of the sale, record the number of the first unsold ticket and count the number of tickets sold. If tickets have been sold at different prices, record the number sold at each price.
5. Organize the money collected by denomination and then count each denomination. For each price category, compare the actual total with the total obtained by multiplying the number of tickets sold by the price of each ticket.
6. Provide the activity supervisor with the money, ticket-sales accounting record, and the unsold tickets.

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ag6620

PETTY CASH FUNDS

6620 - **PETTY CASH FUNDS**

The following guidelines are to govern the use and control of petty cash funds:

A. Petty cash may be used to pay for materials, supplies, and expenses that are needed immediately, considered to be usual and legitimate expenses of the District, and involve less than $25.00 for any one (1) item.

1. Each elementary school and the middle school shall have an allocation of petty cash amounting to $150 for each building.

2. The high school shall have an allocation of petty cash amounting to $200 for the building. In addition, the high school shall receive at the beginning of each school year, upon the written request of the principal, an amount of $450 to be used by the individual in charge of athletic ticket sales for making change. At the end of the school year that amount shall be returned to the district office.

3. The Office of the Superintendent shall have an allocation of petty cash amounting to $100.

4. The Maintenance Department shall have an allocation of petty cash amounting to $150.

5. The Director of Pupil Services shall have an allocation of petty cash amounting to $150.

B. A "Petty Cash" voucher is to be completed each time a disbursement is made. The invoice, bill, or sales slip is to be signed by the person making the purchase and attached to the voucher.

C. All purchases shall be charged to the appropriate building or district account.

D. Only receipts that meet the petty cash procedures shall be reimbursed.

E. The petty cash, plus receipts, must always equal the total allocation of petty cash for the building or director.

F. Petty cash shall be replenished only at a normal monthly check processing time after the district office receives:

1. A request for check equal to receipts.

2. A summery by account of purchases with receipts and petty cash forms attached.

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ag6680

EMPLOYEE RECOGNITION PLAN

6680 - **EMPLOYEE RECOGNITION PLAN**

The School District of Jefferson values the many contributions of all employees and is committed to annually recognizing the dedication of staff. The goal of this plan is to create a culture of appreciation, honor District employees for their years of service, and keep employees engaged and passionate about their work supporting the academic excellence for our students.

A. YEARS OF SERVICE AWARDS

Annually, at the Back-to-School (all-staff) meeting held in August, the District will recognize staff who have achieved the various levels of service as indicated below. Employees at all level milestones will receive a recognition certificate along with a gift from the district. Examples of gifts are indicated below. Priority will be given to student or local vendor/business made gifts whenever possible.

To be eligible for longevity awards and gifts, employees must attain years of service as outlined in the District Experience Table considering any breaks in service. The cut-off hire date for eligibility is September 5th each year. If the district employs an individual after they have retired from the district, years of service accrual will continue with any break in service period subtracted.

LEVEL	YEARS OF SERVICE	AWARD EXAMPLES
I	10 years	District Years of Service Metal Pin
II	15 years	Customized Coaster/ Wooden Gift
III	20 years	Personalized Name Plate/Placard
IV*	25 years	Customized Pottery Gift
V	30 years	Personalized Gift Basket
VI	35 years	Personalized Years of Service Glass/Crystal Gift
VII	40 years	Engraved District Years of Service Etching

*Employees who have served the District for twenty-five (25) years will have their name added to the “Golden Eagle” Honor Roll plaque located in the auditorium lobby at Jefferson High School.

B. **STAFF RETIREMENT RECOGNITION AWARDS**

Annually, at the second Board meeting in June, the District will recognize individuals who have retired during the past school year. To be eligible for recognition at retirement, an employee must have a minimum of ten (10) years of service in the District, intend to retire from employment, and have not previously retired from the District.

A reception will be hosted by the District, prior to the Board meeting at which retirees will be recognized. Any individual who has retired during the past school year will be invited and District retirees will receive:

1. A lifetime pass which admits two (2) individuals to all School District of Jefferson events.
2. A gift inscribed with the staff member’s name and years of service.
3. A certificate from the State Superintendent of Public Instruction will be presented on behalf of the Wisconsin Department of Public Instruction.
4. If, upon retirement, the retiree’s local employment years fall at one of the award levels (Level I – VII), the retiree will also receive their longevity award.

Retirees without a minimum of ten (10) years of service or who have previously retired from the District will be invited to the reception and will receive a certificate and acknowledgment at the Board meeting.

C. **BOARD MEMBER RETIREMENT RECOGNITION AWARDS**

Annually, at the first Board meeting in April, the District will recognize individuals who are retiring from Board service. Board of Education members must have a minimum of six (6) years (two terms) of Board service, with no intention of seeking re-election.

At this meeting, qualifying Board retirees will receive:

1. A gift inscribed with the School Board member's name and years of service.
2. A certificate on behalf of the Wisconsin Association of School Boards.
3. If the retiring Board member held the position of Board President they will also receive a customized gavel.

Retirees with only one (1) term of service will receive a certificate and acknowledgment at the Board meeting.

D. **OTHER RECOGNITION**

1. **Outstanding/Unusual Achievement Examples:**

   Midwest Teacher of the Year, Regional Board of Education Member of the Year Award: Certificate to be awarded at a meeting of the Board of Education.

2. **Other Achievements or Contributions**

   Recognize through letters of congratulations, newspaper coverage, social media, District newsletter, etc., at the time of achievement or contribution.

3. **Death During Employment or Board Service**

   A plaque of remembrance will be ordered by the appropriate school building principal and will be hung in the school where the employee worked or, in the case of a Board member, in the District Office.

4. **Highlight National Education Week and other educational events such as Teacher Appreciation Week**

   All staff shall be involved in activities associated with these events (including support staff, bus drivers, crossing guards, School Board, health staff, etc.).

The Superintendent will "follow his/her instincts" in developing employee recognition categories and events (e.g. Commitment to Excellence Award Program).

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ag7230

PUBLIC GIFTS TO THE DISTRICT

7230 - **PUBLIC GIFTS TO THE DISTRICT**

Gifts or donations presented to the District must be accompanied by a donation form from the donor for official action and recognition by the Board.

To be acceptable, a gift or donation must have a purpose consistent with those of the District, be offered by a donor acceptable to the Board, and become District property.

In addition, a gift or donation must not, in the judgment of the District Administrator:

A. be equipment that is incompatible and/or inconsistent with existing programs or equipment;

B. be equipment that does not meet District standards;

C. require specialized support or maintenance;

D. require additional space or a location that displaces existing equipment or services;

E. begin a program which the Board would be unwilling to take over when gift and grant funds are exhausted;

F. bring undesirable or hidden costs to the District;

G. place restrictions on the District;

H. be inappropriate or harmful to the educational program of the District or to students;

I. imply endorsement of any business or product;

J. introduce requirements inconsistent with or disruptive to District operations;

K. be in conflict with any provision of the General School Laws or public laws.

A letter of appreciation, signed by the District Administrator shall be sent to the donor, including the estimated value of the gift.

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ag7310

DISPOSAL OF DISTRICT PROPERTY

7310 - **DISPOSAL OF PERSONAL PROPERTY**

The Director of Business Services shall have the authority to approve the disposal of personal property (materials, equipment, furnishings, et al.) having a market value of $10,000 or less.

All proceedings involving the disposal of personal property with a market value of more than $10,000 shall be approved by the Board.

The person in charge of each facility or program shall be responsible for the identification of personal property that is no longer needed for the proper operation of the District. Each is to develop a plan for the proper disposal of such obsolete personal property.

The plan shall be submitted to the Director of Business Services who shall approve or disapprove the plan. This staff member has the responsibility to ensure the plan meets all requirements of State law, administrative guidelines of the Department of Public Instruction, administrative guidelines of all agencies which may have an interest in the personal property, and the intent of the Board in disposing of personal property.

A record is to be maintained of all personal property disposed of under the provisions of this administrative guideline, including the fair market value of the property. A summary of such transactions shall be made available to the Board on a quarterly basis.

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SAFETY IN SCHOOLS

7430 - **SAFETY IN SCHOOLS**

The desired outcomes of the District's safety program are:

A. regularly-scheduled inspections of building and grounds to identify/correct potential hazardous conditions;

B. quality tools, implements, machines, and vehicles that meet safety standards in normal usage;

C. equipment that is in compliance with State safety standards in all respects;

D. regularly-scheduled equipment servicing and maintenance to ensure safe and efficient operation;

E. provision of approved protective devices to minimize personal injuries.

Responsibility

The Building and Grounds Director shall be responsible for compliance with the Federal/State regulations and for maintaining communication with the Division of Occupational Safety and Health. Each principal is to assist by developing and administering such measures and practices as are necessary to adequately monitor safety conditions in the school and to prevent accidents. Each school's plan is to be submitted initially and as revised to the Buildings and Grounds Director for review and approval by District Administrator.

The plan should be in accordance with recommendations provided by the State and should include the following:

A. **Hazard Inspection**

A hazard inspection of all areas in which employees work or participate (See Form 7410 F4). If a hazard is identified, the Buildings and Grounds Director shall select the appropriate Personal Protection Equipment (PPE) for the employee, communicate the selection to the employee, and ensure the employee wears the PPE after receiving the proper instruction. (See Form 7430 F4).

B. **Fire and Tornado**

(see AG 8420 - Emergency Procedures and AG 8420A - Severe Weather and Tornado Warnings)

1. Fire exits are inspected daily to ensure each is ready for prompt and orderly egress.

2. Fire extinguishers are inspected annually and tagged when inspected. The Buildings and Grounds Director shall be notified when fire extinguishers have been discharged and need to be recharged or replaced.

3. The systems for giving fire and tornado alarms are to be checked at least monthly to ensure that each is functioning properly.

C. **Protective Devices and/or Clothing**

1. Personal Protective Equipment (PPE's) shall be used by all students, teachers, and visitors when participating or observing courses involving the use of hazardous substances.

2. For purposes of these guidelines, hazardous substances are those likely to cause physical injury to the eye, face, head, foot, or hand. This includes materials which are flammable, toxic, or corrosive to living tissue, irritating, strongly sensitizing, radioactive, or those which generate pressure through heat, decomposition, or other means.

3. Activities requiring protective devices and/or clothing include:

    a. working with hot molten metals;

    b. milling, sawing, turning, shaping, cutting, grinding, or stamping any solid material;

c. heat treating, tempering, or kiln firing of any metal or material;

d. gas or electric arc welding;

e. working with hot liquids, solids, or chemicals which are flammable, toxic, corrosive to living tissue, irritating, sensitizing, radioactive, or which generate pressure through heat, decomposition, or other means;

f. other activities identified in the hazard assessment (see Form 7410 F4).

D. **Respirator Safety**

The Buildings and Grounds Director shall be responsible for selecting any respirators (including dust masks) that may be used by maintenance personnel or as part of an instructional program. S/He will also develop and implement a written program on their proper use and maintenance.

Prior to any use, each staff member and student who may be using a respirator (other than a disabled person who uses one for health reasons) must receive training on the proper use and limitations of a respirator and on the proper methods for fit-testing, cleaning, and maintenance of the respirator. Upon completion of the training, the person is to complete Form 7430 F2.

No staff member or student is to use any respirator unless a physician has completed Form 7430 F1 which confirms that the person has no physical condition that would be affected by the use of a respirator. This form must be completed annually, reviewed by the supervisor of the staff member or student using the respirator, and filed in the staff member's or student's personal file along with Form 7430 F2 and Form 7430 F3, if a student.

The Buildings and Grounds Director shall be responsible for periodic inspections of the area(s) while respirators are being used in the area(s) to ensure that only certified respirators are being used and are being used and maintained properly.

E. **Safety Education**

1. Tools and equipment shall be used for instructional purposes only, and the teacher shall be fully responsible for ensuring that each is used safely and is kept in proper working order, including any safety features.

2. Applicable courses of study shall include instruction in accident and fire prevention and in safety education.

3. All personnel who are required to use Personal Protective Equipment (PPE) will be properly trained so they can confirm they understand how to wear, use, maintain, and dispose of the PPE. Each employee must complete Form 7430 F4 prior to completion of the training. Such training shall be provided upon employment or at the beginning of the school year prior to the employee being exposed to the hazard.

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ag7440B

METAL DETECTOR SEARCH PROCEDURES

7440B - **METAL DETECTOR SEARCH PROCEDURES**

The District Administrator shall be responsible for the monitoring and enforcement of guidelines relative to metal detector search procedures. The building principal shall have the authority to request metal detector searches, and such searches shall not be conducted in the absence of such request.

The purpose of the metal detector search is to discourage students from bringing weapons into the schools. Accordingly, metal detectors may be used at all District schools and school-related functions of such schools, on a random and periodic basis.

Metal detector searches will be conducted by building principals using hand-held scanning devices.

A. Prior to use in conducting a metal detector search pursuant to these guidelines, each search device to be used shall be examined by a person familiar with its operation to determine if it is in proper working order. A metal detector search device shall not be used if there is any question as to whether it is in proper working order.

B. Each person operating a metal detector search device shall be trained in the proper use of the device and the detection of any malfunction in the operation of the instrument.

C. As to each individual search, the building principal will ask the student to remove all metal objects from their person and to place the metal objects and any bags, backpacks, briefcases, knapsacks, purses, or parcels on a table.

D. The search is directed to a search for weapons, however, other contraband discovered in the course of a metal detector search or pat down may also be removed from any student.

E. Property removed from the student or the student's bags or parcels, possession of which is a violation of the Code of Conduct,school rules, Board policy and Administrative guidelines, and/or the law, shall cause a student to be disciplined in accordance with the Code of Conductand may subject the student to criminal prosecution and/or juvenile proceedings for violations of law.

F. If a student refuses to cooperate with the search, the Building Principal is to notify the student's parent/guardian. Such students shall be subject to the Code of Conduct. Refusal shall also be grounds for immediate removal from school, facilities, and/or grounds and further discipline.

G. Nothing in the procedures set forth above shall limit the authority of the Board and Board employee to remove other contraband from a student, and to otherwise search a student including with the use of a handheld metal detector, when there is reasonable suspicion to believe that a particular student is in possession of an article or thing, the possession of which constitutes inappropriate behavior under the Code of Conduct.

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ag7440

FACILITY SECURITY

7440 - **FACILITY SECURITY**

A. **Distribution of Keys**

Master facility keys/fobs will be distributed by the Buildings and Grounds Director for the District and by the Building Principal for each building. Only those staff members who are responsible for the operation of a particular space shall receive a key/fob. Each of those staff members are responsible for limiting further distribution only to those persons who have established a definite need for keys/fob in order to fulfill their assignments. Staff members shall not allow their keys/fobs to be duplicated and are responsible for the cost of replacing lost keys/fobs. Staff members are prohibited from allowing any other person to use their keys/fobs except in emergencies.

In general, staff members shall be provided only the key/fob to the space(s) they use and to other areas in which they have a legitimate responsibility. The school offices will maintain a file of master keys/fobs. Any unauthorized person found to have a master key/fob or a duplicate in their possession shall be held in violation of this guideline.

B. **Security**

In order to be properly protected against theft:

1. no money or valuables are to be left in the room unsecured or overnight (see Policy 6630 - Cash Handling and Deposits);
2. at no time shall students be given keys/fobs;
3. staff members must keep possession of their keys/fobs at all times;
4. classroom doors should be kept locked when the classroom is empty;
5. prior to leaving school each day, staff members must close windows and lock doors to their rooms;
6. staff members are responsible for the equipment and supplies in their classrooms or offices;
7. staff members are required to wear/display their Board-issued ID badges at all times during the school day.
8. staff members are required to return to the school office their keys/fobs in accordance with administrative procedures.

C. **Video Surveillance**

The District Administrator is responsible for determining where to install and operate fixed locations of video surveillance/electronic monitoring. (See Policy 7440.01 - Video Surveillance and Electronic Monitoring.)

D. **Retention, Secure Storage, Access to and Disposal of Video Records**

The District Administrator shall approve requests for access to recorded and stored video images.

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SMALL UNMANNED AIRCRAFT SYSTEMS (DRONES)

7440.03 - **SMALL UNMANNED AIRCRAFT SYSTEMS (DRONES)**

A staff member or administrator or vendor employed by the Board authorized by the District Administrator, after completing the District's Drone Authorization Use Form, to operate a small unmanned aircraft system ("sUAS") on property owned or leased or contracted for by the Board must maintain a remote pilot certificate issued by the Federal Aviation Administration (FAA) and must familiarize themselves with and comply with all rules established by the Federal Aviation Administration (FAA) and these guidelines provided that these guidelines are not inconsistent with the FAA rules which supercede the guidelines. Failure to follow these rules may result in loss of authorization to operate a sUAS on property owned, leased, or contracted for by the Board, referral to local law enforcement, and/or further disciplinary action, up to and including termination for an employee and expulsion for a student.

Definitions

Control station is an interface used by the remote pilot to control the flight path of the drone.

Small unmanned aircraft ("drone") is an unmanned aircraft weighing less than fifty-five (55) pounds on takeoff, including everything that is on board or otherwise attached to the aircraft.

Small unmanned aircraft system ("sUAS") is a drone and its associated elements (including communication links and the components that control the drone) that are required for the safe and efficient operation of the drone in the national airspace system.

Unmanned aircraft is an aircraft operated without the possibility of direct human intervention from within or on the aircraft.

Visual observer is a person who is designated by the remote pilot in command to assist the remote pilot in command and the person manipulating the flight controls of the sUAS to see and avoid other air traffic or objects aloft or on the ground.

District Drone Authorization Use Form

Prior to operating a drone on District property or at District-sponsored events/activities, a person must obtain authorization from the District Administrator by completing and submitting the District's Drone Authorization Use Form. No drone may be used until such completed form has been approved by the District Administrator.

Eligibility Criteria

In order to be eligible to obtain a remote pilot certificate for a sUAS, a person must:

A. be at least sixteen (16) years of age;

B. be able to read, speak, write, and understand the English language (if a person is unable to meet one of these requirements due to medical reasons, the FAA may place operating limitations on the applicant's certificate);

C. not know or have reason to know that the pilot has a physical or mental condition that would interfere with the safe operation of a sUAS; and

D. demonstrate specified aeronautical knowledge.

Operator Requirements

An operator (i.e., remote pilot) shall possess proper certification and shall maintain any document, record, or report required to be kept by Federal regulations. The operator must also comply with FAA registration requirements. The operator must, upon request, allow the FAA administrator to make any test or inspection of the drone, the remote pilot in command, the person manipulating the flight controls of a sUAS, and, if applicable, the visual observer to determine compliance with Federal regulations.

An operator shall report immediately any incident or accident involving injury or damage to any property to the District Administrator. Additionally, an operator must report to the FAA, within ten (10) calendar days, any incident or accident involving serious injury to any person, any loss of consciousness, or damage to any property, other than the drone, unless the cost of repair (including materials and labor) does not exceed $500 or the fair market value of the property does not exceed $500 in the event of total loss.

Condition for Safe Operation

No person may operate a sUAS unless it is in a condition for safe operation. Prior to each flight, the operator must check the sUAS to verify it is in a condition for safe operation. The operator must discontinue using the sUAS if it is no longer in a condition for safe operation.

Medical Condition

No person may operate a sUAS or otherwise participate in the operation of the drone if the person has a physical or mental condition that would interfere with the safe operation of the sUAS.

Remote Pilot in Command

A remote pilot in command must:

A. be designated before or during the flight, and is responsible for the operation of the drone;

B. ensure that the drone will pose no undue hazard to other people, aircraft, or property in the event of a loss of control of the drone;

C. have the ability to direct the sUAS to ensure compliance with Federal regulations; and

D. ensure that the operation of the sUAS complies with all applicable Federal regulations.

Hazardous Operation

The operator shall not operate a sUAS in a careless or reckless manner.

The operator shall be responsible for the drone at all times and must ensure that it poses no undue hazard to other people, aircraft or property during its operation.

The operator shall not cause anything to be dropped from the drone that creates an undue hazard to persons or property.

In-flight Emergency

If an in-flight emergency occurs that requires immediate action, the remote pilot in command may deviate from any operating rule in order to meet the emergency. If the remote pilot in command deviates from an operating rule, the remote pilot in command must, upon request from the FAA administrator, send a written report of the deviation to the FAA administrator. Unrelated to whether the FAA administrator requires a report, the remote pilot in command must also submit a written report to the District Administrator concerning the incident, including what occurred, what actions the remote pilot in command took during the incident (including any rules that the remote pilot in command deviated from), and why the remote pilot in command took those actions.

Operation from a Moving Vehicle or Aircraft

Except as expressly permitted by Federal regulations, no person may operate an sUAS from a moving vehicle or aircraft.

No Alcohol or Drugs

No person may operate or assist in the operation of a sUAS while under the influence of alcohol or drugs.

Night Operation

No person may operate a sUAS during the night, unless the following requirements are met:

A. the remote pilot in command has completed FAA-approved training for night operations and maintains recurrent training requirements;

B. the small unmanned aircraft is equipped with lighted anti-collision lighting visible for at least three (3) statute miles that has a flash rate sufficient to avoid a collision.

Visual Line of Sight

The remote pilot in command, the visual observer (if one is used), must be able to see the drone throughout the entire flight in order to:

A. know its location;

B. determine its attitude, altitude, and direction of flight;

C. observe the airspace for other air traffic or hazards; and

D. determine that the unmanned aircraft does not endanger the life or property of another.

Use of a Visual Observer

If a visual observer is used during the operation of a drone, all of the following requirements must be met:

A. the remote pilot in command and the visual observer must maintain effective communication with each other at all times;

B. the remote pilot in command must ensure the visual observer is able to see the drone;

C. the remote pilot in command and the visual observer must coordinate their efforts to scan the airspace where the drone is operating for any potential collision hazard and maintain awareness of the drone's position through direct visual observation.

Operation of Multiple Aircraft

No person may operate or participate in the operation of more than one (1) drone at a time.

Hazardous Materials

No drone may carry hazardous materials.

Location of Operation

No person may operate a drone so close to another aircraft so as to create a collision hazard. The person operating the drone must comply with all applicable right-of-way rules.

No person may operate a drone over a human being unless that human being is directly participating in the operation of the drone or located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling drone or the drone complies with one (1) of the following category requirements:

A. Category 1 small unmanned aircraft are permitted to operate over people, provided the small unmanned aircraft:

1. weighs 0.55 pounds or less, including everything that is on board or otherwise attached to the aircraft at the time of takeoff and throughout the duration of each operation;

2. contains no exposed rotating parts that would cause lacerations;

3. is compliant with Remote ID capability to broadcast identification and location information about the drone and its control station.

B. Category 2 small unmanned aircraft are permitted to operate over people, provided the small unmanned aircraft:

1. weighs more than 0.55 pounds, does not have an airworthiness certificate under Part 21 (Note: The drone must hold an airworthiness certificate issued under 14 CFR Part 21, which verifies it meets FAA standards for safe operation.), and meets maximum force impact requirements;

2. contains no exposed rotating parts that would cause lacerations;

3. is compliant with remote ID capability to broadcast identification and location information about the drone and its control station.

C. Category 3 small UAS have greater maximum force impact potential and have further operating restrictions. A remote pilot in command may not operate a small unmanned aircraft over open-air assemblies of human beings. Additionally, a remote pilot in command may only operate a small unmanned aircraft over people if:

1. the operation is within or over a closed or restricted access site and all people on site are on notice that a small UAS may fly over them; or

2. the small unmanned aircraft does not maintain sustained flight over any person unless that person is participating directly in the operation or located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling small unmanned aircraft.

D. Category 4 operation allows small unmanned aircraft issued an airworthiness certificate under Part 21 (Note: The drone must hold an airworthiness certificate issued under 14 C.F.R. Part 21, which verifies it meets FAA standards for safe operation.) to operate over people, so long as the operating limitations specified in the approved Flight Manual or as otherwise specified by the Administrator do not prohibit operations over people. Additionally, no remote pilot in command may operate a small unmanned aircraft in sustained flight over open-air assemblies unless the operation is compliant with Remote ID. To preserve the continued airworthiness of the small unmanned aircraft and continue to meet a level of reliability that the FAA finds acceptable for operating over people in accordance with Category 4, additional requirements apply.

Note: Sustained flight over an open-air assembly includes hovering above the heads of persons gathered in an open-air assembly, flying back and forth over an open-air assembly, or circling above the assembly in such a way that the small unmanned aircraft remains above some part of the assembly. 'Sustained flight' over an open-air assembly of people in a Category 1, 2, or 4 operation does not include a brief, one-time transiting over a portion of the assembled gathering, where the transit is merely incidental to a point-to-point operation unrelated to the assembly.

No person may operate a drone in any manner that interferes with operations and traffic patterns of an airport, heliport, or seaplane base. Further, no person may operate a drone in certain designated airspaces without authorization from Air Traffic Control. Similarly, no person may operate a drone in prohibited or restricted areas unless that person has permission from the using or controlling agency.

Preflight Familiarization, Inspection

An operator must conduct a preflight inspection that includes an assessment of the operating environment and any risk to persons and property in the immediate vicinity both on the surface and in the air, including:

A. local weather conditions;

B. local airspace and any flight restrictions;

C. the location of persons and property on the surface; and

D. other ground hazards.

The operator must also ensure that all persons participating in the drone operation are informed about the operating conditions, emergency procedures, contingency procedures, roles and responsibilities, and potential hazards.

Additionally, the operator must verify that all controls (i.e., the control links between the ground control station and the drone) are working properly, that there is sufficient power to operate the drone for the intended period of operation, and that any object attached to or carried by the drone is properly secured and does not adversely affect the flight characteristics or controllability of the aircraft.

Operating Limitations

The drone shall not exceed eighty-seven (87) knots (100 miles per hour).

The drone's altitude cannot be higher than 400 feet above ground level unless the drone is:

A. flown within a 400-foot radius of a structure; and

B. does not fly higher than 400 feet above the structure's immediate uppermost limit.

The minimum flight visibility, as observed from the location of the control station, must be no less than three (3) statute miles. (Flight visibility means the average slant distance from the control station at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.)

The minimum distance of the drone from clouds must be no less than 500 feet below the cloud and 2,000 feet horizontally from the cloud.

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ag7450

INVENTORY PROCEDURE

7450 - **INVENTORY PROCEDURE**

A. **General Procedure for Consumable Inventory**

In order for the District to meet requirements for preparing GAAP (Generally Accepted Accounting Procedures) basic financial statements, it is necessary to conduct an annual inventory of consumable supplies and materials on hand at fiscal year-end, June 30th.

The Physical Inventory Area Supervisor for each building/department will be the building principal or department supervisor as appropriate.

Inventory sheets will be provided by the building's office.

B. **Exceptions to above procedures**

1. Buildings and Grounds Department

   Inventory conducted by building location.

2. Food Service

3. Transportation

   The Buildings and Grounds Director is to provide a list of specific supply and repair items to be inventoried due to accumulated value of parts on hand necessitated by summer repair schedules.

C. **Follow-through procedure**

Each Building/Department will be apprised of this schedule and upon verification by the auditors, the inventory process will be complete for that fiscal year.

D. **New Equipment Inventory Control Procedures**

All equipment with a value of $10,000 or more or that has a useful life of more than one (1) year is to be given an inventory number and recorded on the New Equipment Inventory listing located in the Director of Business Services's office.

1. Remove equipment from the shipping container. Inspect it to be sure all parts have been received and are in good condition.

2. After inspection, an inventory ID Number should be attached.

3. All information pertaining to the equipment, i.e., item, serial number, vendor, date of purchase, cost, building located in, room located in, maintenance agreement, etc. should be recorded on the new inventory listing.

4. All information should be submitted to the Director of Business Services for placement in the 'New Equipment' file.

E. **Textbook Inventory Procedures**

All nonconsumable textbooks, teacher's editions of textbooks, and reference books that are not controlled by the library are to be stamped and numbered.

Hardback Textbooks, Paperback Books, and Teacher's Editions

1. Each book is stamped with the school or District name on the inside front cover.

2. Numbering is done on the inside front cover and contains the year purchased and the book number. (Example: 96-0, 96-2, 96-3) Each book title will receive its own set of sequenced numbers.

F. **Workbook Inventory Procedures**

Purchases made throughout the year will be added to the previous year's ending inventory giving a total of books available for sale. At the end of the fiscal year, a new inventory will be taken. This figure will indicate the total amount of books sold. Total amount of books sold, multiplied by the cost, should be equal to the amount deposited throughout the year for workbooks.

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ag7455

ASSET ACQUISITION, TRANSFER, AND DISPOSAL

7455 - **ASSET ACQUISITION, TRANSFER, AND DISPOSAL**

The following procedures apply to the acquisition, transfer, and disposal of capital assets as defined in Board Policy 7455 - Accounting System for Capital Assets. These procedures do not apply to the acquisition, transfer, or disposal of assets whose acquisition or disposition procedures are established by the terms of a grant or by some other circumstance in which a specific asset's acquisition or disposition procedures are dictated.

Transfer and/or Disposal

A. A request for asset disposal (transfer) is to be submitted to the Director of Business Services for approval.

The Building Principal will be notified of assets approved for auction.

When assets are sold, the Director of Business Services shall prepare a list of assets sold and the amount of money received for each.

B. All Principals shall regularly identify and report to the Director of Business Services all assets not in use.

C. Periodic physical inventories shall be conducted to ensure accountability for the assets of the entity. The District shall adopt inventory guidelines to become a part of these procedures.

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ag7510A

USE OF SCHOOL DISTRICT FACILITIES

7510A - **USE OF SCHOOL DISTRICT FACILITIES**

The Board recognizes that the entire community owns its facilities and should be used for the mutual benefit of all. In general, when school buildings and grounds are not in use for school purposes, they may be used by the community at the discretion of the District Administrator. The board also recognizes that a fair and equitable procedure should be established with rules and regulations for use of school facilities including a fee schedule. School district properties will be made available for use by non-school groups as provided in the following policy and regulations.

School facilities may be used by organizations, state, county, and local governmental agencies and post-secondary educational institutions. Permission to use school facilities must be granted by the building principal and Director of Business Services. For purposes of this policy, a local organization is defined as having at least fifty-one percent (51%) of the members of the organization reside in the School District of Jefferson.

The building principal must approve arrangements for the use of district equipment (e.g., audio-visual, physical education, pianos, tables) and the moving of such equipment. Such arrangements must be made well in advance of the use of school facilities. The principal may approve the use of the equipment if he/she is satisfied that the person(s) making the request is familiar with the operation of the equipment. The user shall be completely responsible for any damage to the school equipment and shall be required to pay for the repair or replacement of damaged equipment.

School facilities are generally not available for community use during regularly scheduled school hours or when otherwise in use for school activities. The Superintendent may make school facilities available for community use during regularly scheduled school hours or when otherwise in use for school activities, provided such community use does not unduly interfere with or disrupt regular instruction, extracurricular activities, or any other scheduled school activity.

The Board of Education retains the right to deny the use of school facilities and shall be the final authority in all cases. Facility uses not covered by this policy shall be brought to the School Board for determination.

A. **Conditions of School Facility Use**

1. Unlawful activities are not allowed.
2. The School District of Jefferson reserves the right to deny use of the facility with or without a fee to any individual, group, or organization that would compete with school or District programs.
3. The Fort Atkinson Community Theatre (F.A.C.T.) and the City of Jefferson Recreation Department shall be allowed the use of school facilities under separate agreements between those organizations and the Board. However, both the F.A.C.T. and the Recreation Department shall be expected to comply with the conditions for school facility use as outlined in these guidelines.
4. The user shall be responsible for the conduct and control of both patrons and participants. Groups must provide adequate adult supervision at all times.
5. It shall be the responsibility of the user to pay for all damages as the result of improper use of the equipment or building. Any group abusing the privilege of using school facilities may be denied use in the future.
6. Generally, school facility users are not allowed to install any decorations that require the use of nails, screws, bolts, scotch tape, etc. If the user wishes to display materials in the building, special permission of the principal must be received.
7. Alcoholic beverages of any type are prohibited from being either carried or consumed anywhere on school property except on Fischer Field during such times as the property is leased to the City of Jefferson.
8. There shall be no tobacco use in any of the school buildings or anywhere on school property.
9. Gym shoes must be worn by all participants in sports or games in the gymnasiums.
10. The following areas shall be off-limits to all visitors and students: boiler rooms; equipment rooms; maintenance storage areas; kitchen and related equipment (unless arranged); roofs; attics; employee lounges; workrooms; and all

offices.

11. No persons other than maintenance and custodial/cleaning personnel shall tamper with or adjust mechanical equipment such as, but not limited to, thermostats, cafeteria/kitchen equipment, fans, blowers, radiators, valves, pool equipment, door locks, and lights.

12. School facilities shall not be used to support or maintain private businesses on a regular, reoccurring basis without a signed contract with the School District of Jefferson Board of Education.

13. School facility users shall clean the building after use and shall leave the facility as they found it.

14. School facilities shall not be made available for funerals during regularly scheduled school hours. A memorial service that is clearly outside of school hours may be permissible.

15. The Superintendent may impose other conditions as he/she deems necessary and appropriate.

B. **Scheduling**

Youth groups that are affiliated with the district's students will be given priority over adult community groups. Adult groups from the community will be given priority over groups from outside the community. These groups could be subject to payment of fees.

The facilities will be made available on the following priority basis:

1. **School-Sponsored**

   Any school function connected with the educational program or any school-sponsored activities. School-sponsored activities are defined as activities that are directly related to an educational or co-curricular program sponsored by the District, including academic, athletic, cultural, and social group activities.

   a. In the event a school-sponsored activity is scheduled after the approval of an application, the Board reserves its right of priority. Attempts to establish an alternate meeting place or date will be made.

   b. In the event a prior scheduled District event is longer than anticipated due to unforeseen circumstances, and extends into the time agreed upon for the second party's use. The second party yields use until the school event concludes.

2. **School-Affiliated**

   City of Jefferson Recreation programs and school-affiliated activity groups.

   School-affiliated activity groups are defined as those not under direct sponsorship of the school or District that are organized for the sole purpose of district education improvements, including but not limited to: Jefferson Youth Basketball, Jefferson Youth Baseball & Softball Club, Jefferson Area White Sharks, Jefferson Youth Tackle Football, Parent-teacher organizations, District Booster Clubs, Jefferson Education Association (JEA).

   Stakeholders from each of these athletic groups shall work with the School District Athletic Director to create facility schedules. The Athletic Director shall have the final say in all scheduling conflicts.

   Resident and nonprofit organizations of the district whose activities are of a non-political nature.

   Resident religious organizations.

   Non-residents and nonprofit organizations of a non-political or non-religious nature.

   Other meetings may be held subject to the approval of the District Administrator, which are non-partisan, non-political, and non-sectarian and free and open to the public for educational purposes promoting community, State, or national welfare.

3. **Supervision**

   a. Groups qualifying for free use of school facilities must be accompanied by a qualified school district employee(s) (approved by the building principal) who will assume responsibility for building security and proper care of school facilities and equipment. This requirement is met when the school employee is directly involved

with the activity, when a building administrator is present and is aware of the activity, or when a building custodian/cleaner is present and performing his/her regular duties. The organization using the school facility is required to provide responsible adult supervision at all times.

Additional supervision is necessary when district facilities are used to host tournaments or events.

b. Whenever a school kitchen is used for heating and/or preparing food, a school food service employee must be present. The cost of the food service employee, based upon existing wage agreements, shall be charged to the using group.

c. Except as specified in (1) above, whenever school facilities are used during periods when regular school custodians are not on duty, a custodian shall be hired to supervise the use of school facilities. The custodian shall be responsible for opening and securing the building and protecting school district facilities and equipment. The cost of the custodian, based on existing wage agreements, shall be charged to the using group.

d. Whenever the high school swimming pool is used, a qualified lifeguard and adult supervisor must be present. If the lifeguard and/or supervisor is/are employed by the district, the cost will be charged to the using group.

C. **Rental Fees**

Charges for lifeguard, custodian, and/or food service personnel (when required) are not included in the Facility Use Rental Fee Schedule. All groups outlined below may incur fees for these additional personnel which are based on existing wage agreements.

1. School-sponsored activities and organizations, as defined above, shall be granted free use of school facilities.

2. The following organizations shall be granted free use of school facilities with the exception of the swimming pool which will be charged in accordance with Schedule 1.

    a. School-related organizations (as defined above)

    b. Local civic groups for activities provided for school children or for fundraising when the proceeds will go entirely to support school activities and local teams/organizations (at the discretion of the superintendent) with district students as members

    c. Local scout groups, 4-H organizations, and local parochial schools

    d. The following organizations shall be charged a rental fee in accordance with Schedule 1:

        1. Local civic organizations (other than those defined above)

        2. Governmental agencies

        3. Adult vocational education institutions

        4. Universities, colleges

        5. Non-profit organizations

    e. All other local organizations shall be charged a rental fee in accordance with Schedule 2.

    f. The following organizations shall be charged a rental fee in accordance with Schedule 3:

    Any group, business, organization, or individual that intends to use District facilities for a lawful non-school purpose and does not fall within any of the other classifications stated herein.

D. **Rental Fee Schedules**

AREA	SCHEDULE 1	SCHEDULE 2	SCHEDULE 3
Classroom (regular)	$20 for first 4	$40 for first 4	$60 for first 4

	hours $5/hour thereafter	hours $10/hour thereafter	hours $15/hour thereafter
Classroom (vocational)	$40 for first 4 hours 10/hour thereafter	$80 for first 4 hours $20/hour thereafter	$120 for first 4 hours $30/hour thereafter
Kitchen/cafeteria	$10/hour	$20/hour	$30/hour
High school auditorium	$50/hour	$100/hour	$150/hour
Gymnasiums, including locker rooms	$25/hour	$50/hour	$75/hour
Swimming pool, including locker rooms	$25/hour	$50/hour	$75/hour
Piano Use Fee- Non-school-related organizations wishing to use the concert grand piano shall pay a fee of $300 per event. Fee shall include setup in the auditorium and tuning.			
Any portion of an hour of facility use shall be treated as a full hour for rental purposes.			

E. **Insurance**

School-sponsored organizations are under the direct supervision of the district and are covered by the district's regular insurance policies. Non-school-sponsored organizations operate independent of the district. The district may require non-school-sponsored organizations to obtain special insurance coverage when:

1. The activity planned is unrelated to the normally expected use of the school facility; or

2. The activity is determined by the Superintendent to be a high-risk activity.

When a non-school-sponsored user is required to provide insurance, the district shall be named as an additional insured on the user's policy. Certificates of insurance shall be required in advance of the activity for worker's compensation and comprehensive general liability in the amount of:

Bodily injury: 1,000,000 per occurrence

Property damage: 1,000,000 per occurrence

F. **Hold Harmless Agreement**

All users of school facilities shall be required to sign an indemnification and hold harmless agreement when using school facilities.

ag7540

COMPUTER TECHNOLOGY AND NETWORKS

7540 - **COMPUTER TECHNOLOGY AND NETWORKS**

The IT Director is responsible for managing the Board of Education's technology system and making arrangements for any networks that may be used to enhance the educational program and/or operations of the District.

S/He also is responsible for implementing the guidelines established for program development (AG 2210A through, AG 2252), the selection of materials and equipment (AG 2521A), and verifying that the District's purchasing guidelines (AG 6320A) are followed. In addition, the building principal shall verify that each staff member and student who will have access to Board technology and any networks completes the appropriate acceptable use agreement Form.

All tentative agreements with networks or technology agencies are to be submitted to the District Administrator for review and approval.

Staff members and/or students are to be provided the following information concerning the use of the Internet:

A. Use of the Internet is to be related to one or more courses of study and is not to be used by staff or students for discriminatory or unlawful purposes. All student use is to be supervised by a staff member or approved volunteer who has signed the Staff Technology Acceptable Use and Safety Agreement Form.

B. Because of the vast amount of information that can be retrieved from the Internet teachers are responsible for training students to use proper research skills when retrieving information. It is inappropriate, costly, and a waste of valuable instructional time for staff and/or students to download large quantities of information that has not been checked ahead of time for accuracy, relevancy, and probable usage. It may be helpful, therefore, for teachers to conduct some controlled exercises with students on how to differentiate between web sites that are "attractive but superficial or irrelevant "from those that are "attractive, substantive, and relevant."

C. Staff members need to have back-up plans or contingency procedures in place for times when the Internet may not be accessible. Since the Internet is primarily a data-gathering mechanism, alternative sources for needed data should be available so that students can accomplish the purpose of the instruction within the established time period.

D. The Student and Staff Technology Acceptable Use and Safety Agreements that students and staff members must sign prohibits the use of the Internet for illegal, unethical, or harassing purposes or to obtain information that could be considered obscene, pornographic, or unsuitable for children. If a question of interpretation arises concerning the definition of these terms, the District Administrator shall have the authority to determine whether the web site is appropriate or the use is permissible. Prior to accessing or allowing access to information that the staff member is unsure about, s/he should consult with the building principal.

This information can be provided through written guidelines, professional development seminars, faculty and student meetings, and introductory remarks at the beginning of a course in which the Internet may be used.

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ag7540.01A

PERSONAL USE OF DISTRICT TECHNOLOGY RESOURCES

7540.01A - **PERSONAL USE OF DISTRICT TECHNOLOGY RESOURCES**

The following guidelines will govern the staff member's personal use of District technology resources (as defined in Bylaw 0100 - Definitions) as well as use for school purposes by either staff or students while at home. No personal, that is, nonschool, use of District technology resources may be made by any student at any time.

A. Neither staff members nor students are to use District technology resources for recreational, personal, discriminatory, or unlawful purposes but only for purposes related to the Board's educational program or operational needs.

B. Each staff member and student will be provided an initial password for use with District technology resources with the provision that the staff member shall not share their password with others. The existence of a password does not guarantee confidentiality or privacy and the Board retains the right to use any person's password to monitor the type of use that is being made of the District technology resource.

C. Students are not allowed to send or receive personal E-mail messages using District technology resources.

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AT-HOME ACCESS TO DISTRICT TECHNOLOGY RESOURCES

7540.01B - **AT-HOME ACCESS TO DISTRICT TECHNOLOGY RESOURCES**

The Board provides staff members and students with access to District Technology Resources (as defined in Bylaw 0100) through the use of their personal communication devices (PCDs) (as defined in Bylaw 0100) from their homes/off-school property in accordance with the following guidelines:

A. The amount of access time the Board will allow is unlimited.

B. The Boardwill not provide help-desk support.

C. Access is available at no charge.

D. The Board will not be responsible for:

1. any content that a home-user may access through District technology resources;

2. any virus that a home-user may obtain while accessing District technology resources;

3. any copyright violations that may be incurred while using District technology resources;

4. loss of or damage to any equipment of the home-user.

E. All information/data sent, received, or transmitted using District technology resources, including, but not limited to, e-mail, shall be considered Board property and there shall be no expectation of privacy or confidentiality concerning same. The Board reserves the right to access such information/data at any time.

F. The Superintendent shall develop a Technology Acceptable Use and Safety Agreement Form that clearly delineates for users of District technology resources pursuant to this guideline what is and is not permissible use of the Board's technology. Users who violate the terms of said Agreement shall be denied the privilege of using District technology resources, and may be subject to disciplinary action, civil action, and/or criminal prosecution.

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GOOGLE WORKSPACE FOR EDUCATION NOTICE TO PARENTS

7540.01C - **GOOGLE WORKSPACE FOR EDUCATION NOTICE TO PARENTS**

This notice describes the personal information we provide to Google for these accounts and how Google collects, uses, and discloses personal information from students in connection with these accounts.

Using their Google Workspace for Education accounts, students may access and use the following "Core Services" offered by Google (described at https://workspace.google.com/terms/user_features.html):

A. Assignments

B. Calendar

C. Classroom

D. Cloud Search

E. Drive and Docs

F. Gmail

G. Google Chat

H. Google Chrome Sync

I. Google Meet

J. Google Vault

K. Groups for Business

L. Keep

M. Migrate

N. Sites

O. Tasks

In addition, we also allow students to access certain other Google services with their Google Workspace for Education accounts. Specifically, your child may have access to the following "Additional Services":

A. Chrome Web Store

B. Google Arts and Culture

C. Google Bookmarks

D. Google Books

E. Google Cloud Platform

F. Google Earth

G. Google Maps

H. Google My Maps

I. Google News

J. Google Public Data

K. Google Translate

L. Managed Google Play

M. Youtube

Google provides information about the information it collects, as well as how it uses and discloses the information it collects from Google Workspace for Education accounts in its Google Workspace for Education Privacy Notice. You can read that notice online at https://workspace.google.com/terms/education_privacy.html You should review this information in its entirety, but below are answers to some common questions:

What personal information does Google collect?

When creating a student account, The School District of Jefferson may provide Google with certain personal information about the student, including, for example, a name, email address, and password. Google may also collect personal information directly from students, such as telephone number for account recovery or a profile photo added to the Google Workspace for Education account.

When a student uses Google core services, Google also collects information based on the use of those services. This includes:

A. account information, which includes things like name and email address.

B. activity while using the core services, which includes things like viewing and interacting with content, people with whom your student communicates or shares content, and other details about their usage of the services.

C. settings, apps, browsers & devices. Google collects information about your student's settings and the apps, browsers, and devices they use to access Google services. This information includes browser and device type, settings configuration, unique identifiers, operating system, mobile network information, and application version number. Google also collects information about the interaction of your student's apps, browsers, and devices with Google services, including IP address, crash reports, system activity, and the date and time of a request.

D. location information. Google collects information about your student's location as determined by various technologies such as IP address and GPS.

E. direct communications. Google keeps records of communications when your student provides feedback, asks questions, or seeks technical support

The Additional Services we allow students to access with their Google Workspace for Education accounts may also collect the following information, as described in the Google Privacy Policy:

A. activity while using additional services, which includes things like terms your student searches for, videos they watch, content and ads they view and interact with, voice and audio information when they use audio features, purchase activity, and activity on third-party sites and apps that use Google services.

B. apps, browsers, and devices. Google collects the information about your student's apps, browser, and devices described above in the core services section.

C. location information. Google collects info about your student's location as determined by various technologies including: GPS, IP address, sensor data from their device, and information about things near their device, such as Wi-Fi access points, cell towers, and Bluetooth-enabled devices. The types of location data we collect depend in part on your student's device and account settings.

How does Google use this information?

In Google Workspace for Education Core Services, Google uses student personal information primarily to provide the core services that schools and students use, but it's also used to maintain and improve the services; make recommendations to optimize the use of the services; provide and improve other services your student requests; provide support; protect Google's users, customers, the public, and Google; and comply with legal obligations. See the Google Cloud Privacy Notice for more information.

In Google Additional Services, Google may uses the information collected from all Additional Services to deliver, maintain, and improve our services; develop new services; provide personalized services; measure performance; communicate with schools or users; and protect Google, Google's users, and the public. See the Google Privacy Policy for more details.

Does Google use student personal information for users in K-12 schools to target advertising?

No. There are no ads shown in Google Workspace for Education core services. Also, none of the personal information collected in the core services is used for advertising purposes.

Some additional services show ads; however, for users in primary and secondary (K12) schools, the ads will not be personalized ads, which means Google does not use information from your student's account or past activity to target ads. However, Google may show ads based on general factors like the student's search queries, the time of day, or the content of a page they're reading.

Can my child share information with others using the Google Workspace for Education account?

We may allow students to access Google services such as Google Docs and Sites, which include features where users can share information with others or publicly. For example, if your student shares a photo with a friend who then makes a copy of it, or shares it again, then that photo may continue to appear in the friend's Google Account, even if your student removes it from their Google Account. When users share information publicly, it may become accessible through search engines, including Google Search.

Will Google disclose my child's personal information?

Google will not share personal information with companies, organizations and individuals outside of Google except in the following cases:

With our school: Our school administrator (and resellers who manage your or your organization's Workspace account) will have access to your student's information. For example, they may be able to:

A. View account information, activity and statistics;

B. Change your student's account password;

C. Suspend or terminate your student's account access;

D. Access your student's account information in order to satisfy applicable law, regulation, legal process, or enforceable governmental request;

E. Restrict your student's ability to delete or edit their information or privacy settings.

With your consent: Google will share personal information outside of Google with parental consent.

For external processing: Google will share personal information with Google's affiliates and other trusted third party providers to process it for us as Google instructs them and in compliance with our Google Privacy Policy, the Google Cloud Privacy Notice, and any other appropriate confidentiality and security measures.

For legal reasons: Google will share personal information outside of Google if they have a good-faith belief that access, use, preservation or disclosure of the information is reasonably necessary for legal reasons, including complying with enforceable governmental requests and protecting you and Google.

What choices do I have as a parent or guardian?

If you wish to stop any further collection or use of your child's information from Google Additional Services, you can request that we limit your child's access to features or services. You and your child can also visit https://myaccount.google.com while signed in to the Google Workspace for Education account to view and manage the personal information and settings of the account.

If you do not want the District to allow access to Google Additional Services, you must inform us immediately in writing. If families opt out, students would need to use other software, printed texts, and systems to complete assignments or collaborate with peers.

What if I have more questions or would like to read further?

If you have questions about our use of Google's Google Workspace for Education accounts or the choices available to you, please contact the IT Director at itdirector@sdoj.org. If you want to learn more about how Google collects, uses, and discloses personal information to provide services to us, please review the Google Workspace for Education Privacy Center (at https://www.google.com/edu/trust/), the Google Workspace for Education Privacy Notice (at https://workspace.google.com/terms/education_privacy.html), and the Google Privacy Policy at https://www.google.com/intl/en/policies/privacy/), and the Google Cloud Privacy Notice at (https://cloud.google.com/terms/cloud-privacy-notice).

The Core Google Workspace for Education services are provided to us under Google Workspace for Education Agreement (at https://www.google.com/apps/intl/en/terms/education_terms.html) and the Cloud Data Processing Addendum (as https://cloud.google.com/terms/data-processing-addendum).

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ag7540.02

FUNCTIONALITY AND ACCESSIBILITY OF DIGITAL CONTENT AND MOBILE APPS

7540.02 - **FUNCTIONALITY AND ACCESSIBILITY OF DIGITAL CONTENT AND MOBILE APPS**

This guideline and any other guideline and/or Board policy apply to all digital content published on the Board's website and/or hosted or distributed via District-approved/affiliated apps/services (see Bylaw - Definitions) ("digital content"), whether created by Board members, administrators, staff, students, or contracted third parties. The District Administrator retains final editorial authority over all District-generated content that is published on the Board's website(s) and District-approved/affiliated apps/services. The District Administrator retains the authority to remove digital content, including links, from any web page the District Administrator determines is inappropriate. The District's Digital Accessibility Coordinator is charged with implementing these guidelines. The Board designates its Section 504/ADA Compliance Coordinator(s) as the District's Digital Accessibility Coordinator(s).

See Board Policy 2260.01 for the Section 504/ADA Compliance Coordinator(s)' contact information.

The District's website, including school-specific websites, along with certain District-approved/affiliated apps/services, serve as instructional, communication, and public relations tools. The content on these digital platforms shall aim to provide timely, supportive, and educational information to the students, parents, staff, and the School District of Jefferson community. Digital content published on the Board's website(s) and/or hosted/distributed via District-approved/affiliated apps/services is created to facilitate access to a wide variety of media and educational resources that directly support student achievement, professional development, and organizational effectiveness.

The District strives to deliver a website(s) that is/are adaptive so it/they can be viewed in an optimal manner on all devices

To maximize usability, it is recommended that web content be presented in a simple page design, employ large font sizes and big, touchable buttons that accommodate larger fingers, and place critical information "above the fold."

A. **Color contrast in text.** Use sufficient color contrast between the text and the background so individuals with limited vision or color blindness can read text that uses color.

B. **Text cues when using color in text.** When using text color to provide information (such as red text to indicate required form fields), include text cues for individuals who cannot perceive the color. For example, include the word "Required" in addition to red text for required form fields.

C. **Text alternatives ("alt text") in images.** Employ text alternatives to convey the purpose of an image, including pictures, illustrations, charts, etc., so individuals who do not see the image, such as people who are blind, can use screen readers to hear the alt text read out loud. Such text should be short and descriptive.

D. **Video captions.** Include synchronized captions that are accurate and identify any speakers in the video.

E. **Online forms.** When developing forms, be sure to include labels, clear instructions, and keyboard access. The labels will allow individuals who are blind and use screen readers to understand what to do with each form field (e.g., explaining what information goes in each box of a job application form). Additionally, design the form so that individuals who use screen readers are automatically informed when they enter a form field incorrectly. The notice should clearly identify the error and how to resolve it (e.g., an automatic alert tells the user that a date was entered in the wrong format).

F. **Text size and zoom capability.** Make sure the web/app design allows for individuals with vision disabilities to use a browser's/app's zoom capabilities to increase the size of the font so they can see things more clearly.

G. **Headings.** When sections of a website/app are separated by visual headings, build the headings into the website's/app's layout so that individuals who are blind can use them to navigate and understand the layout of the page/app.

H. **Keyboard and mouse navigation.** Design the website/app to allow for keyboard access, if applicable (i.e., so users can navigate digital content using keystrokes, rather than a mouse).

I. **Checking for accessibility.** While it is appropriate and beneficial to use automated accessibility checkers and overlays to identify or fix problems with how digital content is accessed, pair the use of such automated checkers with a manual check of the website/app to verify its accessibility.

J. **Reporting accessibility issues.** Include on the website/app a way for the public to report accessibility problems so the District can fix them.

Additionally, key information such as the District's name, contact information, and a link to a table of content/site map should be placed on the home page so it is easy to find.

Accessibility of Digital Content and Mobile Apps

The District's digital content (i.e., web content and District-approved/affiliated mobile apps) must comply and operate in compliance with Federal and State law. As such, the District is committed to providing individuals with disabilities with an opportunity equal to that of persons without disabilities to participate in the District's programs, services, and activities, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue financial or administrative burden on the District or create a fundamental alteration in the nature of a service, program, or activity. To this end, the District's Digital Accessibility Coordinator is charged with verifying the District's web content and mobile apps/services allow(s) persons with disabilities to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without disabilities, with substantially equivalent ease of use, so as not to be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination in any District programs, services, and activities delivered via digital platforms, as required by Federal and State law, and receive effective communication concerning the District's programs, services, and activities, whether delivered in person or online.

The District will measure the functionality and accessibility of its web content and mobile apps according to the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG) 2.1, Level AA standards.

In accordance with applicable Federal regulations, the following digital content is exempt from having to meet the WCAG 2.1, Level AA standards:

A. Archived web content that (a) was created before the compliance date, (b) is kept only for reference, research, or recordkeeping purposes, (c) is maintained in a special archive section on the website, and (d) the content has remained unchanged since being archived.

B. Pre-existing conventional electronic documents (i.e., word processing, presentation, PDF, and spreadsheet files) that were available before the compliance date and are not currently used for accessing District programs, services, or activities.

C. Third party posted content that is not created pursuant to a contract, license, or other arrangement between the Board and a third party.

D. Individualized password-protected or otherwise secured documents pertaining to a specific student, their property, or their account.

E. Preexisting social media posts.

Even when one (1) of the exceptions applies to specific content, the District still must provide effective communication and reasonable modifications in accordance with the ADA.

With respect to mobile apps provided or made available by the District – e.g., native mobile applications developed by the District, mobile applications provided through vendor contracts, and web-based applications accessed through mobile browsers – they also must meet the WCAG 2.1, Level AA standards. As such, the mobile apps/services must provide: accessible navigation and user interface elements, compatibility with screen readers and assistive technology, appropriate color contrast and text sizing, alternative text for images and icons, accessible form controls and input methods, and audio and video accessibility features.

All new, newly-added, and modified web content and functionality must be accessible to individuals with disabilities, except where doing so would impose a fundamental alteration or undue burden. This provision also applies to the District's online content and functionality developed by, maintained by, or offered through a third party vendor or through the use of open sources when the content pertains to the District's programs, benefits, and/or services. The Digital Accessibility Coordinator will vet online/digital content available on the District's website(s)/web pages that is related to the District's programs, benefits, and/or services to verify compliance with the requirements of this paragraph.

Nothing in the preceding paragraph, however, shall prevent the District from including links on the District's website(s)/web pages to recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites) or website(s)/web pages that are developed and hosted by outside vendors or organizations that are not part of the District's program, benefits, and/or services.

When the fundamental alteration or undue burden defense applies, the District will provide equally effective alternate access. In providing an equally effective alternate access, the District will not take any actions that result in a fundamental alteration in the nature of its programs, services, or activities, or an undue financial and administrative burden, but nevertheless provide that, to the

maximum extent possible, individuals with disabilities receive the same benefits or services as their nondisabled peers. That said, alternatives are not required to produce the identical result or level of achievement for persons with and without disabilities, but must afford persons with disabilities an equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's need.

Only the District Administrator, after considering all resources available for use in the funding and operation of the service, program, or activity, may determine whether an undue burden or fundamental alteration defense is applicable. In making such a determination, the District Administrator will document the reasons the conclusion was reached. Additionally, the District Administrator will describe how the District will provide equally effective alternate means of accessing the web content.

The District's website will include on its home page and throughout the website (including all subordinate pages and sites), a notice to persons with disabilities regarding how to request the webmaster or other appropriate person to provide access to (or notify the District of) content or functionality that is currently inaccessible. The notice will also include information or an accessible link to information instructing individuals with disabilities how to file more formal complaints under Section 504 and/or the ADA.

Students, employees, guests, and visitors can report violations of the technical standards or any accessibility concerns to the Digital Accessibility Coordinator. The District's website will include on its home page and throughout the website (including all subordinate pages and sites) a Notice to persons with disabilities regarding how to request the webmaster or other appropriate person to provide access to (or notify the District regarding) content or functionality that is currently inaccessible. The Notice will also include information or an accessible link to information instructing individuals with disabilities how to file more formal complaints under Section 504 and/or the ADA.

The Digital Accessibility Coordinator will establish a system to routinely audit/test the accessibility of the District's online/digital content and measure it against the technical standards adopted above. This audit will occur no less than once every two (2) years. This system must include processes to verify claims of accessibility by third party vendors or open sources. The purpose of the audit is to identify any web content or functionality that is inaccessible to persons with disabilities. The person/entity who conducts the audit shall report to the District Administrator and Digital Accessibility Coordinator the results of the audit. If problems are identified, they will be documented, evaluated, and if necessary, remediated within a reasonable period.

The District will provide periodic website accessibility training to all appropriate personnel including, but not limited to: content developers, webmasters, procurement officials, and all others responsible for developing, loading, maintaining, or auditing digital content and functionality. The training will include information concerning this guideline and the employees' respective roles and responsibilities associated with verifying that web design, documents, and multimedia content are accessible. The training will be facilitated by individuals with sufficient knowledge, skill, and experience to understand and employ the technical standards identified above. The District will maintain documentation of the training it delivers, including a list of attendees and their positions, a description of the delivered training content, and the presenter/trainer's credentials for providing such training.

Individuals responsible for designing, developing, and producing web content are expected to employ universal design principles to create web pages and sites that allow persons with disabilities to access the information and content on the District's website. By following the web content design criteria set forth below, the designers and authors of the District's website(s) can improve the opportunities for persons with disabilities to access the information and content contained on the web pages that make up the District's website(s).

First Page of the Site

The first page of the website should contain:

A. the index or table of contents for the site;

B. a school name, address, and phone number;

C. the webmaster and e-mail address of the person responsible for the site;

D. a date when the page was last updated or modified;

E. index.html;

F. a link to the Board's website;

G. identification of (or a link to) the Board's agent to receive notification of claimed copyright infringement (including name, mailing address, telephone number, fax number, and e-mail address).

H. links to appropriate disclaimers.

Organization of Site Structure

A. The overall plan or file structure should provide quick access to information and help the user understand how the information is organized. It is recommended that a storyboard be used to plan the website.

B. Each page should be designed with the audience and goal in mind.

C. A basic page format should be used, e.g. use the same background, locate navigation tools in the same place on the page, have consistent link appearance, and have consistent font size and type. Be consistent on all pages.

D. The title bar should include the school name in the "title" tag of each HTML document.

E. Limit page length, keep the HTML documents as small as possible.

F. The website may include areas such as staff information, student projects, calendar, school information and mission statement, technology plan, and geographical information.

G. There should be a "mail to" link that provides a means of feedback on all main pages.

Keep Your Website Current

A. Pages should be checked regularly to ensure that links are working and meet Board standards. Check to make sure all internal and external links work properly.

B. Remove expired date-related items.

C. Maintain and update content by removing unneeded or outdated files.

Grammar and Spelling

A. All pages should be grammatically correct.

B. All words should be spelled correctly - web pages should be spell-checked.

Navigation Tools

All pages should include a "back to" main menu in order to provide a link back to the website index or home page, or a "skip to main content" link in the upper left corner that allows users to jump past repetitive navigation options.

Intellectual Property

A. All website authors must follow all applicable and existing intellectual property laws (copyright and trademark) pertaining to the use of text, images, audio/sounds, and hyperlinks to other websites/pages. (See AG 2531 - Copyrighted Works)

B. The Board retains proprietary rights to websites/pages hosted on its servers, absent written authorization to the contrary.

Naming Structure

A. Use all lower-case letters for names of documents and graphics.

B. Do not use any spaces or other symbols in naming HTML documents or graphics.

Graphics/Video/Audio

A. Smaller is better, images should be less than 50k.

B. Pictures need to be in GIF or JPEG format.

C. Always use width and height tags.

D. Provide short, simple, and meaningful alternative text for all graphical features. Use the "alt" tag to describe your picture for text-only browsers.

E. Use GIF format for drawings and line art.

F. Use JPEG Format for photographic color images.

G. Re-use graphics when appropriate. When graphics are re-used, they remain in the computer and will load more quickly onto a web page.

H. Avoid using flashing content, as it may cause seizures in susceptible users.

I. Provide transcripts, descriptions, or captions for video and audio files to assist persons with visual and hearing disabilities.

HTML Standards

It is reasonable to expect that users will see your page using a variety of browsers, including Google Chrome, Netscape, Microsoft Internet Explorer/Edge, Apple Safari, and Mozilla Firefox. It is recommended that you:

A. test your web pages on a variety of browsers, including text-only browsers, and at a variety of screen resolutions to confirm the pages look right to the greatest number of users;

B. check your website on multiple platforms, and test pages on small screens to confirm the pages do not bleed off the screen;

C. use standard, universally recognized HTML tags - Do not use tags which are specific to one (1) browser;

D. use HTML syntax checkers to search your site for programming mistakes.

Frames and Special Formats

Do not use frame pages. If you do and you link to external content, make sure you are not infringing on any copyrights associated with the website/page to which you are linking. Additionally, if you use frames, make alternative versions of those pages that persons with disabilities can use. To make them accessible to screen reader devices, add meaningful titles to each frame so user can navigate between them easily.

Provide text-based delivery alternatives for as much information as possible. Do not rely solely on special formats (e.g. Adobe Acrobat) that can be more difficult for text and voice systems to read.

Use of Student Names, Pictures, Original Work, and E-mail Addresses

The Board permits the use of photographs of students, names of students, and displaying original work of students on websites in accordance with the following guidelines:

A. Identifiable photographs, videos, audio, or likenesses of students and/or students' first names may be placed on the Internet only after the appropriate release form has been acknowledged.

B. Last names of students and students' e-mail addresses should never be used.

C. Original work by students, such as art work, poetry, essays, performances, etc., may be placed on the website only after the appropriate release form has been signed by the parents or guardians.

Prohibited Uses

Under no circumstances may a web page hosted on the Board's servers be used for commercial purposes, advertising, political lobbying, or to provide financial gains for any individual. Included in this prohibition is the fact that no web pages contained on the District's website may:

A. include statements or other items that support or oppose a candidate for public office; the investigation, prosecution, or recall of a public official; or passage of a tax levy or bond issue;

B. link to a website of another organization if the other website includes such a message;

C. communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization;

D. include defamatory, libelous, obscene, profane, vulgar, or sexually explicit matter, or harassing or abusive language;

E. promote alcoholic beverages, cigarettes or other tobacco products, or any illegal product, service, or activity;

F. promote illegal discrimination on the basis of race, sex, color, religion, national origin, disability, age, or ancestry;

G. be utilized to intimidate or bully another person.

Content for the District's Website(s)

All subject matter on web pages must relate to curriculum, instruction, school authorized activities, general information, supporting student safety, growth and learning, or public information of interest to community members.

Neither staff nor students may publish on the District's website personal pages or pages for individuals or organizations not directly affiliated with the District.

Website/Page Evaluation

Before releasing or publishing a website/page, the building principal shall conduct a website/page evaluation to assess the following criteria: age appropriateness (appealing and readable); content (relevant, accurate, complete, objective, current, clear and concise, informative, appropriate, links working); intellectual property issues (sources cited; sponsoring organization identified [i.e. class, school, activity]; releases obtained); and format (accessible, navigation, searchable, functional/useable, download speed, pages dated as to creation/updated).

The Digital Accessibility Coordinator will also assess the web pages/site's accessibility.

Disclaimers

Links to external websites are included if they add information that may aid the user, and are included only as a public service. Every effort is made to verify that the links are educational in nature, and related to the District's educational mission, but the Internet is dynamic and volatile, and web pages can change suddenly and rapidly. It is not unusual to find information or images that are objectionable. Inclusion of a link does not constitute endorsement by the District of that site, or of any third party sites to which it may be linked. The user is advised that once you leave the District's website(s), even through links included on these pages, you may encounter inappropriate, illegal, or inaccurate material. The District is not responsible for the external content, or for any fees associated with the use of an outside site. Proceed at your own risk.

Student Developed Web Pages: "All web pages created by students and student organizations on the District's computer system will be subject to treatment as School-sponsored publications. As such, the District reserves the right to exercise editorial control over such publications in accordance with Policy 5722 – School-Sponsored Publications and Productions."

Domain Name and Copyright: "The District has registered its domain name(s) for the purpose of exclusive Internet identification. The District asserts copyright, trademark, and/or other intellectual property rights in its domain name, District identification, District logo, and all content on the District's website(s). All rights are reserved. Outside parties, including parents, patrons, or outside organizations, may not use District and/or school domain names in connection with the publication of web content. Under no circumstances shall any party use District and/or school domain names to promote political issues, causes, or candidates."

General Disclaimer: "Information provided on the website carries no express or implied warranties as to accuracy, timeliness, or appropriateness for a particular purpose; in addition, the Board disclaims ownership responsibility for content errors, omissions, or infringing material, and disclaims ownership liability for damages associated with user reliance on information provided at the site."

Events: "Visitors rely on information on the website at their own risk. Times and dates are subject to change and spectators or audiences are strongly encouraged to contact the school for the most recent schedule."

Examples of Disabilities and How They Affect People's Abilities to Perceive and Use Websites/Pages:
Visual Disabilities

Blindness – People with no sight typically browse the Internet using voice output software or refreshable Braille hardware. Such devices "read" what is on the screen to the user.

Low vision – Individuals who have limited vision may use screen-enlarging software.

Color blindness – To perceive color differences on a computer monitor, individuals with color blindness need high contrast. Also, designers/developers/authors should be mindful of the forms of color blindness when choosing color schemes. Typical color blindness involves the inability to distinguish between red and green, blue and green, or blue and yellow; some people see black and white only.

Auditory Disabilities

Deafness – People who cannot hear experience a website/page only through its text, graphics/images, and video.

Hard of hearing – Individuals with limited hearing may use sound-enhancing peripherals.

Physical/Motor Disabilities

People with physical disabilities or limited fine motor skills may have difficulty with the following computer-related tasks:

A. Detailed manipulation of input devices such as a mouse or roller ball.

B. Holding down multiple keyboard keys simultaneously.

Cognitive/Language Disabilities

Typical problems for people who have cognitive disabilities or disabilities that affect their language skills include the following:

A. Difficulty with spatial reasoning and/or visualization skills.

B. Difficulty reading and/or understanding written text (e.g. persons with dyslexia).

Persons wanting to learn more about web accessibility standards and guidelines should consult the following Internet sources:

The Access Board (www.access-board.gov) - Federal agency dedicated to accessible design.

World Wide Web Consortium (www.w3.org) – organization developed "Web Content Accessibility Guidelines (WCAG) 2.1" and the "Web Accessibility Initiative Accessible Rich Internet Applications Suite (WAI-ARIA) 1.2."

Staff Information

District web pages shall not contain the following staff information without the explicit written permission of the staff member:

A. Identifiable photographs, videos, or likenesses of staff other than official school photos

B. A staff member's personal electronic mail addresses, personal telephone numbers, street addresses, or any other identifying information of a personal nature.

Web pages may contain a staff member's title, work telephone number, work electronic mail address, the building or facility they are employed in, and other work-related information to facilitate communications with parents and other outside correspondents.

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STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY

7540.03 - **STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY**

Students shall use District technology resources (see definition in Bylaw 0100) for educational purposes only. District technology resources shall not be used for personal, non-school related purposes. Use of District technology resources is a privilege, not a right. When using District technology resources, students must conduct themselves in a responsible, efficient, ethical, and legal manner. Students found to have engaged in unauthorized or inappropriate use of District technology resources, including any violation of these guidelines, may have their privilege limited or revoked, and may face further disciplinary action consistent with the Student Handbook, and/or civil or criminal liability (see Sec. 943.70, Wis. Stat. (Computer Crimes) and Sec. 947.0125, Wis. Stat. (Unlawful Use of Computerized Communication Systems)) Prior to accessing or using District technology resources, students and parents of minor students must sign the Student Technology Acceptable Use and Safety Agreement. Parents should discuss their values with their children and encourage students to make decisions regarding their use of District technology resources that are in accord with their personal and family values, in addition to the Board's standards.

This guideline also governs students' use of their personal communication devices (see definition Bylaw 0100) when they are connected to District technology resources, or when used while the student is on Board-owned property or at a Board-sponsored activity.

Below is a non-exhaustive list of unauthorized uses and prohibited behaviors. This guideline further provides a general overview of the responsibilities users assume when using District technology resources.

A. All use of District technology resources must be consistent with the educational mission and goals of the District.

B. Students may only access and use District technology resources by using their assigned account and may only send school-related electronic communications using their District-assigned e-mail addresses. Use of another person's account/e-mail address is prohibited. Students may not allow other users to utilize their account/e-mail address and should not share their password with other users. Students may not go beyond their authorized access. Students should take steps to prevent unauthorized access to their accounts by logging off or "locking" their computers/laptops/tablets/personal communication devices when leaving them unattended.

C. No user may have access to another's private files. Any attempt by users to access another user's or the District's non-public files, or phone or e-mail messages is considered theft. Any attempts to gain access to unauthorized resources or information either on the District's computer or telephone systems or any systems to which the District has access are prohibited. Similarly, students 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 District's Network.

D. Students may not intentionally disable any security features used on District technology resources.

E. Students may not use District technology resources or their personal communication devices to engage in vandalism, "hacking", or other illegal activities(e.g., software pirating; intellectual property violations; engaging in slander, libel, or harassment; threatening the life or safety of another; stalking; transmission of obscene materials or child pornography, including sexting; fraud; sale of illegal substances and goods).

1. Slander and libel - In short, slander is "oral communication of false statements injurious to a person's reputation," and libel is "a false publication in writing, printing, or typewriting or in signs or pictures that maliciously damages a person's reputation or the act or an instance of presenting such a statement to the public." (The American Heritage Dictionary of the English Language. Third Edition is licensed from Houghton Mifflin Company. Copyright © 1992 by Houghton Mifflin Company. All rights reserved.) Students shall not knowingly or recklessly post false or defamatory information about a person or organization. Students are reminded that material distributed over the Internet is "public" to a degree no other school publication or utterance is. As such, any remark may be seen by literally millions of people and harmful and false statements will be viewed in that light.

2. Students shall not use District technology resources to transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, national origin, sex, sexual orientation or transgender identity, age, disability, religion, or political beliefs. Sending, sharing, viewing or possessing pictures, text messages, e-mails or other materials of a sexual nature (i.e., sexting) in electronic or any other form, including the contents of a personal communication device or other electronic equipment, is grounds for discipline. Such actions will be reported to local law enforcement and child services as required by law.

3. Vandalism and Hacking – Deliberate attempts to damage the hardware, software, or information residing in District technology resources or any computer system attached through the Internet is strictly prohibited. In particular, malicious use of District technology resources to develop programs that harass other users or infiltrate a computer/laptop/tablet or computer system and/or damage the software components of a computer or computing system is prohibited.

   Attempts to violate the integrity of private accounts, files, or programs, the deliberate infecting of the network or computers, laptops, tablets, etc., attached to the network with a "virus", attempts at hacking into any internal or external computer systems using any method will not be tolerated.

   Students may not engage in vandalism or use District technology resources or their personal communication devices in such a way that would disrupt others' use of District technology resources.

   Vandalism is defined as any malicious or intentional attempt to harm, steal, or destroy data of another user, school networks, or technology hardware. This includes but is not limited to uploading or creation of computer viruses, installing unapproved software, changing equipment configurations, deliberately destroying or stealing hardware and its components, or seeking to circumvent or bypass network security and/or the Board's technology protection measures. Students also must avoid intentionally wasting limited resources. Students must immediately notify the teacher or building principal if they identify a possible security problem. Students should not go looking for security problems, because this may be construed as an unlawful attempt to gain access.

4. Use of District technology resources to access, process, distribute, display or print child pornography and other material that is obscene, objectionable, inappropriate, and/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. If a student inadvertently accesses material that is prohibited by this paragraph, s/he should immediately disclose the inadvertent access to the teacher or building principal. This will protect the user against an allegation that s/he intentionally violated this provision.
5. Unauthorized Use of Software or Other Intellectual Property from Any Source – All communications and information accessible via the Internet should be assumed to be private property (i.e., copyrighted and/or trademarked). Laws and ethics require proper handling of intellectual property. All copyright issues regarding software, information, and attributions/acknowledgment of authorship must be respected.

   Software is intellectual property, and, with the exception of freeware, is illegal to use without legitimate license or permission from its creator or licensor. All software loaded on District computers must be approved by the Technology Director, and the District must own, maintain, and retain the licenses for all copyrighted software loaded on District computers. Students are prohibited from using District technology resources for the purpose of illegally copying another person's software. Illegal peer-to-peer file trafficking of copyrighted works is prohibited.

   Online articles, blog posts, podcasts, videos, and wiki entries are also intellectual property. Students should treat information found electronically in the same way they treat information found in printed sources – i.e., properly citing sources of information and refraining from plagiarism. Rules against plagiarism will be enforced.

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

7. District technology resources may not be used for private gain or commercial purposes (e.g., purchasing or offering for sale personal products or services by students), advertising, or political lobbying.

8. Use of District technology resources to engage in cyberbullying is prohibited. "Cyberbullying" involves the use of information and communication technologies to support deliberate, repeated, and hostile behavior by an individual or group, which is intended to harm others. [Bill Belsey (http//www.cyberbullying.org)] Cyberbullying may occur through e-mail, instant messaging (IM), chat room/Bash Boards, small text-messages (SMS), websites, voting booths.

   Cyberbullying includes, but is not limited to the following:

   a. posting slurs or rumors or other disparaging remarks about a student on a website or on weblog;

   b. sending e-mail or instant messages that are mean or threatening, or so numerous as to negatively impact the victim's use of that method of communication and/or drive up the victim's cell phone bill;

   c. using a camera phone to take and send embarrassing and/or sexually explicit photographs/recordings of students;

   d. posting misleading or fake photographs of students on websites.

9. Students are expected to abide by the following generally-accepted rules of online etiquette:

    a. Be polite, courteous, and respectful in your messages to others. Use language appropriate to school situations in any communications made through or utilizing District technology resources. Do not use obscene, profane, lewd, vulgar, rude, inflammatory, sexually explicit, defamatory, threatening, abusive, or disrespectful language in communications made through or utilizing District technology resources.

    b. Do not engage in personal attacks, including prejudicial or discriminatory attacks.

    c. Do not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a student is told by a person to stop sending him/her messages, the student must stop.

    d. Do not post information that, if acted upon, could cause damage or a danger of disruption.

    e. Never reveal names, addresses, phone numbers, or passwords of yourself or other students, family members, teachers, administrators, or other staff members while communicating on the Internet. This prohibition includes, but is not limited to, disclosing personal identification information on commercial websites.

    f. Do not transmit pictures or other information that could be used to establish your identity without prior approval of a teacher.

    g. Never agree to get together with someone you "meet" online without prior parent approval.

    h. Check e-mail frequently and delete e-mail promptly.

    i. Students should promptly disclose to a teacher or administrator any messages they receive that are inappropriate or make them feel uncomfortable, especially any e-mail that contains sexually explicit content (e.g., pornography). Students should not delete such messages until instructed to do so by an administrator.

10. Downloading of files onto school-owned equipment or contracted online education services is prohibited, without prior approval from the Building Principal. If a student transfers files from information services and electronic bulletin board services, the student must check the file with a virus-detection program before opening the file for use. Only public domain software may be downloaded. If a student transfers a file or software program that infects District technology resources with a virus and causes damage, the student will be liable for any and all repair costs to make the District technology resources once again fully operational.

11. Students must secure prior approval from a teacher or Building Principal before joining a Listserv (electronic mailing lists) and should not post personal messages on bulletin boards or "Listservs."

L. Students are prohibited from accessing or participating in online "chat rooms" or other forms of direct electronic communication (e.g., instant messaging) (other than e-mail) without prior approval from a teacher or the building principal. All such authorized communications must comply with these guidelines. Students may only use their school-assigned accounts/e-mail addresses when accessing, using or participating in real-time electronic communications for education purposes.

M. Users have no right or expectation to privacy when using District technology resources. The Board reserves the right to access and inspect any facet of its technology resources, including, but not limited to, computers, laptops, tablets, and other web-enabled devices, networks, or Internet connections or online educational services or apps, e-mail or other messaging or communication systems or any other electronic media within its technology systems or that otherwise constitutes its property and any data, information, e-mail, communication, transmission, upload, download, message or material of any nature or medium that may be contained therein. A student's use of District technology resources constitutes his/her waiver of any right to privacy in anything s/he creates, stores, sends, transmits, uploads, downloads or receives on or through the technology resources and related storage medium and equipment. Routine maintenance and monitoring, utilizing both technology monitoring systems and staff monitoring, may lead to discovery that a user has violated Board policy and/or the law. An individual search will be conducted if there is reasonable suspicion that a user has violated Board policy and/or law, or if requested by local, State or Federal law enforcement officials. Students' parents have the right to request to see the contents of their children's files, e-mails and records.

The following notice will be included as part of the computer log-on screen:

"District technology resources (as defined in Bylaw 0100) are to be used for educational and professional purposes only. Users are reminded that all use of District technology resources, including Internet use, is monitored by the District and individual users have no expectation of privacy."

N. Use of the Internet and any information procured from the Internet is at the student's own risk. The Board makes no warranties of any kind, either express or implied, that the functions or the services provided by or through District technology resources would be error-free or without defect. The Board is not responsible for any damage a user may suffer, including, but not limited to, loss of data, service interruptions, or exposure to inappropriate material or people. The Board is not responsible for the accuracy or quality of information obtained through the Internet. Information (including text, graphics, audio, video, etc.) from Internet sources used in student papers, reports, and projects should be cited the same as references to printed materials. The Board is not responsible for financial obligations arising through the unauthorized use of its technology resources. Students or parents of students will indemnify and hold the Board harmless from any losses sustained as the result of misuse of District technology resources.

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

P. File-sharing is strictly prohibited. Students are prohibited from downloading and/or installing file-sharing software or programs on District technology resources.

Q. Since there is no central authority on the Internet, each site is responsible for its own users. Complaints received from other sites regarding any of the District's users will be fully investigated and disciplinary action will be taken as appropriate.

R. Preservation of Resources and Priorities of Use: District technology resources are limited. Each student is permitted reasonable space to store e-mail, web, and personal school-related files. The Board reserves the right to require the purging of files in order to regain disk space. Students who require access to District technology resources for class- or instruction-related activities have priority over other users. Students not using District technology resources for class-related activities may be "bumped" by any student requiring access for class- or instruction-related purpose.

Abuse of Network Resources

Peer-to-peer file sharing, mass mailings, downloading of unauthorized games, videos, and music are wasteful of limited network resources and are forbidden. In addition, the acquisition and sharing of copyrighted materials is illegal and unethical.

Unauthorized Printing

District printers may only be used to print school-related documents and assignments. Printers, like other school resources, are to be used in a responsible manner. Ink cartridges and paper, along with printer repairs and replacement are very expensive. The District monitors printing by user. Print jobs deemed excessive and abusive of this privilege may result in charges being assessed to the student. Users are prohibited from replacing ink cartridges and performing any other service or repairs to printers. Users should ask, as appropriate, for assistance to clear paper that is jamming a printer.

Any questions and concerns regarding these guidelines may be directed to the building principal.

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STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY

7540.04 - **STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY**

District technology resources (see definition in Bylaw 0100) may be used for incidental personal, non-work-related purposes that do not interfere with the employee's performance of his/her job responsibilities, do not result in direct costs to the District, do not affect other users' use of the resources for education and work-related purposes, do not expose the District to unnecessary risks, or violate applicable Board policies, administrative guidelines, or law/regulations in accordance with Policy 7544, Policy 7540.04, and Policy 7530.02.

Use of District technology resources is a privilege, not a right. When using District technology resources, staff members must conduct themselves in a responsible, efficient, ethical, and legal manner. Staff members found to have engaged in unauthorized or inappropriate use of District technology and/or information resources, including any violation of these guidelines, may have their privilege limited or revoked, and may face further disciplinary action and/or civil criminal liability (see Sec. 943.70, Wis. Stat. (Computer Crimes), Sec. 947.0125, Wis. Stat. (Unlawful Use of Computerized Communication Systems)). Prior to accessing or using District technology and/or information resources, staff members must sign the Staff Technology Acceptable Use and Safety Agreement.

This guideline also governs staff members' use of their personal communication devices (PCDs) (as defined by Bylaw 0100) when they are connected to the District's technology resources, creating, using, or transmitting District information resources, or when used while the staff member is on Board-owned property or at a Board-sponsored activity. Staff are reminded that the use of PCDs (including the sending of text messages) may generate a public record or an education record that needs to be maintained in accordance with the Board's record retention schedule and/or Federal and State law.

Below is a non-exhaustive list of unauthorized uses and prohibited behaviors. This guideline further provides a general overview of the responsibilities users assume when using District technology and/or information resources.

A. All use of District technology and/or information resources must be consistent with the educational mission and goals of the District.

B. Staff members may only access and use District technology and/or information resources by using their assigned account and may only send school-related electronic communications using their District-assigned email addresses. Use of another person's account/e-mail address is prohibited. Staff members may not allow other users to utilize their account/e-mail address and should not share their password with other users. Staff members may not go beyond their authorized access. Staff members are expected to take steps to prevent unauthorized access to their accounts by logging off or "locking" their computers/laptops/tablets/personal communication devices when leaving them unattended.

C. No user may have access to another's private files. Any attempt by users to access another user's or the District's non-public files, or phone or e-mail messages is considered theft. Any attempts to gain access to unauthorized resources or data/information either on the District's computer or telephone systems or any systems to which the District has access are prohibited. Similarly, 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 District's network.

D. Staff members may not intentionally disable any security feature used on District technology resources.

E. Staff members may not use District technology resources or their personal communication devices to engage in vandalism, "hacking", or other illegal activities (e.g., software pirating, intellectual property violations; engaging in slander, libel or harassment; threatening the life or safety of another; stalking; transmission of obscene materials or child pornography, including sexting; fraud; sale of illegal substances or goods.

1. Slander and libel - In short, slander is "oral communication of false statements injurious to a person's reputation," and libel is "a false publication in writing, printing, or typewriting or in signs or pictures that maliciously damages a person's reputation or the act or an instance of presenting such a statement to the public." (The American Heritage Dictionary of the English Language Third Edition is licensed from Houghton Mifflin Company. Copyright © 1992 by Houghton Mifflin Company. All rights reserved.) Staff members shall not knowingly or recklessly post false or defamatory information about a person or organization. Staff members are reminded that material distributed over the Internet is "public" to a degree no other school publication or utterance is. As such, any remark may be seen by literally millions of people and harmful and false statements will be viewed in that light.

2. Staff members shall not use District technology resources to transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, national origin, sex, sexual orientation or transgender identity, age, disability, religion or political beliefs. Sending, sharing, viewing or possessing pictures, text messages, e-mails or other materials of a sexual nature (i.e., sexting) in electronic or any other form, including the contents of a personal communication device or other electronic equipment is grounds for discipline, up to and including termination. Such actions will be reported to local law enforcement and child services as required by law.

3. Vandalism and Hacking – Deliberate attempts to damage the hardware, software, or data/information residing in District technology resources or any computer system attached through the Internet is strictly prohibited. In particular, malicious use of District technology resources to develop programs that harass other users or infiltrate a computer/laptop/tablet or computer system and/or damage the software components of a computer or computing system is prohibited.

   Attempts to violate the integrity of private accounts, files, or programs, the deliberate infecting of the network or computers, laptops, tablets, etc., attached to the network with a "virus", attempts at hacking into any internal or external computer systems using any method will not be tolerated.

   Staff members may not engage in vandalism or use District technology resources or their personal communication devices in such a way that would disrupt others' use of District technology resources.

   Vandalism is defined as any malicious or intentional attempt to harm, steal, or destroy data of another user, school networks, or technology hardware. This includes but is not limited to uploading or creation of computer viruses, installing unapproved software, changing equipment configurations, deliberately destroying or stealing hardware and its components, or seeking to circumvent or bypass network security and/or the Board's technology protection measures. Staff members also must avoid intentionally wasting limited resources. Staff members must immediately notify the building principal or IT Director if they identify a possible security problem. Staff members should not go looking for security problems, because this may be construed as an unlawful attempt to gain access.

4. Use of District technology resources to access, process, distribute, display or print child pornography and other material that is obscene, objectionable, inappropriate, and/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. If a staff member inadvertently accesses material that is prohibited by this paragraph, s/he should immediately disclose the inadvertent access to the building principal or IT Director. This will protect the user against an allegation that s/he intentionally violated this provision.

5. Unauthorized Use of Software or Other Intellectual Property from Any Source – Laws and ethics require proper handling of intellectual property. Software is intellectual property, and, with the exception of freeware, is illegal to use without legitimate license or permission from its creator or licensor. All software loaded on District computers must be approved by the Director of Technology, and the District must own, maintain, and retain the licenses for all copyrighted software loaded on District computers. Staff members are prohibited from using District technology resources for the purpose of illegally copying another person's software. Illegal peer to-peer file trafficking of copyrighted works is prohibited.

   Online articles, blog posts, podcasts, videos, and wiki entries are also intellectual property. Staff members should treat information found electronically in the same way they treat information found in printed sources - i.e., properly citing sources of information and refraining from plagiarism.

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

G. District technology resources may not be used for private gain or commercial purposes (e.g., purchasing or offering for sale personal products or services by staff members), advertising, or political lobbying or campaigning is prohibited.

H. Staff members are expected to abide by the following generally accepted rules of online etiquette:

1. Be polite, courteous, and respectful in your messages to others. Use language appropriate to school situations in any communications made through or utilizing District technology resources. Do not use obscene, profane, lewd, vulgar, rude, inflammatory, sexually explicit, defamatory, threatening, abusive, or disrespectful language in communications made through or utilizing District technology resources (including, but not limited to, public messages, private messages, and material posted on web pages).

2. Do not engage in personal attacks, including prejudicial or discriminatory attacks.

3. Do not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a staff member is told by a person to stop sending him/her messages, the staff member must stop.

4. Do not post information that, if acted upon, could cause damage or a danger of disruption.

5. Never reveal names, addresses, phone numbers, or passwords of students while communicating on the Internet, unless there is prior written parental approval or it is otherwise permitted by Federal and/or State law.

6. Check e-mail frequently and delete e-mail promptly to avoid excessive use of the electronic mail disk space. Nothing herein alters the staff member's responsibility to preserve e-mail and other electronically stored information that constitutes a public record, student education record and/or a record subject to a Litigation Hold.

I. 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/acknowledgment of authorship must be respected.

J. Downloading of information onto school-owned equipment or contracted online education services is prohibited, without prior approval from the IT Director. 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 transfers a file or installs a software program that infects District technology resources with a virus and causes damage, the staff member will be liable for any and all repair costs to make District technology resources once again fully operational.

K. Users have no right or expectation to privacy when using District technology and/or information resources. The Board reserves the right to access and inspect any facet of its technology and/or information resources, including, but not limited to, computers, laptops, tablets, and other web-enabled devices, networks or Internet connections or online education services or apps, e-mail or other messaging or communication systems or any other electronic media within its technology systems or that otherwise constitutes its property and any data, information, e-mail, communication, transmission, upload, download, message or material of any nature or medium that may be contained therein. A staff member's use of District technology and/or information resources constitutes his/her waiver of any right to privacy in anything s/he creates, stores, sends, transmits, uploads, downloads or receives on or through the technology resources and related storage medium and equipment. Routine maintenance and monitoring, utilizing both technology monitoring systems and staff monitoring, may lead to discovery that a staff member has violated Board policy and/or the law. An individual search will be conducted if there is reasonable suspicion that a staff member has violated Board policy and/or law, or if requested by local, State or Federal law enforcement officials. Staff are reminded that their communication is subject to Wisconsin's public records laws and FERPA (See Policy 8330).

The following notice will be included as part of the computer log-on screen:

"District technology resources (including computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, other web-enabled devices, video and/or audio recording equipment, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps) are to be used for educational and professional purposes only. Users are reminded that all use of District technology resources, including Internet use, is monitored by the District and individual users have no expectation of privacy."

L. Use of the Internet and any information procured from the Internet is at the staff member's own risk. The Board makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through District technology resources will be error-free or without defect. The Board is not responsible for any damage a user may suffer, including, but not limited to, loss of data, service interruptions, or exposure to inappropriate material or people. The Board is not responsible for the accuracy or quality of information obtained through the Internet. Information (including text, graphics, audio, video, etc.) from Internet sources used in class should be cited the same as references to printed materials. The Board is not responsible for financial obligations arising through the unauthorized use of its technology resources. Staff members will indemnify and hold the Board harmless from any losses sustained as the result of the staff member's misuse of District technology resources.

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

N. Proprietary rights in the design of websites/services/apps hosted on the Board-owned or leased servers remains at all times with the Board without prior written authorization.

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

P. File-sharing is strictly prohibited. Staff members are prohibited from downloading and/or installing file-sharing software or programs on District technology resources.

Q. Since there is no central authority on the Internet, each site is responsible for its own users. Complaints received from other sites regarding any of the District's users will be fully investigated and disciplinary action will be taken as appropriate.

R. Preservation of Resources: District technology resources are limited. Each staff member is permitted reasonable space to store e-mail, web, and personal school/work-related files. The Board reserves the right to require the purging of files in order to regain disk space.

S. Staff members are encouraged to limit student exposure to commercial advertising and product promotion when selecting/developing the District or classroom websites/services/apps or giving other assignments that utilize the Internet. Under all circumstances, staff members must comply with COPPA.

1. Websites with extensive commercial advertising may be included on the District or classroom websites/services/apps or designated as a required or recommended site only if there is a compelling educational reason for such selection.

2. Staff members may make use of high-quality, unbiased online educational materials that have been produced with corporate sponsorship. Staff members may not make use of educational materials that have been developed primarily for the purpose of promoting a company and/or its products or services.

Abuse of Network Resources

Peer-to-peer file sharing, mass mailings, downloading of unauthorized games, videos, and music are wasteful of limited network resources and are forbidden. In addition, the acquisition and sharing of copyrighted materials is illegal and unethical.

Unauthorized Printing

District printers may only be used to print school/work-related documents. Printers, like other school resources, are to be used in a responsible manner. Ink cartridges and paper, along with printer repairs and replacement are very expensive. The District monitors printing by user. Print jobs deemed excessive and abusive of this privilege may result in charges being assessed to the staff member.

Any questions and concerns regarding these guidelines may be directed to the IT Director.

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ASSISTIVE TECHNOLOGY AND SERVICES

7540.05 - **ASSISTIVE TECHNOLOGY AND SERVICES**

The use of assistive technology may, in some cases, be required for students with disabilities to receive a free, appropriate, public education (FAPE).

Each Individualized Education Program (IEP) team shall determine in the course of the IEP process whether, at any time, a student's IEP should include the use of assistive technology devices and services.

Assistive technology is a term that encompasses a wide variety of devices that help students with any activity or skill necessary for the student to obtain FAPE, including writing, computer access, composing written material, communication, reading, learning, and studying, math, recreation and leisure, electronic aids for daily living, mobility, positioning and seating, vision, hearing, vocational needs, and behavioral supports.

It is the responsibility of the IEP team to select the appropriate assistive technology needed by the student, if any. If the IEP team decides to try an assistive technology with a student, the team is expected to locate a low, or no-cost resource for the technology, and to conduct an evaluation of the assistive technology to determine whether it provides the expected benefit as intended, before requesting that the District purchase the technology. The School District is required to "provide," but does not need to own, the assistive technology.

The IEP team may also consider the use of assistive technology services as part of an IEP. Such services include any service needed to help the student acquire or use the assistive technology. Services may be provided to address the following needs:

A. assessing the student's need for assistive technology;

B. purchasing, leasing or otherwise providing for the acquisition of assistive technology devices;

C. fitting adapting, maintaining and repairing the assistive technology as needed;

D. coordinating and using other therapies, interventions or services with assistive technology devices;

E. training the student to use the assistive technology;

F. training the school staff and, if necessary, the family to use the assistive technology.

Assistive technology devices and services may be provided as an annual goal or short-term objective, related services, or supplementary aids and services depending on the determination of a student's IEP team, which shall also determine the extent to which such technology or services are required for the student in order to benefit from the educational program, as well as whether the assistive technology is needed at home.

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ag7540.06

PROPER USE OF DISTRICT-ISSUED STAFF E-MAIL ACCOUNT

7540.06 - **PROPER USE OF DISTRICT-ISSUED STAFF E-MAIL ACCOUNT**

Depending on the content of an e-mail message, it may be a public record or an education record that needs to be maintained by the District in accordance with Policy 8310 – Public Records or Policy 8330 – Student Records, and made available for inspection and/or copying upon request by a member of the public, or a parent or student age eighteen (18) or older. In addition, an e-mail may constitute electronically stored information (ESI) that is subject to a litigation hold pursuant to Policy 8315 – Information Management. The following procedures are established so that the District's e-mail and Internet capabilities are not compromised, and e-mail messages are maintained in accordance with State and Federal law.

OPERATIONAL CONSIDERATIONS:

A. Types of E-Mail Prohibited

1. General Rule: Do not put anything in an e-mail that you would not put on School District letterhead.

2. Do not send e-mails of 25 mb or more. (For example, this would most likely be the following: multiple attachments on one (1) e-mail, pictures, Powerpoint presentations, Adobe files, jpg images, etc.)

3. Do not use the District's e-mail system to send announcements such as items for sale.

4. Such items may be posted on staff bulletin boards

5. Do not forward or start e-mails with the following:

    a. jokes,

    b. pictures, or

    c. similar fun forwards intended to amuse the reader.

6. Do not subscribe to the following through your District e-mail account:

    a. daily jokes,

    b. daily horoscopes,

    c. daily recipes,

    d. vacation information, or

    e. similar items of information or amusement.

    f. social media notifications

    g. retail notifications

    Please use your own personal e-mail account for such items.

7. Do not respond to chain letters via your District e-mail account. These letters often come from outside sources, which increase the risk of e-mail based virus infection. Such e-mails multiply exponentially, and cost the District in terms of time, money and resources.

8. Do not use your District e-mail account to communicate with friends and family throughout the work day, except in case of emergency and when they cannot be reached by telephone.

B. Proper Use of the Distribution Lists in the District's Global Address Book

1. When using a District-wide or building-wide distribution list, all members of that group should be intended targets. **Distribution lists are only to be used when it is necessary to convey information to <u>every member</u> of a group**. This includes all distribution lists.

2. It is your responsibility to know to whom your information will be sent if you choose to utilize a District-wide or building-wide distribution list.

PUBLIC RECORD CONSIDERATIONS:*

E-mail messages that are kept by the District and that serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the District are public records, unless they meet one of the statutory exceptions, and must be maintained in accordance with the Board's Records Retention Policy and made available for inspection and/or copying by the public. The length of retention of an e-mail message is dependent upon its content and the purpose it serves. The content, transactional information, and any attachments associated with an e-mail message are considered a record if they meet the statutory criteria.

For the purposes of this guideline, there are four (4) categories of e-mail retention: non-record messages, transitory messages, intermediate messages, and permanent messages.

A. **Categories of E-mail**

1. **Non-Record Materials**

E-mail messages that do not meet the definition of a public record may be deleted at any time, unless they become part of some official record as a result of special circumstances or must be preserved pursuant to Policy 8315 – "Information Management" and AG 8315 – "Litigation Hold Procedure." These types of messages may include:

a. *Personal Correspondence*

Any e-mail not received or created in the course of District business may be deleted immediately since it is not an official record: the "Let's do lunch" (not a District-business lunch) or "Can I catch a ride home" type of note.

b. *Non-District Publications*

Publications, promotional material from vendors, and similar materials that are "publicly available" to anyone are not official records unless specifically incorporated into other official records. In the electronic world, this includes listserv messages (other than those you post in your official capacity), unsolicited promotional material ("spam"), files copied or downloaded from Internet sites, etc.

These items may be immediately deleted, or maintained in a "Non-Record" mailbox and deleted later, just as you might trash the unwanted publication or promotional flyer.

However, for example, if you justify the purchase of a "Zippo Filing System" by incorporating the reviews you saved (from the "Files R Us Listserv") in your proposal to your supervisor, those listserv messages become official records and must be retained in accordance with the retention schedule for purchasing proposals.

2. **Official Records - Retain As Required**

E-mail messages that meet the definition of a public record are official records and must be scheduled, retained and disposed of as such. These official records fall into the following categories:

a. *Transient Retention*

Much of the communication sent via e-mail has a very limited administrative value. For instance, an e-mail message notifying employees of an upcoming meeting would only have value until the meeting has been attended or the employee receiving the message has marked the date and time in his/her calendar.

Transitory messages do not set policy, establish guidelines or procedures, certify a transaction or become a receipt. The informal tone of transitory messages might be compared to a communication that might take place during a telephone conversation or conversation in an office hallway. Transient documents include telephone messages, drafts and other limited documents that serve to convey information of temporary importance in lieu of oral communication. Transient documents should be retained in accordance with the Board's records retention policy (Policy 8310) and the Board's information management policy (Policy 8315).

b. *Intermediate Retention*

E-mail messages that have more significant administrative, legal and/or fiscal value but are not scheduled as transient or permanent should be categorized under other appropriate record series. These may include (but are not limited to):

1. General Correspondence: Includes internal correspondence (letters, memos); also, correspondence from various individuals, companies, and organizations requesting information pertaining to the District and legal interpretations and other miscellaneous inquiries. This correspondence is informative (it does not attempt to influence Board/District policy).

   Retention: (See Records Retention Policy; ex. one (1) year, then destroy).

2. Routine Correspondence: Referral letters, requests for routine information, or publications provided to the District, which are answered by standard form letters.

   Retention: (See Records Retention Policy; ex. six (6) months, then destroy.)

3. Monthly and Weekly Reports: Document status of on-going projects and issues; advise supervisors of various events and issues.

   Retention: (See Records Retention Policy and Information Management Policy).

4. Minutes of Staff Meetings: Minutes and supporting records documenting internal policy decisions.

   Retention: (See Records Retention Policy and Information Management Policy).

c. *Permanent Retention*

E-mail messages that have significant administrative, legal and/or fiscal value and are scheduled as permanent also should be categorized under the appropriate record series. These may include (but are not limited to):

1. Executive Correspondence: Correspondence from the District Administrator, Treasurer, or other administrator that deals with significant aspects of the administration of their offices/buildings. Correspondence includes information concerning Board/District policies/guidelines, program, fiscal and personnel matters.

   Retention: (See Records Retention Policy; and Information Management Policy).

2. Departmental/Building Policies and Procedures: Includes published reports, unpublished substantive reports and policy studies.

   Retention: (See Records Retention Policy and Information Management Policy).

Not all e-mail messages will fall into these record series. For more suggested retention periods, consult the Board's Records Retention Policy.

B. **Mailbox Managment**

Guidelines and Best Practices for Managing E-Mail

1. Filing

Non-transitory e-mail messages should be filed in a way that enhances their accessibility and that facilitates records management tasks. The IT staff will advise users on the set up or modifying of e-mail systems to facilitate records management and appropriate filing systems. Procedures and systems configurations may vary according to the building's/users' needs and the particular hardware and software in use.

In addition to the IN and OUT boxes that come with your mail account, you usually have the option of creating other "mailboxes" or "folders". After brief periods in your IN-OUT boxes, messages should be transferred to other boxes, based on business and retention requirements.

Employees should be responsible for classifying messages they send or receive according to content, the District's folder/directory structure, and established records series.

2. Distribution Lists

   If you send to a "distribution list" (not a listserv, but a specified list of individuals), you must also keep a copy of the members of that list for as long as you are required to keep the message itself.

3. Subject Lines

   Fill in the subject line on your e-mail both to help your recipient identify and file messages, and to help you file your OUT box messages that must be retained for some period. Subject lines should be as descriptive as possible.

   The following section has been adapted from the Wisconsin Electronic Records Committee's publication entitled "Managing Electronic Mail - Guidelines for State of Wisconsin Executive Agencies" and contains the following examples of poor and good subject lines for the same message:

Poor, confusing subject lines	**Better, descriptive subject lines**
"helpful info"	"contact info"
"report"	"quarterly financial report"
"minutes"	"Jan 2016 Board minutes"
"important"	"revised admin. procedures"
"today?"	"lunch plans today?"
"news"	"new agency head appointed"

C. **Mailbox Maintenance and Cleanup**

1. Each e-mail user is responsible for keeping his/her e-mail account at a manageable size.

2. If you do not maintain your mailbox and permit its size to grow beyond the recommended levels, your mailbox could become corrupt. The District's staff is not responsible if the mailbox cannot be recovered due to lack of user maintenance.

3. Your District e-mail account is not meant to be a storage folder. Before developing your personal mailbox maintenance and cleanup procedure, you must review the District's public records policy (Policy 8310), information management policy (Policy 8315), and any accompanying administrative guidelines to these policies. Any questions regarding these policies should be directed to the District Administrator.

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STUDENTS' PROPER USE OF DISTRICT-ISSUED E-MAIL ACCOUNT

7540.07 - **STUDENTS' PROPER USE OF DISTRICT-ISSUED E-MAIL ACCOUNT**

Students assigned a school e-mail account are required to utilize it for all school related electronic communications, including those to staff members and individuals and/or organizations outside the District with whom they are communicating for school-related projects and assignments. Further, as directed and authorized by their teachers, students shall use their school-assigned e-mail account when signing-up/registering for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes. All use of their District-issued e-mail account must be for educational/school-related purposes. Use of a District-issued e-mail account for personal purposes is prohibited.

E-mail sent through the District's network and using the District's e-mail system/provider may be retained indefinitely and is subject to monitoring as set forth in Board of Education Policy 7540.03.

The following procedures are established so that the District's e-mail and Internet capabilities are not compromised and e-mail messages are maintained in accordance with State and Federal law.

OPERATIONAL CONSIDERATIONS

A. **Types of E-Mail Prohibited**

1. General Rule: Do not put anything in an e-mail that you would not want seen on the front-page of the local newspaper.

2. Do not send e-mails of 25 mb or more. (For example, this would most likely be the following: multiple attachments on one (1) e-mail, pictures, PowerPoint presentations, Adobe files, jpg images, etc.)

3. Do not use the District's e-mail system to send announcements such as the following:

    a. parties

    b. items for sale

4. Do not forward or start e-mails with the following:

    a. jokes

    b. pictures

    c. similar fun forwards intended to amuse the reader

5. Do not subscribe to the following through your District e-mail account:

    a. daily jokes

    b. daily horoscopes

    c. daily recipes

    d. vacation information

    e. similar items of information or amusement

    f. Social Media notification

    g. Retail notifications

    Please use your own personal e-mail account for such items.

6. Do not respond to chain letters via your District e-mail account. These letters often come from outside sources, which increase the risk of e-mail based virus infection. Such e-mails multiply exponentially and cost the District in terms of time,

money, and resources.

7. Do not use your District e-mail account to communicate with friends and family throughout the school day, except in case of emergency and when they cannot be reached by telephone.

B. **Proper Use of the Distribution Lists in the District's Global Address Book**

1. Generally, students should address their e-mails to (a) specific person(s).

2. When using a class/club/athletic team/organization-wide distribution list, all members of the class/club/athletic team/organization should be intended targets. **Distribution lists are only to be used when it is necessary to convey information to <u>every member</u> of a group**. This includes all distribution lists.

3. It is your responsibility to know to whom your information will be sent if you choose to utilize a class/club/athletic team/organization-wide distribution list

C. **Mailbox Management/Maintenance/Cleanup**

1. Subject Lines

   Fill in the subject line on your e-mail both to help your recipient identify the purpose of the message. Subject lines should be as descriptive as possible.

   The following are some examples of poor and good subject lines for the same message:

Poor, confusing subject lines	**Better, descriptive subject lines**
"helpful info"	"contact info"
"report"	"English paper re: _____"
"help"	"Can we meet to discuss tomorrow's test"
"important"	"Today's meeting of the Chess Club is canceled"
"today?"	"Do you want to sit together at lunch today?"
"news"	"English exam rescheduled until next week"

2. Each e-mail user is responsible for keeping his/her e-mail account at a manageable size.

3. If you do not maintain your mailbox and permit its size to grow beyond the recommended levels, your mailbox could become corrupt. The District's staff is not responsible if the mailbox cannot be recovered due to lack of user maintenance.

4. Your District e-mail account is not meant to be a storage folder.

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ag7540.08

USE OF GENERATIVE ARTIFICIAL INTELLIGENCE (AI) TECHNOLOGY BY STUDENTS AND STAFF

7540.08 - **USE OF GENERATIVE ARTIFICIAL INTELLIGENCE (AI) TECHNOLOGY BY STUDENTS AND STAFF**

Introduction

This document establishes expectations within the School District of Jefferson regarding the use of Generative AI (GenAI) technology and accompanies po7540.08.

As Artificial Intelligence (AI) evolves and becomes more commonly used, it is essential for staff and students to thoughtfully and carefully consider how and when it can be used ethically, safely, and productively. Ethics, academic honesty, privacy, and confidentiality are four primary areas of concern.

The School District of Jefferson embraces the use of AI tools that can be leveraged to enhance, personalize, and transform learning. The school district supports learning about and using GenAI responsibly, in conjunction with the Terms of Service of any AI tool/resource, and by the SDoJ AI Ethics Guidelines.

AI Ethics Guidelines

	Student Guidelines	Staff Guidelines
Respect for Privacy	Students will not give access to or share personally identifiable information (PII) with AI. This includes private or sensitive information about oneself or others.	AI will not be used to access or share personally identifiable information (PII). This includes private or sensitive information about oneself or others. Staff will monitor student use to ensure student data is not shared. Staff may only use AI tools approved by the district to ensure the appropriate consent and safeguards are in place to protect sensitive information. The use of AI tools must comply with the resource's Terms of Service and COPAA (Council of Parent Attorneys and Advocates, Inc.). IT and C&I will define and approve the use of specific AI systems. Staff will not be using systems that are not approved by the district.
Academic and Pedagogical Integrity	AI tools will not be used to engage in academic dishonesty - Reference po5505. Submitting AI-generated work that you represent as your own will be considered academic dishonesty. If AI-generated work is utilized, students should properly cite the source (at the discretion of/guidance by the teacher).	AI will be used as a tool to enhance teaching and learning rather than replace human interactions (for example, conversations and specific feedback). Staff will carefully consider how AI can support educational goals and provide individualized learning experiences for students. Staff will use AI tools and other technology in moderation and maintain a healthy balance between technology use and human connection in the educational process. If AI-generated work is utilized, staff will use proper source citations or attribution.
Responsible Use	The School District of Jefferson's Policy 7540.03 - Student Technology	The School District of Jefferson's Policy 7540.04 - Staff Technology Acceptable

	Acceptable Use and Safety- Students will adhere to this policy for all technology use, including AI.	Use and Safety- Staff will adhere to this policy for all technology use, including AI. Staff will model ethical behavior when modeling and using AI tools with students. Staff
Analyzing AI	Students will evaluate anything generated by AI for accuracy, appropriateness, bias, and limitations.	Staff will evaluate anything generated by AI for accuracy, appropriateness, bias, and limitations. (All tools will be evaluated prior to presenting to students for use.) Staff will teach students how to analyze AI-generated work for accuracy, bias, and limitations.
Reporting Concerns	If students identify potential biases or issues with AI tools or notice the unethical use of AI, they will report their concerns to their teacher or administration.	If staff identifies the use of AI by students that violate ethics guidelines and/or district policy, or if staff notice potential biases or issues with AI tools, they will report their concerns to the administration (see Policy 7540.04 - Staff Technology Acceptable Use and Safety.)

Ownership and Academic Honesty

All members of the School District of Jefferson are expected to be transparent about the role AI plays in teaching and learning. If students or staff use AI generatively (e.g. they use GenAI to create something), it should be cited. Work "created" by AI should not be claimed as original.

A. "Created" is defined as AI being the original developer of the ideas. This is even true if someone uses the AI to generate content and then edits the content.

B. However, this differs from using AI to "edit" one's ideas in the form of spell check, Grammarly, translation, etc. In addition, citations are not expected when using an AI tool like ChatGPT for clerical tasks. Using AI for brainstorming ideas or checking grammar is similar to consulting a co-worker or using a word processor, neither of which would typically require citation or acknowledgment.

Students and staff must use AI tools responsibly, avoiding any form of plagiarism or cheating. District policy 5505 regarding Academic Honesty states:

> "Each student is judged solely on their own merits, the Board prohibits any student from presenting someone else's work as their own, using artificial intelligence platforms in place of one's own work, providing unauthorized assistance to another student, and cheating in all its forms. " (po5505 provides specific examples of academic dishonesty.)

The use of AI for academic work must comply with the spirit and intention of policy 5505 as well as teacher expectations and instructions. The fast-changing nature of AI, the wide variety of AI-based tools, and different perceptions of appropriate use make it difficult to establish policies about specific tools that will remain relevant for an entire school year. Therefore, staff and students must communicate frequently with students about the appropriateness of using AI tools to enhance learning and complete academic tasks.

Academic Honesty Guidelines

A. Teachers must clearly communicate to students and families when AI is acceptable and when it is not. For example, using spell-check (a rudimentary form of AI) on a high school English essay may be acceptable, whereas using spell-check on a spelling test would be considered cheating.

B. Teachers may determine what technologies, including AI, are appropriate and permissible for students to use as part of instruction and for completing specific assignments or portions of assignments. For example,

1. a computer science teacher may require students to write a program from scratch but allow the use of AI to check the program and provide feedback and instructions on how to fix errors.

2. a multi-language teacher may use AI to assist a student in translating an article, assignment, or teacher-created material.

3. an English teacher may use AI to assist in leveling an article to differentiate for a student's reading levels.

C. When students are allowed to use generative AI tools to complete an assignment, students should acknowledge and describe how it was used. For 2023-2024, the student handbook language at the middle and high schools contains the following provisions. "Use of generative AI tools by students on graded assignments is prohibited, except with the express permission of the teacher, in which case the use of AI must be cited by the student. Unauthorized use of AI on graded assignments by the student will be treated as an academic honesty violation."

1. The acceptable use of AI in a specific course should be addressed in syllabi.

2. Where use of AI is allowed for specific assignments it is important to clearly state where it is acceptable and where it is not so that there is clarity for everyone, teachers, families, and students alike.

3. Use must conform to the terms of use for the AI tool.

4. Plagiarism detection software should not be used except for Google Originality Report. If you have concerns about plagiarism, please contact the administration.

5. For more information on formal citations, please see the following articles.

   Citing in APA Format

   Citing in MLA format

D. If students are unclear about expectations, they should ask the teacher for clarification.

Privacy

Students, teachers, and staff members must ensure that any AI systems they use are age-appropriate and that they do not violate the privacy of other individuals. In general, students under age 13 may not create accounts for technology services. Staff must follow all applicable policies, including FERPA regulations.

Privacy Guidelines

A. Personally Identifying Information (PII) of students and staff may not be uploaded to a third-party service unless the district has entered into a confidentiality agreement with the service. For example, staff may not upload a student's full name into a chatGPT, AI tool, or other technology provider.

B. Staff and students should use their SDoJ accounts to sign up for technology tools or services used for school purposes. If a tool or service is unavailable with an SDoJ account, it may indicate that it should not be used for school purposes. For example, Google Bard is an AI service that is not available to SDoJ accounts because: 1) it is not available for users under age eighteen (18), and 2) it is not included in the Google Workspace data privacy agreement, which covers staff use of Google tools.

Confidentiality

All staff, student, and family personally identifiable information may not be transmitted unless appropriate measures are taken to protect confidentiality. In the case of AI, staff and students must be careful not to submit proprietary information, educational records (including student names), intellectual property (including student work), or other confidential information to a chatbot or other AI tool not already under contract with the district.

Referenced Board Policies and Administrative Guidelines: 8305, 8350, and 8330

Exception to the confidentiality rule

The district will review the privacy terms and conditions of each AI tools. All approved tools for use directly with personally identifiable information and intellectual property will be identified on the SDoJ Technology Resource page.

Confidentiality Guidelines

A. Before submitting information to an AI tool, ask, “Would it be appropriate to post this to a public web page?” If not, it is not appropriate to submit to an AI.

B. Staff may not submit student work to an AI (or any software provider) unless the district has approved their privacy policies. (See link above for approved resources.)

Failure to follow the policies and guidelines may result in disciplinary action.

ag8120

VOLUNTEERS

8120 - **VOLUNTEERS**

Volunteers serve in many different roles and provide a variety of different services within the District's schools, programs, and operations. A proposed volunteer's specific role and responsibilities generally determine the extent to which the District will evaluate a potential volunteer's background and qualifications. In some situations, a criminal background check of a proposed volunteer is a prudent measure that serves important safety-related interests. These guidelines specifically address criminal background checks for volunteers.

A. The District reserves the discretion to require a criminal background check in connection with any volunteer role, as well as the discretion to initiate a background check (or a re-check) at any time.

B. Background rechecks will be required for all approved volunteers every twenty-four (24) months. At the discretion of the principal and/or designee, a background recheck may be required at intervals less than twenty-four (24) months.

C. Staff members who have any question or uncertainty as to whether a criminal background check should be conducted for a particular volunteer role are expected to either 1) structure the applicable procedures to include the background check, or 2) address and resolve the specific situation with the input and direction of a school principal or another District Office administrator.

D. Staff members who are seeking and planning to use volunteers are expected, where applicable, to plan in advance for the time it takes to process and evaluate a criminal background check.

E. If the District decides to deny approval for an individual to serve as a volunteer, the individual will be advised of the decision. The individual may seek a review of the decision by the District Administrator or his/her District-level administrative designee. Pending a review of the initial determination, the individual will not be permitted to volunteer in the role for which approval was denied, and the District may also restrict other volunteer roles at its discretion.

F. A criminal background check is not mandatory for a proposed volunteer role 1) that is limited to a one-time or short-term activity, and 2) during which a District employee or another administratively-approved responsible adult will retain primary supervision of the student(s) and be in the presence of the volunteer during the volunteer's interactions with students. To the extent applicable given the time and location of the activity, any such volunteer is expected to follow the District's established procedures for visitors to the schools. Examples of these situations include:

    1. An approved guest speaker gives a presentation to a class, school, or other District-supervised group of students.

    2. A parent or guardian who, with teacher approval, participates in a class activity (such as reading a book to a class in an elementary school) while the teacher remains present.

    3. An approved volunteer assists with an athletic event that is open to the public (such as assisting as a timer at a track meet).

G. A criminal background check is not mandatory when a proposed volunteer role 1) is structured such that there is no intended direct interaction with students or such that any minimal interaction with students is likely to occur in a setting that is under direct District-provided supervision (other than the volunteer), and 2) in the District's judgment, there is no other significant risk to health, safety, or property that a background check would reasonably mitigate. To the extent applicable given the time and location of the activity, any such volunteer is expected to follow the District's established procedures for visitors to the schools. Examples of these situations include:

    1. A school authorizes a community volunteer to assist with landscaping, outdoor field preparation, etc. (e.g., planting annuals at a school entrance).

    2. An authorized parent or community volunteer assists District staff with tasks such as the set-up for a special event or activity or preparing mailings, take-home information, or back-to-school/registration packets.

H. A criminal background check is required for an individual who volunteers in roles such as the following:

    1. A chaperone of an overnight travel activity that involves students.

2. A chaperone of a field trip or similar travel-related activity who will be assigned as the primary adult supervisor of any students other than the volunteer's own child(ren) (e.g., for field trips where students will be grouped and each group will participate in the activities in a manner that is generally independent of the other groups and such that District staff cannot reasonably serve as direct supervisors of all students.).

3. Individuals who are authorized in writing by the District to transport students in a private vehicle.

4. Volunteer tutors or classroom assistants who will be working with students in a one-on-one setting or with small groups of students in a setting where there is unlikely to be reasonably consistent direct co-supervision provided by District staff.

5. Volunteer coaches and volunteer activity advisors (including all regular assistant coaches and assistant advisors).

6. A volunteer whose role will involve substantial and/or recurring direct contact and interaction with students and for which, due to the nature of the activity, it can be expected that such interaction will occur without reasonably consistent direct co-supervision by District staff. An example would be a community volunteer who agrees to direct and supervise the design and building of the sets for a school musical, where students will be working under the direction of the volunteer, and where it is expected that the volunteer will often be the only adult present in the area(s) where the work is occurring.

I. In some instances, the District may have knowledge of specific information or allegations about an individual that cause the District to conduct a criminal background check regardless of the volunteer role(s) at issue.

J. As a general guide, this chart provides examples of various classifications:

Classification	Definition	Examples
Classification 0	No background check required, however extra vigilance, security, and supervision is necessary.	Daytime graduation ceremony, Grandparents Day, community blood drive, parent-teacher conferences. (See Board Policy 9150)
Classification I	Background screening against the national sex offender registry.	Guest speaker who will be supervised by District employees the entire time of the visit, vendors, planned meeting in the building with staff members, unplanned meeting in the building with staff members. (See Board Policy 9150)
Classification II	Background screening against the national sex offender registry and national criminal records.	Visitor with a known background by the staff due to local concerns, volunteers for a field trip in which the volunteer will have responsibility for one student or a group of students without the oversight or supervision of a District employee (see board policy 8120), volunteer tutor who will work with students one-on-one or in small groups without the direct oversight or supervision of a District employee. Volunteer coaches of school-sponsored sports or volunteer advisors of school-sponsored clubs in which the coach/advisor is volunteering his/her services for the all of or the majority of an entire season. A season, for example, could be an entire wrestling season or an entire season for a school musical. For volunteers, please see board policy 8120.

Where the guidelines provided above indicate that a volunteer role does not require a mandatory background check, the mere possibility that a volunteer might inadvertently or unexpectedly be present or interact with students outside of other direct District-provided supervision for a brief period of time is not sufficient to make a background check mandatory.

The guidelines provided above do not attempt to address every possible volunteer role, and it is acknowledged that the decision to require or not require a criminal background check for a school volunteer can involve the exercise of judgment and discretion. The District expects all staff and administrators to exercise reasonable judgment in light of the above guidelines, and to apply the above guidelines without any unlawful discrimination.

The guidelines provided above regarding criminal background checks do not attempt to address other planning and procedures that may be associated with the creation, definition, and implementation of various volunteer roles. For certain roles, such other procedures may involve conducting personal interviews, assessing an individual's experience and qualifications, requiring the volunteer to participate in orientation and training activities, planning to evaluate the volunteer's performance, and/or obtaining

feedback on the volunteer's experience. Such further assessments of a volunteer's qualifications and fit for a specific role can assist the District with its goals and obligations related to safety and the provision of high-quality programs and instruction.

School District of Jefferson 2023

SCHOOL DAY

8220 - **SCHOOL DAY**

A. **Normal Hours of the School Day**

	ELEMENTARY SCHOOLS	MIDDLE SCHOOL	HIGH SCHOOL
	Teachers Report 7:45 a.m. Students Report 8:05 a.m. Lunch Period 30 minutes Students Dismissed 2:55 p.m. Teachers Leave 3:45 p.m.	Teachers Report 7:40 a.m. Students Report: 7:50 a.m. Lunch Period 30 minutes Students Dismissed 3:15 p.m. Teachers Leave 3:40 p.m.	Teachers Report 7:35 a.m. Students Report 7:45 a.m. Lunch Period 30 minutes Students Dismissed 3:05 p.m. Teachers Leave 3:35 p.m.

B. **Opening Exercises**

1. Each school day shall begin with the Pledge of Allegiance to the Flag.

2. Only those students who have conscientious scruples against such a pledge or salute, or are children of accredited representatives of foreign governments to whom the United States extends diplomatic immunity will be excused from repeating the Pledge of Allegiance. Such students should show respect by remaining silent.

3. If a student or teacher is in the hall or office during the Pledge of Allegiance, s/he must stand and remain silent

4. Religious readings or exercises shall not be a part of opening, closing, or any other exercise for any school day.

C. **Announcements**

Principals may allow notices of general interest to be broadcast over the school loudspeaker at designated times in accordance with the following rules:

1. No announcement shall be read which has not been approved and initialed by the principal or designee.

2. Announcements may be made for the following:

    a. any school-sponsored activity;

    b. organizations using District facilities for student activities;

    c. nonreligious, noncommercial, nonpolitical community groups.

3. Notices which constitute advertising are not allowed.

4. No announcements, other than emergencies, are to be made during any class period.

D. **Flag Display**

1. The American Flag and the Wisconsin State Flag are to be flown at all schools on days when schools are in session.

2. The building custodian is responsible for raising and lowering the flags and for maintaining them in proper condition.

3. Flags are flown at half-staff on order of the President or the Governor. They may not be flown at half-staff as a form of political or other dissent.

E. **School Assemblies**

The principal is responsible for the scheduling and operation of all assemblies in his/her building. Each assembly should be

directly related to accomplishing one or more of the District's goals for students and should interfere as little as possible with the academic program.

F. **School Closings**

Whenever a school is closed due to an emergency such as hazardous weather, utility failure, and the like, all school-sponsored activities are to be considered cancelled until further notice or the resumption of school.

At the middle and high school level(s), if conditions improve later in the day, the building principal or Athletic Director will be responsible for recommending to the District Administrator which, if any, school-sponsored activities may take place. The determination is to be made using the following criteria:

1. Staff, students, and/or parents can be notified effectively and without unbudgeted costs about the necessary details related to attendance requirements, location, schedule, and conduct of the activity.

2. The staff needed to conduct the activity properly is available and there are no unscheduled or unapproved costs to the District.

3. Students have been informed that their participation is not required and they will not be penalized for non-participation.

4. Any necessary transportation is readily available and the road conditions have been deemed to be safe by the local police, sheriff's department, or the State police.

If the activity has been scheduled to take place at a nondistrict location, particularly at another school district, the building principal and Athletic Director should determine whether or not the activity is still scheduled and the weather and other conditions between the District and the location and at the location.

If the activity is to take place within the District, it can be scheduled providing the above criteria have been met. However, regardless of the location of the activity, the building principal or Athletic Director should have determined how many of the District's students who would normally participate will not be participating and what will be the effect of their absence.

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ag8300

CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN

8300 - **CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN**

Continuity planning is based on the assumption that the District will not necessarily receive warning of an impending emergency. As a result, a risk assessment is essential to continuity planning and is conducted to identify potential areas of risk and vulnerability and to put plans in place to mitigate by eliminating or reducing the potential impact of an event. Continuity management consists of the organizational decisions, processes, and tools that are put in place in advance to handle the aftermath of a disaster that impacts the District.

A crisis or emergency might affect the District only, or be part of a local, regional, or national event. This guideline provides structure to the continuity management strategy, but the overall plan should be much more comprehensive and include the following elements:

Plan Outline

A. Delineation of those functions that are essential for the District to perform critical operational, management, and administrative functions and that enable staff to provide access to curricular materials and other online resources for their students.

B. Assumptions and constraints from the planning process.

C. Communications plan both internal to District and with external agencies and constituents.

D. Decision process and authority for activation.

E. Staff roster.

F. Procedures to enable readiness – risk assessment, location of all critical documents, data, and infrastructure resources.

G. Development and implementation of procedures and plans to mitigate risks.

H. Provisions for personnel training and accountability.

I. Reliable processes to acquire additional resources to sustain operations for thirty (30) days.

J. **Plan Contents**

1. Include purpose, objectives, applicability and scope and authorities and references.

2. Describe the concept of operations and contain:

    a. key staff: incident management team, assessment teams

    b. mission essential functions: communications, vital records, technology hardware/network connectivity/data, facilities/relocation sites

    c. direction and control

    d. alert and notification

    e. procedures for documentation of impact for recovery of cost

3. List personnel responsibilities and procedures, team assignments.

4. Outline phases (activation, alternate operations, reconstitution, & termination).

5. Provide detailed information on each of the essential elements.

6. Implementation mechanisms, depending upon the magnitude of the incident.

Plan Execution

Activation (zero (0) - twenty-four (24) hours)

A. Alert and notification procedures, call trees.

B. Initial actions.

C. Evacuation, shelter, lockdown procedures.

D. Activation procedures – during duty hours and during non-duty hours.

E. Deployment and department procedures for damage assessment - time-phased operations.

F. Transition to alternate operational sites and systems.

G. Site support responsibilities.

Alternate Operations Sites (twenty-four (24) hours to Termination – up to thirty (30) days)

A. Execution of mission essential functions.

B. Establishment of communications.

C. Contingency staff responsibilities.

D. Augmentation of staff.

E. Provision of guidance to essential and non-essential personnel.

F. Development of plans and schedules for reconstitution and termination (and return to normal operations).

G. Offsite recovery mechanisms for essential operational functions and District mission.

Reconstitution and Termination (Cessation of Disaster Recovery Alternative Site/Return to Normal Operations)

A. Overview.

B. Procedures.

C. After action review and remedial action plans.

Management and maintenance of the District's Continuity of Organizational Operations Plan (COOP) is a comprehensive task that depends on a multi-disciplinary team. The District's Continuity Management Team should be composed of upper-level managers in the District administration that represent all key functional areas and representatives from key departmental and school site faculty and staff. These areas may include but not be limited to the following departments/divisions:

A. Operations and Systems

B. Safety and Security

C. Technology

D. Maintenance/Construction

E. Risk Management

F. Legal Affairs

G. Public Relations

H. Personnel/Human Resources

I. Finance/Payroll

J. Purchasing

K. Transportation

L. Food Service

M. School Administration

N. Teaching and Learning

O. Student Services

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INFORMATION SECURITY RESPONSIBILITIES

8305A - **INFORMATION SECURITY RESPONSIBILITIES**

The District collects and retains large amounts of data/information that must be protected and preserved.

To strengthen the security of District technology resources (see definition Bylaw 0100 - Definitions) and information resources (see definition Bylaw 0100 - Definitions), the District has developed a series of information security policies available through the District's website.

For user convenience, a brief summary of the key requirements of these policies follows. Please address any questions to the District's Information Technology Office.

All computer users are required to certify annually that: 1) they have read the information security policies identified in this document; and 2) they understand and agree to abide by the information security policies applicable to them. Appropriate training will be provided to all users. In addition, all users with access to the District's protected health information or personally identifiable information (e.g., social security numbers, credit/debit card information, etc.) are required to affirm that they will not store this information on mobile/portable storage devices without: 1) obtaining prior authorization from the Superintendent; and 2) encrypting the data.

Expectations for All Technology Users

This document summarizes the Board's information security policies. Users of the District's technology resources must read these summaries, and affirm that they understand and will fulfill their responsibilities under the applicable policies.

A. In many cases, operating system and application updates, along with malware protection, are all that stand between a computer and a system compromise or infection. The District's technology resources are regularly updated and malware protection is provided.

   Users are responsible for verifying their computers are configured to receive automated patches, and ensuring the automated updates run so that security vulnerabilities are patched in a timely manner.

   Users must also verify their malware protection is properly installed, updated, and is running the latest virus definitions.

   Users' school or department IT support staff is available to assist with these responsibilities.

   If District users access District technology resources using personal communication devices, they must verify proper security measures are active on their devices.

B. No software is 100% effective in preventing compromises or infections, and not all websites are safe. Users must be alert when using the Internet, especially on systems storing or processing protected and confidential data/information. One way to reduce the risk of compromise is to limit the user's non-work related Internet activity.

C. Because confidential data/information exists in many forms (e.g., written, spoken, electronically recorded, printed, etc.) users are responsible for properly securing this data/information at all times. This may take the form of physical security (e.g., locked cabinets, locked doors, looked building) or through digital security (e.g., passwords, biometric authentication, encryption). All users with access to the District's confidential data/information are:

   1. prohibited from storing this data/information on any mobile computing device (e.g., laptop, tablet) or portable storage device (e.g., flash drive) that is not encrypted;

   2. required to activate their devices' available security feature(s) that prevent direct access to the data/information on the device without first verifying the identity of the user via a secure method (e.g., passcodes, biometrics, user id/password). This applies to both personal and District-provided devices when District confidential data/information may be stored on that device (e.g., email, student records, etc.). Users are prohibited from storing District confidential data/information on any device that does not meet this basic level of security;

   3. prohibited from storing confidential data/information on any mobile/portable storage device (e.g., USB flash cards, CD-ROMs, etc.)

4. prohibited from storing confidential data/information on any mobile/portable storage device (e.g., USB flash cards, CD-ROMs, etc.) that is not encrypted;

5. prohibited from storing confidential data/information on any mobile/portable storage device (e.g., USB flash cards, CD-ROMs, etc.) that is not encrypted or password protected;

6. allowed to store confidential data/information on the District provided cloud storage (e.g., Microsoft OneDrive). Use of other public cloud storage options for Confidential Data/Information is prohibited.

D. District confidential data/information includes many different types of data/information, such as social security numbers, personal health information, student records, and bank and credit card information, or other personally identifiable information.

E. District confidential data/information must never be shared through instant messaging or peer-to-peer (P2P) file-sharing software or devices. P2P software must never be installed on machines or devices that store, process, or access confidential data/information. District users are required to obey copyright laws and to adhere to the acceptable use policy (Policy 7540.03/Policy 7540.04 - Student/Staff Technology Acceptable Use and Safety).

F. District confidential data/information must be accessed only through one of the following methods: (1) user authentication with the correct password; (2) multi-factor authentication, such as a smart card in combination with a password; or (3) biometric identification approved by the District's Information Technology Office. Some networked storage options supplied by the District are not suitable for the storage of District confidential data/information because they do not conform to these access requirements. Likewise, third-party consumer cloud computing or software-as-a-service offerings such as Dropbox, Google Docs, iCloud, and other similar offerings are not acceptable for the storage of District confidential data/information unless the District has a current contract with these providers that includes data/information security. If a user is not sure if a storage location is secure, the user should contact the District's Technology Office.

G. Machines and devices that store District confidential data/information, or that are used to access mission critical systems (e.g., SIS, ERP, Payroll), must be used only in areas with restricted or controlled access and must be locked whenever they are left unattended. Machines and devices containing District confidential data/information or used to access mission critical systems and resources must be set to require re-authentication. Therefore, it is the teacher's responsibility to appropriately protect confidential data/information in the classroom by ensuring students, parents, volunteers, visitors, or others without authorization to view/access the data/information do not view/access it when the confidential data/information is in use.

H. District confidential data/information maintained on computers or other electronic devices should be destroyed or disposed of only in accordance with Board policy and State law. Any school or department intending to surplus computing devices and or printer/copy machines or any other device that stores information must first destroy the electronic information by wiping the data from the hard drive(s), flash storage, or having this done by authorized District personnel and keeping the devices physically secure until transfer to District surplus.

I. Users must maintain strong passwords for every District system and application they access that stores/processes District data/information. Users must change all passwords used for District systems in accordance with the District's password requirements.

J. Per the Board's e-mail policy, users must always use their official District-supplied e-mail address for official business. Auto-forwarding of District e-mail accounts is prohibited, unless approved by the District Administrator. Manual forwarding of individual e-mail messages is permitted.

K. Per the incident management policy (AG 8305B - Information Security Incident Management), users must immediately report lost or stolen mobile/portable devices (e.g., laptops, smartphones) or security breaches (e.g., computer viruses, hacking attempts) to the District's Information Technology Office and/or the District Security Office. If a user suspects District confidential data/information or mission critical systems and resources are at risk, the user must make this point clear when submitting a report. Also, if a user suspects District confidential data/information is at risk, the user should avoid taking any actions such as manually scanning the computer with antivirus software. Information technology and/or security employees will assess what needs to be done.

L. Users must be mindful of the risks associated with District confidential data/information when storing, processing, or accessing data/information. If a user is not sure how to comply fully with Board policies or procedures or if the user is not sure how to conduct a process securely, the user should ask for assistance from the site or department IT support contact or the District's Information Technology Office. Users are expected to know their sites' information technology contact so that they can contact him/her when there is a need.

Expectations for Administrative Personnel

In addition to the preceding, administrative personnel must also understand and fulfill the following responsibilities. Appropriate training will be provided.

A. Each District site or department that is responsible for maintaining its technology resources and information resources must have a designated information technology contact, plus a designated backup information technology contact. The District's Information Technology Office monitors the duties, responsibilities, and training of information technology contacts. Each site or department administrator that maintains its own information technology must verify that its IT support personnel have been trained to maintain the unit's IT resources in compliance with all of the District's information security policies and procedures.

B. Each District site that stores District confidential data/information or that operates mission critical systems must work with the District's Information Technology Office to perform regular vulnerability scans.

C. Each District site or department administrator that maintains its own information technology is responsible for reporting immediately to the District's Information Technology Office or Security Office any time there is reason to suspect that the security of District confidential data/information or of a mission critical system (e.g., human resources, finance, student information services, payroll, e-mail, etc.) has been compromised or is at risk.

Expectations for Technology Support Personnel

In addition to all of the above, technology personnel, regardless of the site to which they are assigned, must also understand and fulfill the following responsibilities. Appropriate training will be provided.

A. IT personnel must read, understand, and comply with the Board's policies and procedures that govern the use, operation, and protection of IT systems and resources. The information technology security standards described in the information security policy are minimum standards required for the protection of District systems, including those that store/process District confidential data/information or that are considered mission critical. Site and department IT resources for which an IT support employee is responsible must be managed in compliance with these policies and procedures. If technology personnel have questions or need assistance, it is the employee's responsibility to contact his/her Principal and/or the District's Information Technology Office.

   Technology personnel managing mission critical systems and District Technology Resources (e.g., human resources, finance, student information services, payroll, e-mail, etc.) or systems that store/process District confidential data/information must have formal information security training. Information security training is available from the District's Information Technology Office.

B. IT personnel are responsible for enforcing District password requirements for the systems and applications the IT personnel manage. System and application administrators must configure all District-owned and managed IT devices/systems to implement the password requirements to the degree technically feasible, in compliance with the District's password standards.

C. If a user is unsure how to transfer District confidential data/information, the user should contact the site/department technology contact for assistance. If the site/department technology contact is unsure of the proper method to transfer the confidential data/information, the request should be referred to the District's Information Technology Office.

D. IT personnel must report system and application vulnerabilities to the Principal and/or the District's Information Technology Office.

E. The District Information Technology Office will perform regular vulnerability scans of District technology resources.

F. If technology personnel suspect that the security of any data/information or of a mission critical system (e.g., human resources, finance, student information services, payroll, e-mail, etc.) has been compromised or is at risk, it is their responsibility to report that immediately to the District's Information Technology Office and/or Security Office. No action should be taken that might inhibit investigation of an incident or make unavailable information that might assist the investigation.

G. Technology personnel are required to follow incident handling instructions as specified in the incident management policy and/or as directed by the District's Information Technology Office or Security Office in response to potentially unauthorized access of protected information.

Key Information Security Policies and Administrative Procedures

Below are brief descriptions of the District's policies and procedures related to information security. The full text of each policy or procedure can be found on the District's website or by clicking the highlighted link.

Policies

A. Policy 7540 – Technology – Authorizes the development of a District Technology Plan to facilitate effective use of District technology resources that support student learning and/or District business operations.

B. Policy 7540.02 – Web Content, Services, and Apps – Addresses the requirements for creation of District-authorized websites, services, and apps by employees and students.

C. Policy 7540.03 – Student Technology Acceptable Use and Safety – Describes student use of District technology resources, expectations of privacy, District technology protection measures, areas for student training, and assigned school e-mail accounts.

D. Policy 7540.04 – Staff Technology Acceptable Use and Safety – Describes staff use of District technology resources.

E. Policies 7540.05 and 7540.06 – Proper Use of District-Issued E-mail Account – Establishes a framework for proper use of District issued e-mail accounts as an official business or educational tool for staff and students.

F. Policy 8305 – Information Security – The Board authorizes the Superintendent to develop internal controls necessary to provide for the proper collection, classification, retention, access, and security of data/information to include procedures in the event of an unauthorized release of information and training for staff.

Administrative Guidelines

A. AG 8305A – Staff Information Security Responsibilities – Review of what every computer user, administrator, and technology support employee should know in order to ensure the security of District information.

B. AG 7540A – Staff and Student Training Regarding the Internet – Describes areas to be included in training of staff and student in proper use of the Internet.

C. AG 8305 – Information Security – Provides a framework that District employees can use to classify data/information for the purpose of determining the data/information's need for protection.

D. AG 8305B - Incident Management – Presents requirements for managing and reporting information security incidents.

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ag8305B

INFORMATION SECURITY INCIDENT MANAGEMENT

8305B - **INFORMATION SECURITY INCIDENT MANAGEMENT**

This administrative guideline governs the reporting and management of security incidents involving the District's information resources (as defined in Bylaw 0100).

Every Board member, staff member/employee, student, parent, contractor/vendor, and visitor to school property who accesses District-owned or managed information through computing systems or devices ("users") must report information security incidents (as defined below) promptly per the procedures described herein.

When an information security incident involves District confidential data/information (as defined below) or mission critical devices (as defined below), the District Administrator/Technology Director/District's Information Technology Office may, in coordination with the District's Security Office, direct the incident response and investigation. The Technology Director is authorized, in conjunction with the District Administrator, to take any action necessary to mitigate the risk posed by the information security incident.

An employee who puts District confidential data/information at risk as a result of his/her failure to adhere to relevant policies/administrative guidelines/the law may be subject to disciplinary consequences, up to and including termination of employment and/or referral to law enforcement. Students who fail to adhere to applicable policies/administrative guidelines/the law will be referred to school and/or District administration for review and determination of the consequences of their actions, including referral to law enforcement. Contractors and vendors who fail to adhere to applicable policies/administrative guidelines/the law may face termination of their business relationships with and/or legal action by the District. Parents and visitors who fail to adhere to applicable policies/administrative guidelines/the law may be denied access to District technology and information resources and/or referral to law enforcement. Violations can in some cases also carry the risk of civil or criminal penalties.

The IT Director is responsible for establishing and maintaining an up-to-date information security management plan.

The school site administrator (e.g., the Principal) or the District-wide department administrator, along with the Tech Specialist [or equivalent], are responsible for reporting information security incidents at their site.

Definitions

A. **Incident Management Plan**

The IT Department, in conjunction with department/division/building leaders, must develop and maintain a plan that contains procedures on how to handle information security incidents, including contact information for site/unit personnel with responsibility for responding to the incident, plans to contain an incident, and procedures on how to restore information.

B. **Information Security Incident**

Includes any incident that is known or has the potential to negatively impact the confidentiality, integrity, or availability of District information/data. This can range from the loss of a laptop, tablet, or other mobile/portable storage device, the virus infection of an end-user workstation, or a breach of a District system by a hacker.

C. **Mission Critical Resource**

Includes any resource that is critical to the mission and operation of the District and any device that is running a mission critical service or stores District confidential data/information. Mission critical services must be available. Mission critical resources for information security purposes include, for example, information/data assets, software, hardware, and facilities related to human resources, finance, student information services, payroll, email).

D. **District Confidential Data/Information**

Includes all data, in its original and duplicate form, that contains:

1. "personal identifying information", as defined by State and Federal laws;

   This includes employer tax ID numbers, drivers' license numbers, passport numbers, SSNs, State identification card numbers, credit/debit card numbers, banking account numbers, PIN codes, digital signatures, biometric data,

fingerprints, passwords, and any other numbers or information that can be used to access a person's financial resources.

2. "protected health information" as defined by the HIPAA;

3. student "education records", as defined by the Family Educational Rights and Privacy Act (FERPA) and State law;

4. information that is deemed to be confidential in accordance with the Wisconsin Public Records Act;

5. "card holder data", as defined by the Payment Card Industry (PCI) Data Security Standard (DSS).

Adherence to the procedures outlined below will streamline the handling of information security incidents and minimize the timeframe during which District confidential data/information and mission critical resources are left in a vulnerable state.

Incident Reporting

Given the risks associated with information security incidents, as well as implications for the District related to compliance with Federal and State regulatory requirements, it is essential that school site administrators and District department administrators be aware of information security issues and their responsibilities for reporting and mitigating information security risks.

School site administrators and District department administrators who manage business units that maintain and manage their site's Information Resources must designate employees as primary and back-up information security contacts, provide the District's Information Technology Office with the names and contact information of these individuals, update this information whenever it changes, and verify that these contacts are trained by the District's Technology Office to perform their duties.

Each information security contact shall serve as an intermediary between his/her respective District site or office and the District's Information Technology Office and must assist the site or office s/he serves in implementing information security policies and information security initiatives including training of site staff and in responding to data breach incidents, all in close coordination with the District's Information Technology Office.

Every technology user, including Board members, staff members/employees, students, parents, contractors/vendors, and visitors to campus, who has access to Board-owned or managed Information Resources and who suspects that there may have been an information security incident (ranging from a lost or stolen laptop, tablet or other mobile/portable storage device, the virus infection of an end-user work station, or a major intrusion by a hacker) must promptly report the incident to his/her Principal or director/manager and/or the information security contact for that unit/site.

The information security contact's roles and responsibilities include, but are not limited to:

A. serving as a single point of contact for the District's Information Technology Office regarding security efforts and information security incidents that affect District sites;

B. aiding the District's Information Technology Office in improving information security in the District by coordinating with them on security matters;

C. working with the District's Information Technology Office on incident management and response as well as assist the District's Information Technology Office, as needed, in certain activities including coordinating the following with the District's Technology Office:

1. ensuring proper identification and classification of mission critical devices and technology resources storing District confidential data/information within their school site or business unit/department;

2. advising and training their site's administration, faculty, and staff on the implementation of appropriate security controls for technology resources (as defined In Bylaw 0100) and information resources;

3. meeting periodically with the District's Information Technology Office to move forward District security initiatives for their respective sites;

4. maintaining an up-to-date list of staff/users with access to District confidential data/information and controlled data/information in their working group and promptly notify District's Information Technology Office of any personnel changes, including transfers within the District;

5. providing basic security advice for all assigned systems and users within their site;

6. ensuring timely compliance with security awareness requirements, including appropriate refresher training and training of new employees;

   In consultation with the Principal, the contact will oversee the site's compliance with applicable State and Federal laws as well as Board policies regarding District confidential data/information.

7. ensuring that any detected vulnerabilities are remediated in a timely manner;

8. advising their site regarding the implementation of appropriate security controls consistent with the District's information security policy;

9. collecting incident response information;

   The contact must provide a timely notification of the District's Information Technology Office regarding any information security incidents for their respective site consistent with the incident management procedure. In addition, the contact must provide a timely and comprehensive response to information security incidents in coordination with the District's Information Technology Office.

10. coordinating with the District's Information Technology Office regarding the District's information security strategic initiatives.

Each information security incident will be classified accordingly to the following "levels":

Incident Level	Examples	Investigation Type
Level 1	Violation of Board policies and administrative procedures that relate to technology and information security.	Basic investigation of an incident.
	A virus or malware detection.	Remediation advice for an incident is provided.
		Device isolation, if necessary.
Level 2	Unauthorized computer/network access, misuse, or user permission issue. Computer/system theft, damage, or loss. Malicious denial of service attack or other attempt to interrupt normal operations.	Investigation of the incident.
		Notification will be provided if applicable pursuant to AG 8305C.
Level 3	Hacking or system breach to core/mission critical systems. Unauthorized release of District confidential data/information	Investigation of a likely or confirmed breach of a system processing/storing District Confidential Data/Information or a mission critical system.
		Investigation of information technology relevant issues performed in support of criminal or civil cases, as well as District internal investigations.
		Notification will be provided if applicable pursuant to AG 8305C.

In the event of a possible Level 2 or 3 information security incident, the user or administrator of the potentially compromised system or device should work with the site's information security contact to preserve all evidence, including leaving the possibly compromised machine powered up and online, and refraining from accessing the system or machine in any way. The information security contact will then report the incident to the District's Information Technology Office and/or Security Office. The District's

Information Technology Office and the Security Office will advise how best to proceed for purposes of preserving evidence and constructing an audit trail for the investigation of the incident. As appropriate, the District's Security Office will coordinate with public safety and law enforcement officials.

The District Administrator will coordinate all external communications with the media or the public related to any information security incident.

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ag8305C

NOTIFICATION INFORMATION SECURITY INCIDENT

8305C - **NOTIFICATION INFORMATION SECURITY INCIDENT**

As required by AG 8305B, if a user, who has access to District confidential data/information and/or to any mission-critical system, suspects that there may have been an information security incident, the user must promptly report the incident to a District administrator who shall immediately notify the Superintendent and the District's Information Technology Office and/or Security Office.

If an information security incident occurs that involves the release of District confidential data/information, the District will take action in accordance with State and Federal law to address the situation, including, when appropriate and/or legally required, notifying affected individuals that their personally identifiable information was improperly accessed and/or released. Any required notices will be provided in a timely manner.

Pursuant to State law, the District shall disclose any security breach of computerized personal information data ("breach of the security of the system"), following its discovery or notification of the breach of the security of the system, to any Wisconsin resident whose personal information (as defined below) was, or reasonably is believed to have been, accessed and acquired by an unauthorized person if the access and acquisition by the unauthorized person causes or reasonably is believed will cause a material risk of identity theft or other fraud to the resident.

For purposes of this policy, "breach of the security of the system" means unauthorized access to and acquisition of computerized data that compromises the security or confidentiality of personal information owned or licensed by the Board of Education and that causes, reasonably is believed to have caused, or reasonably is believed will cause a material risk of identity theft or other fraud to the person or property of a Wisconsin resident.

"System" means any collection or group of related records that are kept in an organized manner, that are maintained by the District, and from which personal information is retrieved by the name of the individual or by some identifying number, symbol, or other identifier assigned to the individual.

"Personal information" means an individual's name, consisting of the individual's first name or first initial and last name, in combination with and linked to any one or more of the following data elements, when the data elements are not encrypted, redacted, or altered by any method or technology in such a manner that the data elements are unreadable: (a) social security number; (b) driver's license number or state identification card number; or (c) account number or credit or debit card number, in combination with and linked to any required security code, access code, or password that would permit access to an individual's financial account.

The notice to individuals required by State law shall be made as expeditiously as practicable and without unreasonable delay, taking into account the time necessary to allow the District to determine the scope of the breach of security, to identify individuals affected by the breach, and to restore the reasonable integrity of the data system that was breached, but no later than forty-five (45) days after the discovery or notification of a breach, unless subject to an authorized delay.

If a Federal, State, or local law enforcement agency determines that disclosure or notification to individuals required under this guideline would impede a criminal investigation, or jeopardize homeland or national security, the notice shall be delayed until the law enforcement agency determines the disclosure or notification will not compromise the investigation or jeopardize homeland or national security.

Notice to the affected individuals is not required if, after an appropriate investigation and consultation with relevant Federal, State, or local law enforcement agencies, the District reasonably determines that the breach has not and will not likely result in identity theft or any other financial harm or fraud to the individuals whose personal information has been accessed. Such a determination must be documented in writing and maintained for at least five (5).

The District will make the State-mandated disclosure or notification by one of the following methods:

A. written notice;

B. electronic notice, if the District's primary method of communication with the resident is by electronic means; or

C. telephone notice.

The District may provide substitute notice in lieu of direct notice if (a) the District does not have sufficient contact information to provide notice in one of the manners described above, (b) the cost of providing disclosure or notice would exceed $250,000, or (c) the affected class of residents exceeds 500,000 persons. Such substitute notice shall include all of the following:

A. Electronic mail notice if the District has an e-mail address for the resident.

B. A conspicuous posting of the disclosure or notice on the District's website.

C. Notification to major media outlets (including print and broadcast) to the extent the cumulative total of the readership, viewing audience, or listening audience of all of the outlets so notified equal seventy-five percent (75%) of the State's population.

If the District discovers circumstances that require State-mandated disclosure pursuant to this guideline to more than 1,000 residents involved in a single occurrence of a breach of the security of the system, the District shall notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis of the timing, distribution, and content of the disclosure given by the District to affected Wisconsin residents.

In the event of a breach of security of a system maintained by a third-party agent, such third-party agent shall notify the District of the breach of security as expeditiously as practicable, but no later than ten (10) days following the determination of the breach of security or reason to believe the breach occurred. Upon receiving notice from a third-party agent, the District shall provide the notices required above. A third-party agent shall provide the District with all information that the District needs to comply with its notice requirements.

An agent, pursuant to a contract entered into by the District prior to the date of the breach of the security of the system occurred, may provide notice as required on behalf of the District.

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ag8305

COLLECTION, CLASSIFICATION, RETENTION, ACCESS AND SECURITY OF DISTRICT DATA/INFORMATION

8305 - **COLLECTION, CLASSIFICATION, RETENTION, ACCESS AND SECURITY OF DISTRICT DATA/INFORMATION**

District information resources (see definition in Bylaw 0100) are some of the most valuable assets owned by a District. A District produces, collects, and uses many different types of data/information in fulfilling its mission. Laws and Board policy mandate confidentiality and protection of certain types of data/information. District data/information shall be classified as confidential, controlled, or published. Data/information will be considered controlled until identified otherwise.

This procedure will help District employees to classify any data/information created, stored, or transmitted by the District for the purposes of determining the level of protection required and applicable policies and laws.

This procedure applies to all types of data/information:

A. Electronic data/information.

B. Data/Information recorded on paper.

C. Data/Information shared orally, visually, or by other means.

For purposes of this procedure, "published data/information" means data/information made available to the public through posting to public websites, or distribution through e-mail, social media, print publications, or other media. This includes data/information that can be disclosed without restriction, such as unrestricted directory information, district maps, syllabi and course materials, and meeting minutes.

"Controlled data/information" means data/information that is not generally created or made available for public consumption, but may be subject to release through a public records request or pursuant to another State or Federal law. This includes operational/business records, select personnel information (e.g., employees' salaries), District expenditures, and internal communications that do not contain confidential data/information.

"Confidential data/information" means data/information that is exempt or must be protected from unauthorized disclosure or public release based on State and/or Federal laws or regulations or applicable legal agreements. This includes "protected health information" covered by HIPAA, student records as defined by FERPA and State law, Social Security numbers, credit/debit card information, security records, personal employee information, critical infrastructure information (e.g., physical plant detail, IT systems information, system passwords, security plans, etc.) and documents protected by attorney-client privilege.

Below is a summary of the minimum standard protection requirements for each category of data/information when being used or handled in a specific context (e.g., confidential data/information sent in an e-mail message). These protection standards are not intended to supersede any regulatory or contractual requirements for handling data/information. Some specific data/information sets, such as student records data/information, credit/debit card data/information, healthcare data/information, and financial accounting data/information may have stricter requirements in addition to the minimum standard requirements listed below.

Published Data/Information:

When it comes to published data/information, there are no protection requirements when it comes to:

A. collecting/using it;

B. granting access or sharing it, including disclosing it, publicly posting it, or electronically displaying it;

C. exchanging it with third parties, services providers, cloud services, etc.;

D. storing it on removable media (e.g., thumb drives, CDs, tapes, etc.);

E. electronically transmitting it, including emailing it or sending it via other electronic messaging services/platforms;

F. printing, mailing or faxing it; and

G. disposing of it (subject to the District's record retention policy, a litigation hold, and administrative guidelines).

With respect to public records requests, published data/information can be readily provided upon request; however, individuals who receive a request must coordinate with District administration before providing the information.

When published data/information is stored or processed in a server environment, and the server is connected to the District's network, the server must comply with Minimum Security Standards for Networked Devices.

When published data/information is stored or processed in an endpoint environment (e.g., laptop, smartphone, desktop computer, tablet, etc.), the endpoint device if connected to the District's network must comply with Minimum Security Standards for Networked Devices.

Controlled Data/Information:

When it comes to controlled data/information, there are no protection requirements when it comes to:

A. collecting or using it;

B. storing it on removable media (e.g., thumb drives, CDs, tapes, etc.);

C. electronically transmitting it, including emailing it or sending it via other electronic messaging services/platforms, except reasonable methods shall be used to ensure controlled data/information is only included in messages to authorized individuals or individuals with a legitimate need to know;

D. disposing of it (subject to the District's record retention policy, a litigation hold, and administrative guidelines).

When it comes to controlled data/information, reasonable methods must be used to ensure only authorized individuals or individuals with a legitimate need to know access or shared it. Further, reasonable methods must be used to ensure controlled data/information is only disclosed or electronically displayed to authorized individuals or individuals with a legitimate need to know.

When it comes to storing, transmitting and retrieving controlled data/information with or utilizing third-party service providers, cloud services, etc., reasonable methods must be used to ensure the third parties' responsibilities for confidentiality/privacy of the data/information are defined and documented.

Printed materials, including those being mailed or faxed, that contain controlled data/information must be distributed or made available only to authorized individuals or individuals with a legitimate need to know.

Individuals who receive public records requests involving controlled data/information must coordinate with District administration before providing the requested data/information.

When controlled data/information is stored or processed in a server environment, and the server is connected to the District's network, the server must comply with Minimum Security Standards for Networked Devices.

When controlled data/information is stored or processed in an endpoint environment (e.g., laptop, smartphone, desktop computer, tablet, etc.), the endpoint device if connected to the District's network must comply with Minimum Security Standards for Networked Devices.

Confidential Data/Information:

When it comes to confidential data/information, its collection and use is limited to authorized purposes as outlined in the District's privacy policy. Departments or schools that collect and/or use confidential data/information must use District-provided or approved servers, devices, systems, and/or processes to handle this type of data/information.

Social Security numbers (SSNs) shall not be used to identify members of the District's community if there are reasonable alternatives. SSNs shall not be used as username or password.

When it comes to confidential data/information, access shall be limited to authorized School District officials or agents with a legitimate academic or business interest and a need to know as outlined in the Board's privacy policy. All access shall be approved by an appropriate administrator. Before granting access to or exchanging confidential data/information with third parties, service providers, cloud services, etc., contractual agreements that outline security responsibilities shall be in place and approved by the Board's legal counsel.

Confidential data/information may not be disclosed without appropriate consent or unless required by law. Confidential data/information shall not be posted publicly; directory information, however, can be disclosed without consent, unless a student/parent opts out of the directory information disclosure.

Confidential data/information shall be displayed only to authorized and authenticated users of the District system, and, where possible, identifying numbers or account numbers shall be, at least partially, masked or redacted.

Confidential data/information is typically not subject to release pursuant to a public records request. However, some public records requests may be fulfilled by redacting confidential data/information in the record. Individuals who receive such requests must coordinate with District administration before responding to the request.

When confidential data/information is stored or processed in a server environment, the server must comply with Minimum Security Standards for Confidential Devices.

When confidential data/information is stored or processed in an endpoint environment (e.g., laptop, smartphone, desktop computer, tablet, etc.), the endpoint device if connected to the District's network must comply with Minimum Security Standards for Networked Devices.

Storing credit/debit card data/information on servers or endpoint devices is not permitted.

Storing confidential data/information on personal communication devices is not permitted, unless expressly authorized by the Superintendent and stored in an encrypted file format and the device automatically secure locks when not in use.

Storing of confidential data/information is only allowed on District-approved devices/systems that are adequate to protect that data (i.e., secure and encrypted).

Confidential data/information may only be electronically transmitted if it is in an encrypted file format or over a secure protocol or secure, authenticated connection. Confidential data/information may only be transmitted via e-mail or other electronic messaging service/platform if the data/information is contained within an encrypted/password protected file attachment. Such messages may only be sent to authorized individuals or other individuals with a legitimate need to know.

Printed materials, including those being mailed or faxed, that contain confidential data/information must be distributed or made available only to authorized individuals or individuals with legitimate need to know. Access to any area where printed records containing confidential data/information are stored shall be limited by use of controls (e.g., locks, doors, monitoring, etc.) sufficient to
prevent unauthorized entry.

SSNs shall not be printed on any card required to access services.

When ready for disposal, confidential data/information shall be deleted and unrecoverable. Physical media (e.g., paper, CDs, taps, etc.) should be destroyed so that confidential data/information on the media cannot be recovered or reconstructed. All disposals must be consistent with State law.

The following are required:

A. enforcement of this procedure throughout the District;

B. a periodic assessment of risk on the procedure;

C. training about classification, retention, access, and security of all District data/information;

D. internal controls related to classification, retention, access, and security of all District data/information.

Each District department is responsible for implementing, reviewing, and monitoring internal policies, practices, etc., to assure compliance with this procedure.

All procedures shall be consistent with public records laws and records retention plans and schedules as required by State and Federal laws and regulations.

Noncompliance with these standards may incur the same types of disciplinary measures and consequences as violations of other Board policies, including progressive discipline up to and including termination of employment, or, in the cases where students are involved, reporting of a Student Code of Conduct violation, or referral to law enforcement.

Any device that does not meet the minimum security requirements outlined in this standard may be removed from the District's business network, disabled, etc., as appropriate until the device can comply with this standard.

Exceptions may be granted in cases where security risks are mitigated by alternative methods, or in cases where security risks are at a low, acceptable level and compliance with minimum security requirements would interfere with legitimate academic or business needs. To request a security exception, contact the District's Director of Information Technology.

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ag8310

PUBLIC RECORDS

8310 - **PUBLIC RECORDS**

The District shall allow persons to have access to public records of the District in accordance with this guideline, which is intended to conform with the Wisconsin Public Records Law. To the extent that this guideline is ambiguous or conflicts with applicable law, the law shall govern.

District Records Custodian

The District Records Custodian ("DRC") in designated in Policy 8310 and shall be the legal custodian of records for the District. The DRC shall safely keep and preserve the public records of the District and shall have the authority to render decisions and carry out duties related to those public records. The DRC may deny access to records only in accordance with the law. The DRC is authorized and encouraged to consult with the District's legal counsel to determine whether to deny access to a records request in whole or in part.

Requests for Public Records

Public records of the District will be made available for inspection at the District office during normal, regular business hours upon request. No original public records of the District shall be removed from the possession of the DRC. The DRC shall be responsible for administering the District's Public Records Policy including, but not limited to, designating where, when and how the public records of the District may be inspected and copied.

Requests for records of the District may be submitted orally or in writing to the DRC. It is not necessary that any person requesting access to the public records of the District identify himself/herself in order to obtain a record, nor need any person requesting access to the public records of the District state any reason for his/her request.

Any request for a public record must reasonably describe the record or information sought. If the DRC cannot reasonably determine what records or information are being requested, the request shall be denied and the reason for the denial shall be stated. Any denial of a written request must be in writing and any denial of an oral request may be given orally or in writing.

General Procedures for Release, Inspection, and/or Reproduction of Public Records

The DRC will respond to a public records request as soon as practicable and without delay. If a written request is denied, it will be denied in writing and contain a statement of all of the reasons for denying the request. The denial must also notify the requester of his/her right to have the determination reviewed by mandamus or upon application to the attorney general or a district attorney.

If any records of the District are requested that are necessary for the day-to-day operation of the District, then the DRC may arrange for the records to be inspected after normal working hours.

If the DRC determines that portions of any records requested contain information that should not be released, the custodian will redact portions or remove material not to be released and thereafter release the balance of the document. The DRC shall inform the requestor of the nature of the material or portions withheld and the authority under which access has been denied.

The DRC will refer any requests for electronically stored records of the District to the individual in charge of the equipment involved to determine the estimated cost to locate the requested records and to reproduce them to fulfill the request.

Time and Location to Review Records

Public records may be inspected, copied, and/or abstracted at the District Administrator's office during the following established District office hours: 8:00 a.m. to 4:00 p.m.

Full or Partial Denial of Request

Section 19.35(4)(a), Wis. Stats., provides that "each authority, upon request for any record, shall, as soon as practicable and without delay, either fills the request to notify the requester of the authority's determination to deny the request in whole or in part and the reasons therefor." If a written request is denied in whole or part, "the requester shall receive from the authority a written statement of the reasons for denying the written request. Every written denial of a request by an authority shall inform the requester that if the request for the record was made in writing, then the determination is subject to review by mandamus under 19.37, Wis. Stats., or upon application to the attorney general or district attorney."

The District's defense of its denial may not be available unless the reasons are stated in the denial letter.

Consultation with District's Legal Counsel

Prior to the release or denial of public records, the District Administrator should evaluate the need for consultation with the District's legal counsel.

Step-by-Step Procedure for Review and Release of Personnel Records

A. **Step 1**

Determine that Request is For a "Record" that the District maintains.

"Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority.

"Record" does not include the following:

1. drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator or in the name of a person for whom the originator is working;
2. materials which are purely the personal property of the custodian and have no relation to his/her office;
3. materials to which access is limited by copyright, patent, or bequest;
4. published materials that are available for sale or which are available for inspection at a public library.

The District need not create a record that does not exist, such as a compilation of data or statistics that the District has not compiled but for which the raw data is in the possession of the District. If no record exists, then the DRC shall inform the requestor. **STOP**.

If the request relates to a "record" of the District that it is in possession of, the DRC must continue to Step 2.

B. **Step 2**

Determine if the "Record" is exempt from disclosure under any applicable statutory basis. Such basis include:

1. student records; Refer to Policy 8330;
2. privileged communications, such as communications to District personnel from District legal counsel;
3. identities for applicants of certain positions that are not final candidates;
4. certain employee personnel records;
5. personal financial identifying information;
6. purely personal content of employee e-mail communications;
7. any record exempt from disclosure under any provision of Wisconsin or Federal law.

Upon receipt of a public records request for employee personnel records, determine whether the personnel records being sought are of an "employee" or of someone in a "local public office".

"Employee" means any individual who is employed by the District, other than an individual holding local public office or any individual who is employed by an employer other than an authority.

"Local public office" has the meaning given in s. 19.42 (7w), and also includes any appointive office or position of a local governmental unit in which an individual serves as the head of a department, agency, or division of the local governmental unit, but does not include any office or position filled by a municipal employee, as defined in s. 111.70(1)(i).

Option 1: If the request is for personnel records regarding an "employee", skip to **Step 6**.

Option 2: If the request is for personnel records regarding someone in "**local public office**", go to **Step 3**.

Option 3: If the request is not statutorily exempt from disclosure and does not relate to employee personnel records, the DRC shall determine whether release of the records would result in harm to the public interest that outweighs the legislative policy recognizing the public interest in being informed about the affairs of government. If not, the records shall be released, if yes, then the request shall be denied.

C. **Step 3**

Determine if the request is for a local public official's personnel records that may not be released either in whole or in part.

Records of a person in local public office that may not be released in whole are those that contain information maintained, prepared, or provided by the school district concerning:

1. home address;
2. home electronic mail address;
3. home telephone number;
4. social security number;
5. content of purely personal email communications that are not part of an investigatory file;
6. genetic information.

This does not apply if the individual authorizes the authority to provide access to such information.

This does not apply to the home address of an individual who holds an elective public office or to the home address of an individual who, as a condition of employment, is required to reside in a specified location.

Option 1: If the requested records are not precluded from release, go to **Step 4**.

Option 2: If the records are precluded from release, deny the request in writing citing reasons for denial and following denial process. **STOP**.

D. **Step 4**

Conduct the balancing test for local public official personnel records requested.

Conduct a balancing test to determine if release of the records would result in harm to the public interest such that it outweighs the legislative policy recognizing the public interest in being informed about the affairs of government.

Also, determine if there are statutory or common law reasons to deny access to the requested records. If so, the DRC may deny the request in accordance with the requirements of the Public Records Law by stating every statutory and/or common law principle upon which the decision is based.

Option 1: If the DRC decision is to release the requested records, go to **Step 5**.

Option 2: If the DRC decision is not to release the requested records, deny the request in writing citing reasons for denial and following denial process. **STOP**.

E. **Step 5**

Notification of local public official of impending release.

Provide the local public official with notice that satisfies the requirements of the Public Records law within three (3) business days of the decision to release. The notice must be either personally served (document this) or sent certified mail with a return receipt requested (to confirm date of receipt).

Upon receipt of the notification, the local public office holder has five (5) business days to "augment the record to be released with written comments and documentation selected by the record subject."

Five (5) business days after receipt of the notice by the local public official, release the records in accordance with the public

records process, including any augmented records such as comments or documentation by the local public official. If any portion of the record is exempt from disclosure the DRC must perform the necessary redactions. **This completes the process for release of records regarding local public office holders.**

F. **Step 6**

Determine if the request is for employee records that may not be released.

Records of an employee that may not be released are the following:

1. Information maintained, prepared, or provided by the District concerning:

    a. home address;

    b. home electronic mail address;

    c. home telephone number;

    d. social security number of an employee;

    e. genetic information.

2. Information relating to the current investigation of a possible criminal offense or possible misconduct connected with employment by an employee prior to disposition of the investigation.

3. Information pertaining to an employee's employment examination, except an examination score if access to that score is not otherwise prohibited.

4. Information relating to one or more specific employees that is used by an authority or by the employer of the employees for:

    a. staff management planning, including performance evaluation, judgments, or recommendations concerning future salary adjustments or other wage treatments;

    b. management bonus plans;

    c. promotions;

    d. job assignments;

    e. letters of reference, or other comments of reference, or other comments or ratings relating to employees.

5. Content of purely personal e-mail communications that are not part of an investigatory file.

6. Information required to be maintained as confidential as a result of an employee's or student's participation in the Safe at Home/Address Confidentiality Program administered by the Wisconsin Department of Justice. (See Policy 8320, Policy 8330, AG 8320 and AG 8330)

Option 1: If the requested records are not precluded from release, go to **Step 7**.

Option 2: If the records are precluded from release, deny the request in writing citing reasons for denial and following denial process. **STOP**.

G. **Step 7**

Conduct the balancing test for employee personnel records requested.

Conduct a balancing test to determine if release of the records would result in harm to the public interest that outweighs the legislative policy recognizing the public interest in being informed about the affairs of government.

Option 1: If the DRC decision is to release the requested records go to **Step 8**.

Option 2: If the DRC decision is not to release the requested records, deny the request in writing citing reasons for denial and following denial process. **STOP**.

H. **Step 8**

Determine if the subject of the records is entitled to notice regarding the request. The DRC must provide notice to the subject if the request calls for the release of the following documents:

1. A record containing information relating to an employee that is created or kept by the authority and that is the result of an investigation into a disciplinary matter involving the employee or possible employment-related violation by the employee of a statute, ordinance, rule, regulation, or policy of the employee's employer.

2. A record obtained by the authority through a subpoena or search warrant.

3. A record prepared by an employer other than an authority, if that record contains information relating to an employee of that employer, unless the employee authorizes the authority to provide access to that information.

This does not apply to a school district who provides access to a record pertaining to an employee to the employee who is the subject of the record or to his/her representative to the extent required under Sec. 103.13 Wis. Stats. or to a recognized or certified collective bargaining representative to the extent required to fulfill a duty to bargain or pursuant to a collective bargaining agreement under Ch. 111.

This does not apply to releases to the Equal Rights Division or the Personnel Commission for discrimination claim investigation purposes.

Option 1: If the DRC determines that the requested records do not fall into one (1) of the categories above, no notice to the employee is required. The records may be released in accordance with the normal public records process. **STOP**.

Option 2: If the DRC determines that the requested records do fall into one (1) of the categories above, go to **Step 9**.

I. **Step 9**

Notice to employees that are the subject of a records request.

Provide the employee with a notice that satisfies the requirements of the Public Records law within three (3) business days of the decision to release. This notification must be either personally served (document this) or sent certified mail with a return receipt requested (to confirm date of receipt).

Twelve (12) business days after sending of the notice to the employee, the District may release the records in accordance with the normal public records process, UNLESS the employee provided the District with written notification within five (5) business days of receipt of the notice of his/her intent to seek a court order restraining the District from releasing the record. If the employee provides the District with timely written notice, the DRC should not release the records. In addition, records may not be released during pendency of any legal action, including any appeals.

The employee has ten (10) business days after receipt of the notice to commence legal action seeking a court order restraining the District from releasing the records.

Fees and Costs

Individuals may receive a reproduction of a public record of the District. Individuals will be informed in advance of the fees and costs of locating and reproducing public records. Fees and costs for responding to a public record request shall be as follows:

A. **Costs of Locating Documents**

There will be no fee imposed upon any person who requests a record if the costs of locating that record do not exceed $50.00.

Some of the records of the District are in off-site storage, archived, not online on the District's computer or otherwise not immediately available. In those cases where it appears that the costs of locating a record will exceed $50.00, the legal custodian will seek the prior written approval of the requestor before proceeding. In addition, the custodian will endeavor, but will not be required to provide an estimate of the total anticipated costs for locating the record.

The District will determine the costs of locating a record by using the hourly rate of employees involved in attempting to locate the record. The DRC shall determine this charge based upon the employee's salary and fringe benefits. The requester shall be charged for each quarter-hour (1/4) of time or portion thereof.

B. **Reproduction Expenses**

1. Costs of reproducing records where equipment is available:

    a. The per-page costs for reproduction will be as specified in Policy 8310.

    b. The actual costs to the District or the tapes or other medium used for reproduction shall also be paid by the person making the request.

2. Costs of reproducing where equipment is not available within the District.

3. If equipment necessary for any reproduction is not available within the District, then the District will rent whatever equipment is necessary to perform the function and will require the person to make payment in advance before proceeding.

4. The actual cost to the District of the equipment used for reproduction shall be paid by the person making the request.

C. **Disputes**

The DRC shall report any disputes that arise under this fee schedule to the Board.

D. **Payment of Fees**

1. The DRC may require the payment of fees and costs provided herein in advance if the total estimated cost exceeds $50.00. In any case in which payment is required, the District will maintain a record of actual expenses incurred in fulfilling the request, including staff time, reproduction costs, or other expenses described herein. If advance payment is made based on an estimated cost, the District will either invoice the requestor for the balance due based on actual cost or refund any overpayment.

2. The DRC may, in his/her sole discretion, elect to waive the imposition of the costs provided for herein.

Notice

The District will display in a prominent location in each school building and office a Public Records Notice conforming to the Public Records Law.

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ag8315

LITIGATION HOLD PROCEDURE

8315 - **LITIGATION HOLD PROCEDURE**

Any Board member or employee who receives specific information and/or written notification regarding one of the following instances shall immediately provide that information and/or written notification to the District Administrator:

A. an individual, parent or student intends to appeal a student discipline to State court;

B. litigation is imminent even though the litigation has not yet been filed in Federal or State court;

C. the Board is served with litigation, including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;

D. an employee, labor union or other person intends to file a claim against the Board, its member, employees or agents at an administrative agency such as the Equal Employment Opportunity Commission, Wisconsin Employment Relations Commission, U.S. Department of Education Office for Civil Rights, or a Wisconsin Equal Rights Division;

E. an administrative agency, such as the Equal Employment Opportunity Commission, Wisconsin Employment Relations Commission, U.S. Department of Education Office for Civil Rights, or a Wisconsin Equal Rights Division, intends to investigate a claim against the Board, its members, employees or agents;

F. a third party requests that a Board member or employee maintain information that could be at issue in litigation or potential litigation against that third party;

G. the District Administrator recommends the termination of an employee to the Board pursuant to a labor contract;

H. the Board is exploring, contemplating or initiating litigation.

Upon receipt, the District Administrator shall review the specific information and/or written notification to determine whether Policy 8315 - Information Management - applies. If it does, the District Administrator shall initiate a Litigation Hold applicable to all relevant information. The District Administrator also will notify the Board of the scope of and reason for implementation of the Litigation Hold.

To initiate a "Litigation Hold," the District Administrator or designee shall immediately notify the School District Records Custodian to suspend all records disposal procedures until the matter under the "Litigation Hold" is fully defined and information falling under the "Litigation Hold" identified. The notification to the School District Records Custodian shall be documented.

A "Litigation Hold" is a procedure that identifies and preserves information relevant to a matter by identifying individuals in possession or custody of paper documents, electronically stored information ("ESI") and electronic media storing ESI, and informing them of their obligation to preserve such information outside the "Records Retention Schedule" in Policy 8310 - Public Records. Third parties with control or custody of paper documents, ESI or electronic media storing ESI also are notified of the "Litigation Hold" and requested to preserve that information until notified otherwise. All information covered by a "Litigation Hold" must be prospectively preserved and cannot be disposed of under the requirements of Policy 8310 until the "Litigation Hold" is removed.

Definitions

"Information" includes all paper documents and ESI.

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images, and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.

"Electronic Media" includes, but is not limited to, hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump discs/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, microfilm, backup tapes, cassette tapes, cartridges, etc.), accessed, used and/or stored on/in/through the following locations: networks and servers; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ("PDAs" – including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; or video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the District for Board member or employee usage or that Board member or employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.

ESI Team

The District Administrator will utilize an Electronically Stored Information Team ("ESI Team") to implement a "Litigation Hold." The ESI Team shall be responsible for recommending to the District Administrator actions necessary to implement the "Litigation Hold" and for any other action(s) designated to it by the District Administrator. The ESI Team shall be comprised of the District Record Custodian, the primary District Information Technology administrator, a District Operations Administrator, and any other individual the District Administrator designates. If the District is utilizing an attorney to handle the matter that is the cause of the "Litigation Hold," the attorney will also be a member of the ESI Team or attend key ESI Team meetings as directed by the District Administrator. The ESI Team shall document any meetings held and recommended actions.

The ESI Team will (a) define the matter under the "Litigation Hold"; (b) identify information falling under the "Litigation Hold"; (c) identify all individuals and third-party entities who have custody of documents, ESI or electronic media containing ESI regarding the matter under the "Litigation Hold"; and (d) identify all individuals responsible for records disposal in the Records Retention Schedule under Policy 8310 – "Public Records". The ESI Team will report the above information to the District Administrator. The District Administrator or designee will notify all identified individuals, third party entities and the School District Records Commission of the "Litigation Hold" and their responsibility to preserve all information regarding the "Litigation Hold" matter in their custody or control in a readily accessible form. After distribution of the "Litigation Hold" notifications, the ESI Team shall be responsible for regularly verifying that all documents, ESI and electronic media containing ESI regarding the "Litigation Hold" matter are properly preserved. The ESI Team will review the "Litigation Hold" as necessary, and at least on a quarterly basis, the District Administrator or designee will reissue the "Litigation Hold" notice to affected individuals and third party entities to remind them of their ongoing duty to properly preserve all information covered by the "Litigation Hold". The ESI Team, in conjunction with the District Administrator or designee, will document all steps taken to implement the "Litigation Hold".

A "Litigation Hold" shall remain in place until removed by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. The District Administrator or designee shall notify the School District Records Commission and all individuals and third-party entities notified of a "Litigation Hold" when the "Litigation Hold" for a matter is removed.

This administrative guideline, along with Policy 8315, shall be posted and distributed in a manner that places all Board members and employees on notice of their responsibilities under Policy 8315 - "Information Management" – and this administrative guideline.

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PERSONNEL RECORDS

8320 - **PERSONNEL RECORDS**

Maintaining accurate personnel records is critical to effective human resource management and to the District satisfying its legal obligations. In addition, such records frequently contain confidential information that must be managed appropriately. Accordingly, the District has developed the following administrative guideline relating to personnel records.

Location and Maintenance – Personnel File, Payroll File, I-9 File, and Medical File

The District Records Custodian (DRC) will maintain a personnel file, a payroll file, an I-9 file, and a medical file for each employee. The files will be maintained in separate, secure locations. Supervisors and other administrators should forward all personnel records, I-9 records, payroll records, and medical records to the DRC to ensure that they are properly filed and maintained. Supervisors and other administrators should not maintain files containing an employee's personnel records, payroll records, I-9 records, or medical records. Further, neither the Board nor any individual employed by the Board shall access an employee's personnel records except for legitimate business purposes. Any individual who reviews personnel records will sign and date a log, which shall be kept in a secure location.

Personnel File Records

An employee's personnel file will contain the following records (if applicable):

A. completed employment records

B. offer letter

C. acceptance letter

D. emergency contact information

E. written requests to review the personnel file

F. letters of commendation

G. academic or other achievement records

H. training records

I. records relating to final disciplinary actions (e.g., written warning for excessive absenteeism)

J. leave request forms and supporting documentation; provided, however, that all such documents should have all medical information removed

K. grade transcript(s)

L. current name, address, and telephone number

M. an accurate record of work experience

N. proof of fulfillment of requirements for change in salary classification

O. current information pertaining to certificates required by the State

P. record of assignments

Q. proof of discharge from military service

R. rate of compensation

S. completed evaluations

T. special awards or distinctions

Payroll File Records

An employee's payroll file will contain the following records (if applicable):

A. W-4 forms

B. direct deposit authorization

C. consent to payroll deductions

D. beneficiary designation forms

E. retirement registration

F. life and disability insurance forms, without medical information

G. completed annuity forms

H. garnishment actions served on the District

Medical File Records

An employee's medical file will contain the following records (if applicable):

A. Medical records, notes, or other documents containing medical information including, but not limited to, records containing physical limitations.

B. Medical records relating to leaves of absence for medical reasons, including, but not limited to, Family and Medical Leave Act leave and sick leave, (e.g., medical certification forms, requests for leave, and fitness for duty statements).

C. Workers' compensation records and supporting documentation including, without limitation, physician notes relating to an employee's ability to return-to-work and an employee's physical limitations.

D. All occupational exposure and medical records that the District is required to maintain under the Occupational Safety and Health Act.

E. Requests to review the medical file.

I-9 File Records

The I-9 file will contain records required by the Immigration Reform and Control Act of 1986 including, but not limited to, the properly completed form I-9 and, if copies of verification documents presented by employees are retained for all employees, clear and legible copies should be retained with each employee's I-9, as well as any form corrections, rehire forms, or reverification forms.

Other Personnel Records

The District will maintain the following personnel records (if applicable) in separate, secure files:

A. criminal conviction history requests and reports;

B. employee assistance program records;

C. employee relations complaints including, for example, discrimination complaints;

D. investigative and deliberative records relating to employee relations matters;

E. privileged and confidential communications including, but not limited to, attorney-client communications.

Third-Party Access to Personnel Records – Confidentiality

It is the District's policy to respect individual privacy and to maintain in confidence all information and records pertaining to employees to the extent practicable in keeping with the District's interest. Information in an employee's personnel file, medical file, I-9 file, and all other employment-related files will not be disclosed to any third party without an employee's written consent, except to meet the legitimate business needs of the District or as required by law (e.g., subpoena or public record request).

Address Confidentiality Program

Employees who are verified participants in the "Safe at Home" Wisconsin Department of Justice Address Confidentiality Program shall be permitted to use their substitute assigned address for all District purposes. The Board shall only list the address designated by the Wisconsin Department of Justice to serve as the employee's address in any personnel records, personnel files, or staff directories. Further, the Board shall use the employee's substitute assigned address for any and all communications and correspondence between the Board and the employee. The employee's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose. The intentional disclosure of an employee's actual/confidential residential address is prohibited.

Access to Personnel Documents, Employee and Designated Representative

A. **Covered Documents**

Upon the written request of an employee or former employee (the "employee"), the District shall permit the employee to inspect any personnel documents which are used or which have been used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records. Provided, however, that the employee has no right to inspect the following:

1. records relating to the investigation of possible criminal offenses committed by that employee;
2. letters of reference for that employee;
3. any portion of a test document, except that the employee may see a cumulative total test score for either a section of the test document or for the entire test document;
4. materials used by the District for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments, or other comments or ratings used for the District's planning purposes;
5. information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy;
6. records relevant to any other pending claim between the District and the employee which may be discovered in a judicial proceeding;
7. medical records that the District believes would have a detrimental effect on the employee.

In this instance, the District may release the medical records to the employee's physician or through a physician designated by the employee, in which case the physician may release the medical records to the employee or to the employee's immediate family.

B. **Request and Review Procedure**

Unless modified or suspended by State law, the following procedures shall apply to employee requests to inspect the employee's own personnel file. The District shall grant at least two (2) requests by an employee in a calendar year to inspect the employee's records as provided in this guideline.

The District shall provide the employee with the opportunity to inspect the employee's records within seven (7) working days after the employee makes the request for inspection. If a request is made orally, the requestor shall be required to submit a written request. The inspection shall take place at a location reasonably near the employee's place of employment and during normal working hours. If the inspection during normal working hours would require an employee to take time off from work, the District may provide some other reasonable time for the inspection. In any case, the District may allow the inspection to take place at a time other than working hours or at a place other than where the records are maintained if that time or place would be more convenient for the employee. The records will be reviewed in the presence of the DRC or a designee.

The employee shall not make any alterations or additions to the record nor remove any material from the record. A copy of the employee's request to review personnel records shall be filed in the employee's personnel file.

C. **Designated Representative**

An employee may designate a representative to inspect the employee's personnel records. The designation shall be in writing. The District shall allow such a designated representative to inspect that employee's personnel records in the same manner as the employee is permitted to inspect them under this guideline.

D. **Copy Charges**

The District may charge employees who wish to copy or receive a copy of records at a reasonable fee for providing copies, which may not exceed the actual cost or reproduction.

Personnel Record Correction

If an employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the District and employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The District shall attach the employee's statement to the disputed portion of the personnel record. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a third party as long as the disputed record is a part of the file.

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RECEIPT OF LEGAL DOCUMENTS

8325 - **RECEIPT OF LEGAL DOCUMENTS**

All legal documents, such as Notices of Claim, Information Subpoenas, Wage Attachments, or other documents served against the District, should be received and processed with extreme care and immediate attention. The manner in which legal documents are to be handled and processed is described below.

A. Legal documents shall be delivered to the District Administrator and recorded.

B. District personnel receiving legal documents should note, in writing, the following information regarding delivery of the documents:

1. manner of delivery - in person, by certified mail, other

2. time and date of delivery

3. name of receiving party

4. other pertinent information regarding the delivery, such as condition

C. The Director of Business Services shall forward copies of legal documents to the appropriate insurance or legal advisor.

D. Duplicates shall be filed in the District Office.

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STUDENT RECORDS

8330 - **STUDENT RECORDS**

Student records shall be maintained in accordance with Board Policy 8330 - Student Records and State/Federal laws and regulations.

The student record is the legal record for each student who is or has attended schools within the District. All information contained in the student record must be factual, verifiable, and of a constructive nature. The Board shall collect, maintain, and use only information necessary for legally mandated functions.

Student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent(s) or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

Address Confidentiality Program

Students who are verified participants in the Safe at Home/Address Confidentiality Program administered by the Wisconsin Department of Justice shall be permitted to use their substitute assigned address for all District purposes.

Definitions

A. "Record" means any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics.

B. "Student records" include all records relating to an individual student, regardless of format, other than: 1) notes or records maintained for personal use by teachers or other personnel required to hold certification by the Department, provided those notes or records are not available to others; 2) records necessary for and available only to persons involved in the psychological treatment of a student; and 3) law enforcement unit records. The District is required, however, to maintain the confidentiality of law enforcement unit records in the same manner as a law enforcement agency is required to treat the records of juveniles under Section 938.396(1) to (1x) and (5). The terms "Education Record" and "Pupil Record" are also used to refer to student records. The term "Education Record" excludes the following:

1. records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto that are:

    a. kept in the sole possession of the maker thereof; and

    b. used only as a personal memory aid; and

    c. not accessible or revealed to any other person except a temporary substitute for the maker of the record;

    For the purpose of this definition, a "substitute" means an individual who performs on a temporary basis the duties of the individual who made the record and does not refer to an individual who permanently succeeds the maker of the record in that position.

2. records maintained by a law enforcement unit (e.g., School Resource Officer) of the School District that were created by that law enforcement unit for the purpose of law enforcement;

3. records relating to an individual who is employed by the Board, that:

    a. are made and maintained in the normal course of business;

    b. related exclusively to the individual in that individual's capacity as an employee; and

    c. are not available for use for any other purpose;

Records, however, relating to an individual at the District who is employed as a result of the student's status as a student are education records.

4. records on a student who is eighteen (18) years of age or older, that are:

   a. made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the individual's professional capacity or assisting in a paraprofessional capacity; and

   b. made, maintained, or used only in connection with the treatment of the student; and

   c. disclosed only to individuals providing the treatment (except, that the records can be personally reviewed by a physician or other appropriate professional of the student's choice). For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the educational agency or institution;

5. records created or received by the Board after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student (e.g. information pertaining to the accomplishments of alumni);

6. grades on peer-graded papers before they are collected and recorded by a teacher.

C. "Progress records" are student records that include a statement of courses taken by the student, the student's grades, the student's immunization records, the student's attendance record, any lead screening records required under 254.162, Wis. Stats. and records of the student's extra-curricular activities.

D. "Behavioral records" include student record other than progress records and directory data. Examples include: standardized achievement tests, psychological tests, personality evaluations, records of conversations, written statements relating specifically to an individual student's behavior, tests relating specifically to achievement or measurement of ability, student physical health records other than the student's immunization records, and law enforcement records

E. "Student physical health records" include basic health information about a student, including the student's immunization records, an emergency medical card, a log of first aid and medicine administered to the student, an athletic permit card, a record concerning the student's ability to participate in an education program, the results of any routine screening test such as for hearing, vision, or scoliosis, and any follow-up to such test, and any other basic health information as determined by the State Superintendent of Public Instruction.

F. "Law enforcement unit" means any individual, office, department, division, or other component of a School District that is authorized or designated by the Board to do any of the following:

1. Enforce any law or ordinance, or refer to the appropriate authorities a matter for enforcement of any law or ordinance, against any person other than the District.

2. Maintain the physical security and safety of a public school.

G. "Law enforcement unit records" means records maintained by a law enforcement unit that were created by that law enforcement unit for the purpose of law enforcement.

H. "Court records" include those records received from a court clerk concerning a juvenile enrolled in the District who: 1) has had a petition filed with the court alleging that the student has committed a delinquent act that would be a felony if committed by an adult; 2) has been adjudged delinquent; 3) has school attendance as a condition of the student's court dispositional order; or 4) has been found to have committed a delinquent act, at the request of or for the benefit of a criminal gang, that would be a felony if committed by an adult and has been adjudged delinquent on that basis.

I. "Student patient records" include all those records relating to a student's physical health except those included in the 'student physical health records' definition above.

J. "Directory data" includes references to "directory information" in the context of the Family Educational Rights and Privacy Act (FERPA) and Wisconsin law. "Directory Data" includes those student records as identified in Policy 8330 - Student Records.

K. "Law enforcement officers' records" includes those records and other information obtained from a law enforcement agency relating to: 1) the use, possession, or distribution of alcohol or a controlled substance by a student enrolled in the District; 2) the illegal possession of a dangerous weapon by a child; 3) an act for which a District student was taken into custody based on the law enforcement officer's belief that the student violated or was violating certain specified laws; and 4) the act for which a juvenile enrolled in the District was adjudged, delinquent. The law enforcement agency may provide such record information

to the District on its own initiative or on the request of the District Administrator or designee, subject to the agency's official policy. Once the record information is received, the student named in the records and the parent of any minor student named in the records shall be notified on the information.

L. "Eligible student" means a student who is no longer a minor due to having reached the age of eighteen (18). Also referred to as an adult student.

The District maintains or may establish video surveillance for security reasons at various areas around its facilities and on its buses. Video and/or audio recordings that capture students may constitute a student record, under certain circumstances. This is generally where the record is maintained to document student conduct or misconduct unless it is maintained for law enforcement purposes as described above. Generally, video taken of athletic events or other student performances that are open to the public will not be considered student records. The District Administrator or designee will determine whether the video constitutes a student record prior to the release of any video surveillance containing students, other than to authorized individuals.

The student's school record shall be retained consistent with Policy 8310 - Public Records.

Responsibility

The Principal is responsible for maintaining the confidentiality of directory data if the parents or eligible student have so requested, and other personally identifiable information in the education records and may delegate certain responsibilities to office staff. The Principal is responsible for the implementation of this Board's policies and procedures regarding confidentiality, including informing all personnel in this District who collect, maintain, use, or otherwise have access to student records of this Board's policies and procedures on confidentiality.

The District's Records Custodian (DRC) shall prepare an annual notice to parents/eligible students that informs them of their rights to:

A. inspect and review the student's education records;

B. request an amendment to the records if the parent or eligible student believes the information to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;

C. limit the disclosure of personally identifiable information defined as directory data within Policy 8330 - Student Records or to such other disclosures not required by law;

D. request a hearing if the Board refuses to amend records believed by the parent or eligible student to be misleading or inaccurate and to file a complaint with the United States Department of Education if the parent/eligible student is dissatisfied with the results of the hearing;

E. obtain a copy of the Board's policy on student records.

The notice may be in the form of a section of the local newspaper, District's newsletter, and/or the student handbooks.

Ongoing Maintenance of Records

A. **Public Listing of Authorized Employees**

1. Each Principal shall maintain a current listing of those employees and other persons, approved by the DRC, authorized to access personally identifiable information housed at the location specified.

2. Each Principal shall post and maintain the listing for public inspection at their respective school.

B. **Types and Location of Records**

1. The DRC shall prepare a listing of the types and locations of records collected, maintained, or used by the District, and the name of the Principal at each location.

   The list shall be provided to parents/eligible students upon request.

2. Education records shall be stored in secured facilities and/or equipment, and shall be available only to those specified in policy or these guidelines. Reasonable and appropriate methods (including but not limited to physical and/or technological access controls) shall be utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have a legitimate educational interest. Each Principal is directed to utilize reasonable methods to identify and authenticate the identity of parents, students, school

officials and any other parties to whom the District discloses personally identifiable information from education records.

C. **Consent to Disclose Information**

1. Whenever there is a request for a copy of information from a student's record (subject to the exceptions cited in #2 below), the Principal shall obtain written and dated consent, prior to the disclosure of records, from parents/eligible students, which includes:

    a. the records that may be disclosed;

    b. the purpose for which the disclosure may be made;

    c. the party or class of parties to whom the disclosure may be made;

    d. whether or not the parents/eligible students wish to have a copy of the records disclosed and/or, if the student is not an eligible student, whether the Board should provide that student with a copy of the disclosed record.

An adult student's parents are entitled to access the adult student's records, provided the adult student is considered a dependent under Section 152 of the Internal Revenue Code and provided that the adult student has not stated in writing on file with the District that the student's parents are not allowed access to any records containing personally identifiable information.

2. Prior consent will not be needed if:

    a. the disclosure is to school officials, including teachers, who have a legitimate educational interest (as defined by Board policy) in the information;

    In order for a contractor, consultant, volunteer or other party to whom the Board has outsourced institutional services or functions to be considered a school official, the outside party must:

        1. perform an institutional service or function for which the Board would otherwise use employees;

        2. be under the direct control of the Board with respect to the use and maintenance of education records; and

        3. be subject to applicable provisions governing the use and re-disclosure of personally identifiable information from education records;

    b. the disclosure is to another school, School District, or postsecondary institution, as stated in Board policy;

    c. the disclosure is, subject to the conditions set forth in applicable Federal and/or State statutes and/or regulations, to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the United States Secretary of Education, or State and local educational authorities;

    d. the disclosure is in connection with a student's application for or receipt of financial aid; (See section below entitled: 'Disclosure for Student Financial Aid');

    e. the disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction;

    Disclosures pursuant to this paragraph are limited to circumstances when the study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information; the information is destroyed when no longer needed for the purposes for which the study was conducted; and the Board enters into a written agreement with the organization that contains all the content required by applicable Federal regulations.

    This written agreement will include: 1) specification of the purpose, scope, duration of the study, and the information to be disclosed; 2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; 3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and 4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

f. the disclosure is to authorized representatives of the Comptroller General, the Attorney General, the Secretary of Education, or State and local authorities, and is made for the purpose of conducting an audit or evaluation of a Federal or State-supported education program, or to enforce or comply with Federal requirements relating to those programs;

A written agreement between the parties is also required under this exception. Mandatory elements of this written agreement include: 1) designation of the receiving entity as an authorized representative; 2) specification of the information to be disclosed; 3) specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements; 4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; 5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and 6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Pursuant to the audit exception, the District will use 'reasonable methods' to verify that the authorized representative complies with FERPA regulations. Specifically, the District will verify, to the greatest extent practicable, that the personally identifiable information is used only for the audit, evaluation or enforcement of a government-supported educational program. The District will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the District will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the District will verify that the information is destroyed when no longer needed for the audit, evaluation or compliance activity.

g. the disclosure is to accrediting organizations to carry out their accrediting functions;

h. the disclosure is to parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;

i. the disclosure is to comply with a judicial order or lawfully issued subpoena as provided for in Policy 8325 - Receipt of Legal Documents by District Employees, to comply with Wisconsin disclosure requirements;

j. the disclosure is in connection with an emergency; (See section below entitled: "Emergency Release");

k. the disclosure is information the Board has designated as "directory data";

l. the disclosure is to the parent of a student who is not an eligible student, or to the student;

m. the disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, and the information was provided to the Board pursuant to that law and its implementing regulations;

n. the disclosure concerns the juvenile justice system and its ability to serve, prior to adjudication, the student whose records are released, providing the officials to whom the records are released certify, in writing, to the District that the information will not be released to a third party, except as provided by State law, without the prior written consent of the parents;

o. the disclosure is to an agency caseworker or another representative of a State or local child welfare agency, or tribal organization as defined in Federal law, who has the right to access a student's case plan as determined by the agency or organization, when such agency or organization is legally responsible for the care and protection of the student provided the education records and personally identifiable information will not be unlawfully released to third parties;

The agency or organization may release the education records and personally identifiable information to an individual or entity engaged in addressing the student's education needs and authorized by the agency or organization to receive such disclosure and such disclosure is consistent with state or tribal laws applicable to protecting the confidentiality of a student's education records.

p. the disclosure is authorized by other sections of the Family Education Rights and Privacy Act (FERPA).

3. De-identified Records and Information – The District may release education records without prior consent if all personally identifiable information has been removed provided the administration (i.e., the DRC and Principal) have made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.

4. No person shall release to a parent of a student who is not the custodial parent or any other person any information about the school to which the student has transferred or that would enable the parent who is not the custodial parent to locate the student if the school to which the student has transferred informs this District that the student is under the care of a shelter for victims of domestic violence.

Parents: Disclosure, Inspection, Review of Records

The Principal shall permit parents/eligible students, upon request, to retrieve information from and to inspect and review, records that are maintained by the District that relate to the student's education. The following conditions shall apply:

A. At times, agencies or individuals outside the District provide the District with information necessary and relevant to the student's education. Psychological or medical information should be provided to a parent in the presence of an appropriately licensed professional who can properly explain the information. Such information may be provided to the District only with the written consent of the parent. Upon parental request, the Board will notify the parent with the date and source of any record generated outside the District so that parents may access these records through the originator.

B. If any education record includes information on more than one (1) student, the parents/eligible student shall have the right to review and inspect only the part of the record that relates to the student or to be informed of that specific information.

C. The request for access to records must be honored within a reasonable period, but in no case later than forty-five (45) calendar days from receipt of the request. Requests to inspect and review education records that are collected, maintained or used by the District with respect to students with disabilities must be honored without unnecessary delay, and before any meeting regarding an individualized educational program (IEP), hearing relating to the identification, evaluation, or placement of the student, or resolution session, and in no case more than forty-five (45) calendar days after the request was made.

D. The parents/eligible students have a right to have their representative inspect and review the records upon submission of a signed and dated written consent that:

1. specifies the records that may be disclosed;

2. states the purpose of the disclosure;

3. identifies the party or class of parties to whom the disclosure may be made.

E. The Board shall presume that either parent has the authority to disclose, inspect, and review the student's records unless a court order indicates otherwise or unless otherwise prohibited by law.

If the parents/eligible students request an opportunity to inspect and review records, a written request is necessary.

F. The parents/eligible students are to complete the Board's Request for Information form prior to receiving copies of any record.

The Principal shall arrange a mutually agreeable time for the review with the parents/eligible students.

G. Subject to the limitations within the law, policy, and/or guidelines, the Principal shall provide parents/eligible students with copies of any information in the student's education records and shall respond to reasonable requests for explanation and interpretation of the records. Copies of the records shall be provided for the current cost of duplication unless that fee effectively prevents the parents/eligible students from exercising the right to inspect and review the records.

H. If the parents/eligible students request disclosure of specific information by telephone, the Principal shall not disclose the requested information.

I. The District shall not destroy any education record if there is an outstanding request to inspect and review the record.

J. Parents/Eligible students who have provided the District with signed security and release documents may access the confidential attendance and academic record information about their student through the Internet. Neither the District nor its employees will be held responsible for any privacy violation by the parent/eligible student or any unauthorized party.

Confidentiality

A. **Access to Student Progress and Behavior Records** - All student progress and behavioral records maintained by the School District shall be confidential with access limited to the conditions below:

1. Upon request, an eligible student or the parent of a minor student shall be shown and provided with a copy of the student's progress records.

2. Upon request, an eligible student or the parent of a minor student shall be shown the student's behavioral records in the presence of a person qualified to explain and interpret the records.

3. The judge of any court of Wisconsin or of the United States shall, upon request, be provided with a copy of all progress records of a student who is the subject of any proceeding in such court. The District shall make a reasonable effort to notify the parent or eligible student of the order in advance of compliance therewith, except as otherwise provided by law.

4. Student records shall be made available to school officials who have been determined by the Board to have legitimate educational interests, including safety interests, in such records. A "School Official" is a person employed by the District who is required by the Department of Public Instruction (DPI) to hold a license; a person who is employed by or working on behalf of the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and police-school liaison personnel); a person serving on the Board; a person or company with whom the District has contracted to perform a specific task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing the official's tasks. A school official has a "legitimate educational interest" if the official needs to review a student record in order to fulfill the official's professional or District responsibility.

    a. If law enforcement officers' record information obtained by the District relates to a District student, the information shall be disclosed only to those employees who are required by the DPI to hold a license and to other school officials who have been determined by the Board to have a legitimate educational interest, including safety interest, in the information. It shall also be disclosed to those District employees who have been designated by the Board to receive that information for the purpose of providing treatment programs for District students. The information may not be used as the sole basis for suspending or expelling a student from school, or as the sole basis for taking any other disciplinary action against a student, including action under the District's athletic code.

    b. Court order records obtained by the District must be disclosed to District employees who work directly with the juvenile named in the records or who have been determined by the Board to have legitimate educational interests, including safety interests, in the information. An employee cannot further disclose the information, and the information cannot be used as the sole basis for suspending or expelling a student from school.

5. Upon the written permission of an eligible student or parent of a minor student, the school shall make available to the person named in the permission form, the student's progress records or such portion of the student's behavioral records as determined by the person authorizing the release. Law enforcement records may not be made available under this exception unless specifically identified by the eligible student or by the parent of a minor student in the written permission form.

6. Student records shall be provided to a court in response to a subpoena by parties to an action for in-camera inspection, to be used only for purposes of impeachment of any witness who has testified in the action and only after the moving party has made a showing to the court that the records are likely to yield such information that could not be otherwise obtained. The court may turn the records or parts thereof over to parties in the action or their attorneys if the court determines that the records or parts thereof are relevant and material to a witness's credibility or competency. The District shall make a reasonable effort to notify the parents/guardians or eligible student of the subpoena in advance of disclosure except as otherwise provided by law.

7. Information required by law may be provided to the DPI or any public officer. Upon request, the Board shall provide the DPI with any student record information that relates to an audit or evaluation of a Federal or State-supported program or that is required to determine compliance with State law provisions.

8. Notwithstanding their confidential status, student records may be used in suspension and expulsion proceedings and by the Individualized Education Program (IEP) Team in accordance with State and Federal law.

9. The district board of the technical college in which the school is located, the Department of Health Services, the Department of Workforce Development, or a county department verifying eligibility for public assistance shall, upon request, be provided with the names of students who have withdrawn from the school prior to graduation.

10. Information from a student's immunization record shall be made available to State and local health officials to carry out immunization requirements.

11. Personally identifiable information from the student records of an eligible student may be disclosed to the parent of the eligible student without the written consent of the eligible student if the eligible student is a dependent of their parent for tax purposes (under the Federal Internal Revenue Code, 26 U.S.C. 152). This may be done unless the eligible student has informed the school, in writing, that the information may not be disclosed.

    Personally identifiable information includes a biometric record, which means a 'record of one or more measurable behavioral or biological characteristics' that can be used to identify a student. (e.g., fingerprints, retinal scans, voiceprints, DNA sequence, and handwriting).

12. A student's records shall be disclosed in compliance with a court order under Wisconsin's delinquency statutes after a reasonable effort has been made to notify the student's parent.

13. The District shall provide to the court, in response to a court order, the names of all persons known by the District to be dropouts and who reside within the county in which the circuit court or the municipal court is located.

14. Annually, on or before August 15th, the District shall report to the appropriate community services boards established under 51.42 and 51.437, Wis. Stats., the names of students who reside in the District, who are sixteen (16) years of age or older, who are not expected to be enrolled in an educational program two (2) years from the date of the report and who may require services under 51.42 or 51.437, Wis. Stats. (community mental health, development disabilities, alcoholism, and drug abuse).

15. If school attendance is a condition of a student's dispositional order under 48.355(2)(b)7 or 938.358(2), Wis. Stats., the Board shall notify the county department that is responsible for supervising the student within five (5) days after any violation of the condition by the student.

16. A law enforcement agency shall be provided a copy of a student's attendance record if the law enforcement agency certifies in writing that the student is under investigation for truancy or for allegedly committing a criminal or delinquent act and that the law enforcement agency will not further disclose the student's attendance record information except as permitted by law. When a student's attendance record is disclosed to a law enforcement agency for purposes of truancy, the student's parent shall be notified of that disclosure as soon as practicable after the disclosure.

17. A fire investigator shall be provided with a copy of a student's attendance record if the fire investigator certifies in writing that the student is under investigation for arson, that the attendance record is necessary for the investigation and that the records will be used and further disclosed only for the purpose of pursuing the investigation.

18. The District shall provide student disciplinary records necessary for purposes of student enrollment in another public or private school district in this State or any other as permitted by law. These records may include:

    a. a copy of any expulsion findings and orders or records of any pending disciplinary proceedings involving the students;

    b. a written explanation of the reasons for the expulsion or pending disciplinary proceedings;

    c. the length of the term of the expulsion or the possible outcomes of the pending disciplinary proceedings.

19. The District may disclose student records to appropriate parties, e.g. law enforcement officials, or health care workers, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

20. The District may disclose personally identifiable information from an education record to appropriate parties, including parents of eligible students, in connection with an emergency if necessary to protect the health or safety of the student or other individuals. If the District determines there is an articulable and significant threat, it may disclose the information to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

21. On request, a school board may disclose student records that are pertinent to addressing a student's educational needs to a caseworker or other representative of the Department of Children and Families, a county department under 46.215, 46.22, or 46.23, Wis. Stats., or a tribal organization, as defined in 25 U.S.C. 450b (L), that is legally responsible for the care and protection of the student, if the caseworker or other representative is authorized by that department, county department, or tribal organization to access the student's case plan.

22. The disclosure is to authorized representatives of the Comptroller General, the Attorney General, the Secretary of Education, or State and local authorities, and is made for the purpose of conducting an audit or evaluation of a Federal

or State-supported education program, or to enforce or comply with Federal requirements relating to those programs. A written agreement between the parties is also required under this exception. Mandatory elements of this written agreement include: 1) designation of the receiving entity as an authorized representative; 2) specification of the information to be disclosed; 3) specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements; 4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; 5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and 6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

B. **Access to Directory Data** - Except as otherwise provided below, directory data may be disclosed to any person after the school has: 1) notified the parent, legal guardian or guardian ad litem of the categories of information which it has designated as directory data with respect to each student; 2) informed such persons that they have fourteen (14) days to inform the school that all or any part of the directory data may not be released without their prior consent; and 3) has allowed fourteen (14) days for the parents, legal guardian, or guardian ad litem of any student to inform the school, in writing, that all or any part of the directory data may not be released. At the end of this fourteen (14) day period, each student's records will be appropriately marked by the records' custodian(s) to indicate directory data items, if any, the District must receive parental permission to release. This designation will remain in effect until it is modified by the written direction of the student's parent, guardian, or guardian ad litem.

1. If the District has followed the notification procedure above, and the parent, legal guardian, or guardian ad litem does not object to the directory data being released, the Board Clerk (or designee) may conduct a balancing test to weigh the public interest in disclosure versus the public interest in non-disclosure.

2. If the District has followed the notification procedure outlined above, and the parent, legal guardian, or guardian ad litem does not object to the directory data being released, the Board Clerk (or designee) shall, upon request, provide the name and address of each student expected to graduate from high school in the current school year to the technical college board.

3. If the District has followed the notification procedure outlined above, and the parent, legal guardian, or guardian ad litem does not object to the directory data being released, the Board Clerk (or designee) shall, upon request, provide any representative of any law enforcement agency, city attorney, district attorney, or cooperation counsel, county department under 46.215 or 46.22 or 46.23, Wis. Stats., a court of record or municipal court with such directory data relating to any such student enrolled in the School District for the purpose of enforcing that student's school attendance, to respond to a health or safety emergency, or to aid in the investigation of alleged criminal or delinquent activity by a student enrolled in the District.

4. The Board Clerk (or designee) shall, upon request, provide any military recruiter or institution of higher education with the name, address, District-assigned e-mail address (if available), and telephone number of the student. (Only secondary schools are required to provide this information to military recruiters or institutions of higher education.) Secondary school student or parent of the student may request in writing that the student's name, address, District assigned e-mail address (if available), and telephone listing not be released without prior consent of the parent(s)/eligible student.

C. **Access to Student Patient Records** - All student patient records shall remain confidential. They may be released only to persons specifically designated by State or Federal law or to other persons with the informed consent of the patient or person authorized by the patient. Student patient records maintained by the District may only be released without informed consent to a District employee or agent if any of the following apply:

1. The employee or agent has responsibility for the preparation or storage of patient health records.

2. Access to patient health records is necessary to comply with a requirement in Federal or State law.

Any record that concerns the results of a test for the presence of HIV or antibody to HIV (the virus which causes acquired immunodeficiency syndrome--AIDS) shall be confidential and may be disclosed only with the informed **written**consent of the test subject.

D. **Disclosure of Educational Records to a Third Party** - The District will inform, in writing, any third party to whom personally identifiable information is released that, except as otherwise permitted by State or Federal law, the party is not allowed to disclose the information to others without the written consent of the student's parents or the student, provided the student is an adult.

E. **Disclosure of Library Records to Parents**

See Policy 2522 - Library Media Centers.

F. **Interagency Agreement to Disclose Student Records**

Before releasing records to any of the following agencies, for the purpose of providing services to a student prior to adjudication, the District must enter into a memorandum of understanding with the following: law enforcement agency, city attorney, corporation counsel, intake worker, court of record, municipal court, private school, another school board, tribal school, Department of Corrections, Department of Children and Families, District attorney, or a licensed child welfare agency.

Pursuant to 118.125, Wis. Stats., the District may enter into an interagency agreement(s) with the entities listed below to disclose student records before adjudication for the purpose of providing services to the student. Each of the entities would be required to certify in writing that the records will not be disclosed to any other person, except as permitted by law:

1. law enforcement agency;
2. District attorney;
3. city attorney;
4. corporation counsel;
5. agency, as defined in 938.78(1) (i.e., the Department of Corrections, a licensed child welfare agency, or a county department under 46.215, 46.22, or 46.23, Wis. Stats;
6. intake worker;
7. court of record;
8. municipal court;
9. private schools;
10. other school board;
11. a tribal organization under 25 U.S.C. 450b(L).

Maintenance of Records

A. Except as otherwise specifically provided, all student records will be kept in one (1) file in the school building in which the student is enrolled. This file will be kept in a locked file or drawer under the control of the building principal. Law enforcement and student patient records shall be maintained separately from a student's other records.

B. Copies of records of any student referred for a suspected disability will be maintained in the Pupil Service Office in addition to the school file. Copies of all student physical health records also will be maintained at the Pupil Services Office.

C. Requests for access to, or copies of, student records will be referred to the building principal for action. Student records shall be released only to the extent authorized by law.

D. A record of each request for access to and each disclosure of personally identifiable information from a student's school records shall be maintained with such student's records, except when the request is from, or the disclosure is to, the following person/party:

1. the parent or eligible student;
2. a school official;
3. a party with written consent from the parent or eligible student;
4. a party seeking directory data;
5. a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the

information in response to the subpoena not be disclosed.

E. Records of students who cease to be enrolled shall be maintained as follows:

1. All behavioral records will be destroyed one (1) year after the date the student graduated from or last attended the school unless the student, or the student's parent if the student is a minor, gives permission that the records be maintained for a longer period of time. Where such written permission is received, behavioral records will be destroyed after the time specified in the permission form or at the discretion of the District when they are of no further obvious use.

2. Progress records will be kept five (5) years after the date the student graduated from or last attended the school, except a record of grades and attendance is to be kept permanently.

3. Records of psychological testing or special education evaluations, including all individual reports, will be maintained for one (1) year after a student transfers out of the District. Upon written permission of an eligible student or the parent or legal guardian of a minor student, such records will be maintained for up to five (5) years.

Amendment of Records

A. A parent or an eligible student who believes that the school records collected, maintained, or used are inaccurate, misleading, or otherwise in violation of the privacy rights of the student may request the District to amend the records. The District will decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.

B. If the District decides to refuse to amend the information in accordance with the request, it will inform the parent or eligible student of the refusal and advise them of the right to a hearing before the Board. On request, the District shall provide an opportunity for a hearing to challenge information in school records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student.

C. If, as a result of the hearing, the District decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall amend the information accordingly, and so inform the parent/guardian or eligible student in writing.

D. If, as a result of the hearing, the District decides that the information is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place in the records it maintains on the student, a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the District.

The District shall require that any explanation placed in the records of a student be maintained by the District as part of the records as long as the record or contested portion is maintained by the District. If the records of the student, or the contested portion, are disclosed by the District to any party, the explanation shall also be disclosed to that party.

Procedure for Hearing to Amend Record

The District shall provide parents/eligible students with the opportunity to amend records when they believe that any of the information regarding their student is inaccurate, misleading, or violates the student's privacy.

A. Upon receipt of a written request to amend records, the building principal shall ascertain the specific information that is requested to be amended and the reason for the change.

The building principal shall decide whether or not to amend the record.

If the building principal decides not to amend, the parents/eligible students shall be so informed of the decision as well as of their rights to a hearing.

B. If the parents/eligible students request a Records Hearing, the District Administrator shall:

1. select the Records Hearing Officer (RHO) (who may be an official of the District who does not have a direct interest in the outcome of the hearing);

2. direct the person selected as the RHO to arrange a hearing with the parents/eligible students within ten (10) business days from the date of the hearing request or at a mutually agreed time and place.

The RHO shall inform the parents/eligible students that they shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of their choice, including an attorney, at their own expense.

The RHO is responsible for maintaining the student's record during the appeal process so that no information is lost or destroyed during the appeal process.

C. The RHO shall conduct the hearing by:

1. introducing the participants;

2. reviewing the agenda for the hearing;

3. identifying the records in question;

4. reviewing the items for which amendment is being requested;

5. allowing the parents/eligible students and/or their representative to present evidence related to the issues;

6. allowing the Board's representative to present evidence related to the issues;

7. recording the evidence presented by both parties;

8. allowing each party a reasonable period of time to question the evidence of the other party;

9. adjourning the hearing.

D. No later than ten (10) business days from the conclusion of the records hearing, the RHO shall summarize and send a copy of the findings to the District Administrator.

E. The District Administrator, within ten (10) business days after receiving the findings of the RHO, shall make a decision, based solely upon the evidence presented at the hearing, and send to the parents/eligible students:

1. a letter stating the decision and the justification for the decision;

2. a copy of the RHO Report;

3. copies of the amended records, if any;

4. a notification of the right to place a statement in the record commenting on the contested information or stating why the parents/eligible students disagree with the decision.

F. If the Board and parents/eligible students agree to the necessary amendments, the Principal shall make necessary changes in the student record and send the parents/eligible students written confirmation that the changes have been made.

G. If as a result of the hearing, the Board decides not to amend the record, the parents/eligible students have the right to place a statement in the record commenting on the contested information in the records and/or stating they disagree with the decision of the RHO. Such a statement shall be maintained with the contested part of the records as long as the records exist and shall be disclosed as part of any record disclosure.

Emergency Release

The Principal may release any personally identifiable information (without parent's/eligible student's consent) to appropriate parties, including parents of eligible students, in connection with a health/safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Upon receipt of a request for emergency information, the Principal shall consider the totality of the circumstances pertaining to a threat to the health or safety of others. If the Principal determines that an articulable and significant threat exists, the Principal may release information from education records to any necessary individuals. If the Principal or another school official releases personally identifiable information pursuant to this Section, the Principal must record in the student's education records the basis for the decision that a health or safety emergency existed.

Transfer of Records

All student records relating to a specific student shall be transferred to another school or school district no later than the next work day upon receipt of written notice from:

A. an eligible student, or the parent/guardian of a minor student, that the student intends to enroll in the other school or School District;

B. the other school or School District in which the student has enrolled;

C. a court, in the event that a student has been placed in a juvenile correctional facility or a secured child-caring institution.

'School' or 'School District' in this section includes any secured correctional facility, secured group home, adult correctional institution, mental health institution, or center for the developmentally disabled that provides an educational program for its residents instead of, or in addition to, that which is provided by public and private schools.

Transfer of student records, including disciplinary records regarding suspensions and expulsions, shall not be withheld from the school for a student's failure to pay any fees, fines, or charges imposed by this District.

Disclosure For Student Financial Aid

The Principal may release, **without parents' consent**, student information regarding financial aid for which a student has applied or which a student has received, provided that personally identifiable information from the education records of the student may be used only to:

A. determine the eligibility of the student for financial aid;

B. determine the amount of financial aid;

C. determine the conditions which will be imposed regarding the financial aid;

D. enforce the terms or conditions of the financial aid.

Disclosure For Purposes of Marketing Or Selling Information

The Board shall not permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to other for that purpose). For purposes of this section, 'personal information' means individually identifiable information including: (1) a student or parent's first and last name; (2) a home or other physical address (including street name and the name of the city or town); (3) a telephone number; or (4) a Social Security identification number.

The parent of a student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. The parent must submit a written request to the building principal at least fifteen days before the scheduled date of the activity. The instrument will be provided within ten (10) business days of the principal receiving the request. Parents will be notified at least annually at the beginning of the school year of the specific or approximate date(s) during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

A. college or other postsecondary education recruitment, or military recruitment;

B. book clubs, magazines, and programs providing access to low-cost literary products;

C. curriculum and instructional materials used by elementary and secondary schools;

D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

E. the sale by students of products or services to raise funds for school-related or education-related activities; or

F. student recognition programs.

Safeguarding Education Records and Responding to Data Incidents

Significant challenges exist with respect to the safeguarding of education records from unauthorized access and disclosure. These challenges include inadvertent posting of students' grades or financial information on publicly available web servers; theft or loss of laptops and other portable devices that contain education records; computer hacking; and failure to retrieve education records at the termination of employment or service as a contractor, consultant or volunteer. In light of these challenges, the DRC and Principal are directed to work with the District's IT Department/Staff to identify, implement and administer appropriate methods and security controls to protect education records, especially those in electronic information/data systems.

The District's IT Department/Staff is encouraged to review the National Institute of Standards and Technology (NIST) Special Publication (SP) 800-100, 'Information Security Handbook: A Guide for Managers,' and NIST SP 800-53, 'Recommended Security Controls for Federal Information Systems' for guidance and to use any methods or technologies they determine are reasonable to mitigate the risk of unauthorized access and disclosure taking into account the likely harm that would result. The IT Department/Staff is charged with the development of appropriate responses to data breaches and other unauthorized disclosures, and said steps should include at a minimum the following:

A. reporting the incident to law enforcement authorities;

B. determining exactly what information was compromised (e.g. names, addresses, SSNs, ID numbers, grades, etc.);

C. taking steps to immediately retrieve data and prevent further disclosures;

D. identifying all affected records and students;

E. determining how the incident occurred, including which school officials had control of and responsibility for the information that was compromised;

F. determining whether the incident occurred because of a lack of monitoring or oversight;

G. determining whether any Board policies and/or District procedures were violated;

H. conducting a risk assessment and identifying appropriate physical, technological and administrative measures to prevent similar incidents in the future; and

I. notify students and parents that the United States Department of Education's Office of Inspector General maintains a Website describing steps students may take if they suspect they are a victim of identity theft.

While notification of students is not required in all circumstances, it shall be the DRC's responsibility to determine, in conjunction with the District Administrator, whether students and/or parents will be notified of any breaches. If the decision is made not to issue a direct notice to a parent or student upon an unauthorized disclosure of education records, the DRC or Principal shall nevertheless record the disclosure so the parent or student will become aware of it during an inspection of the student's education record.

Alleged Noncompliance with Federal Requirements

Eligible students or parents of minor students may file a complaint for alleged District noncompliance with requirements of the Federal Family Educational Rights and Privacy Act (FERPA) with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605 and the Protection of Pupil Rights Amendment (PPRA).

Annual Public Notice

Parents and student shall be notified annually of the following: 1) their rights to inspect, review and obtain copies of student records; 2) their rights to request the amendment of the student's school records if they believe the records are inaccurate or misleading; 3) their rights to consent to the disclosure of the student's school records, except to the extent State and Federal law authorizes disclosure without consent; 4) the categories of student record information which have been designated as directory data and their right to deny the release of such information; and 5) their right to file a complaint with the Family Policy Compliance Office of the U.S. Department of Education. This notice shall be published in the District's official newspaper within three (3) weeks of the start of the school year. It shall also be published annually in District student-parent handbooks.

For students enrolling in the District after the above notice has been given, the notice will be given to the eligible student and the student's parent at the time and place of enrollment.

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ag8360

USE OF SCHOOL MAIL-DELIVERY SYSTEM

8360 - **USE OF SCHOOL MAIL-DELIVERY SYSTEM**

In order to be in compliance with Federal postal regulations, it is necessary to establish the following guidelines regarding the use of the District's "in-house" mail-distribution system.

These items may be distributed through the system without special permission:

A. copies of official documents or records of the District

B. communications between the central office and each building and/or each administrator

C. communications among staff members that are directly related to an authorized curricular, extra-curricular, or incidental program or activity of the District

D. communications from Board-recognized outside organizations which are directly related to the District, providing the communication is related to a sponsored school activity

E. any incidental, District correspondence

Any staff member or student who wishes to distribute any other materials through the mail-distribution must receive permission from the principal whose decision will be based on whether or not the information is directly related to school business or a school-sponsored activity.

The Post Office does not allow use of the internal delivery system for unofficial purposes in order to avoid the payment of postage.

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ag8390

USE OF ANIMALS IN THE CLASSROOM AND ON SCHOOL PREMISES

8390 - **USE OF ANIMALS IN THE CLASSROOM AND ON SCHOOL PREMISES**

The Board and administration support the idea that animals can provide a variety of productive learning experiences for students at almost every level. It is important, however, that the following guidelines be observed when instituting an activity or program involving the use of animals. Teachers are encouraged to contact such organizations as the Wisconsin Veterinary Association, the National Wildlife Federation, etc. regarding resource materials and suggested learning activities that may be available to help students increase their understanding of the animal world.

A. Students are to be instructed not to bring personal pets to school at any time without the approval of the Principal.

B. Owners of pets brought onto school property are responsible for any harm or injury caused by the animal to other students, staff, visitors, and/or property.

C. Owners of service animals brought onto school property must comply with Policy 8390 - Animals on District Property and AG 8390 - Use of Animals in the Classroom and on School Premises.

D. Owners of therapy dogs brought onto school property must comply with Policy 8390 - Animals on District Property.

E. Upon the approval of the principal, it is permissible for the class to have one or more animals as classroom pets under the following conditions:

1. the animal is not venomous or vicious
2. no one is allergic to the particular animal
3. proper examination/immunization has been done by a qualified veterinarian
4. arrangements have been made for housing the animal safely, comfortably, cleanly, and in a manner that does not disrupt the classroom environment
5. arrangements have been made for the proper care of the animal when school is not in session
6. rules have been established and understood regarding when and how the animal is to be treated by the students

F. When animals are to be brought into the school or classroom on an ad hoc basis as part of a lesson or series of lessons, all of the conditions stated above apply, and in addition, the teacher is to ensure the proper pick-up and return of the animal.

G. Except as set forth above and/or in the case of "service animals" required for use by a person with a disability, no other animals may be on school premises at any time without the approval of the principal.

H. The District may have a service animal removed from the school premises if the animal is out of control and the animal's handler does not take effective action to control it or the animal is not housebroken. The District is not responsible for the care or supervision of a service animal. The service animal is allowed to accompany its human in all areas the human is permitted to go. (see Policy 8390 - Animals on District Property)

I. **Vaccination, Licensing and/or Veterinary Requirements**

Animals housed on or brought on to District property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on to District property on a regular basis for any purpose, including service animals, must meet every veterinary requirement set forth in State law and County and/or local regulation/ordinance, including but not limited to rabies vaccination or other inoculations required to be properly licensed.

Use of Service Animals

The Board shall comply with the provisions of the American with Disabilities Act (ADA), as amended, and applicable Wisconsin law regarding an individual with disability's use of a service animal.

It is imperative that representatives of the Board do not ask about the nature or extent of a person's disability; however, they may make inquiries to determine whether an animal qualifies as a service animal. While the representatives of the Board cannot ask about the individual's disability, they may ask if the animal is required because of a disability and what tasks or work the animal can perform. When the work or tasks the service animal will perform is readily apparent, the representatives of the Board should not ask.

Under no circumstances should the representatives of the Board require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.

The definition of a service animal, as established by the ADA and applicable Wisconsin law is as follows:

Service animal means any dog or other animal that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. No animal that is not properly trained may be allowed as a service animal. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

A. The ADA has also defined a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (h) of the ADA.

B. A service animal that meets the above definition shall be under the control of its handler (e.g., a student with a disability). A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

    1. The service animal's trainer can help to develop a plan to assist the student with the dog (e.g., the student's aide might transfer the service dog's leash from a student's wheelchair to a tree during recess). Additionally, a younger student might need reminders from school staff about controlling the dog until s/he is comfortable handling the service animal at school.

    2. While the student is responsible for the service animal's care, including feeding and supervision, the District should develop a plan to provide the student with the necessary time to care for the animal and designate a location for the animal's toileting needs.

C. Additionally, the Board is not responsible for the care or supervision of a service animal.

Service Animal Procedures

A. A request for an individual who is not a student, staff member, or previously approved volunteer, who is a person with a disability requesting to be accompanied by a service animal while in a school, District facility, or at a District-sponsored activity or event that is not open for general public attendance (i.e. is an invited guest speaker, or invited to attend an in-school assembly, etc.) shall be handled as follows:

    1. The request must be made in writing at least ten (10) school days prior to bringing the service animal to the school, facility, or activity/event. Requests shall be submitted to the Principal.

    2. If necessary to determine whether the animal qualifies as a service animal, the District may ask if the animal is required because of a disability and what work or task(s) the animal is trained to perform. However, the District shall not ask about the nature or extent of the individual's disability, and the District shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal unless the animal when present does not appear to be trained to perform tasks for an individual with a disability.

B. Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the District's facilities where members of the public, participants in services, programs, or activities, or approved invitees, as relevant, are allowed to go. An individual with a disability who attends a school event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 – Public Attendance at School Events.

C. A representative of the Board shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If a public entity normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by their service animal.

D. Visitors, including parents, volunteers, vendors, and others, who will access any area of the District's facilities with their service animals shall follow the building's standard visitor registration procedures and are encouraged to notify the Principal that their service animal will accompany them during their visit.

E. A service animal must be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means). If a student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy 8120 - Volunteers.

F. A service animal is considered the personal property of the individual requesting to be accompanied by the service animal. The individual requesting to be accompanied by the service animal is responsible for:

1. Ensuring that the service animal is licensed and up to date on vaccinations as required by State law or local ordinance; and

2. Handling, caring for, and supervising the service animal, which includes toileting, feeding, and grooming.

G. The individual requesting to be accompanied by the service animal is encouraged to provide proof of insurance against any liability for any actions, accidents, or property damage caused by the service animal. The individual requesting to be accompanied by the service animal shall remain liable for damage, harm, or injury caused by the service animal to other students, staff, visitors, or property.

H. The District shall make reasonable accommodations if the presence of an animal results in health concerns for other students. These accommodations may include assignment of the student(s) to a different classroom in the District.

Removing and/or Excluding a Service Animal

A. A service animal may be temporarily removed from District premises if:

1. The animal is out of control and the handler does not take effective action to control it;

2. The animal is not housebroken;

3. Allowing the service animal would fundamentally alter the nature of the service, program, or activity; or

4. The animal is a direct threat to the health or safety of others.

B. The Principal or other Administrator is responsible for determining if and when a service animal is to be temporarily removed and/or excluded from District property. The Principal or Administrator shall notify the District Administrator prior to or as soon thereafter as is practicable when a service animal has been removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

C. If a service animal has been removed and/or excluded from District property, the Administration shall contact the parents to address the reason(s) that the service animal was removed and to determine appropriate steps to assure that the student continues to have access to the educational program and that resolutions are reached regarding the use of the service animal.

D. The ADA also provides that if a service animal is properly excluded from the premises, the Board shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

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ag8405

INDOOR AIR QUALITY (IAQ): MOLD

8405 - **INDOOR AIR QUALITY (IAQ): MOLD**

The Board of Education believes that air quality in the District's buildings deserves the attention of all staff members who work within those buildings. This procedure provides guidance in the detection and response to conditions leading to mold growth, which can affect indoor air quality ("IAQ").

Excessive moisture levels or improperly maintained HVAC systems can lead to conditions optimum for the development of biological contaminants such as mold and fungi on indoor surfaces. When airborne, the presence of these contaminants can be harmful on contact with human respiratory tissue. Contributing factors to excessive moisture levels include, but are not limited to, the following:

A. roof leaks

B. structural defects in the building

C. faulty plumbing

D. improperly controlled humidity levels, and

E. faulty HVAC systems/poor ventilation

Mold

Mold spores are always present in indoor air but do not reproduce in the indoor environment unless moisture and an organic food source are present. Virtually any organic substance may meet the requirements as a food source, and may include wood, carpeting, paper products (books, stored paper, files), insulation, foodstuff, wallboard, ceiling tiles, wall paper, etc. Attention must be focused on identifying excess moisture sources which, coupled with the food source, may lead to mold development.

IAQ Coordinator

The District Administrator shall appoint an IAQ Coordinator who shall have the responsibility of investigating or causing to be investigated all complaints relating to IAQ. Results of all such investigations are to be recorded and provided to the District Administrator. These records are to include the source of the complaint, the steps taken to address the complaint, and any remediation taken, if indicate.

Moisture Control

Staff members are to immediately report any signs of excess moisture to custodial personnel. This includes plumbing leaks, wet spots on ceilings, walls, or windowsills, damp or sagging ceiling tiles, wet carpet, condensation on pipes or overflowing HVAC drip pans, moisture collecting on air vents, or musty odors, or other indications of excessive moisture within the building.

Once identified, steps shall be taken under the direction of the IAQ Coordinator to identify the moisture source and to determine a course of action for proper response, including mold remediation, if indicated. It is important that any wet or damp spots be cleaned and dried within forty-eight (48) hours and that indoor humidity levels be maintained below sixty percent (60%) relative humidity and ideally between thirty to fifty percent (30% - 50%) (USEPA) if possible.

If no maintenance staff members with the District have received specialized training in the identification and remediation of mold, then the IAQ Coordinator shall determine whether it is necessary to enlist the services of an experienced professional to assist in this effort.

Hidden Mold

If building occupants are reporting health problems such as allergic responses (runny nose, eye irritation, skin rash, asthma attacks, respiratory problems, headaches) or if an area has an unexplained musty smell, it is possible that mold is present within the ceilings, walls, ductwork, under carpeting, or other areas that are not obvious without further investigation. These concerns must not be ignored and should be reported immediately to supervisory personnel and the IAQ Coordinator.

If mold is suspected, area occupants may be removed and steps taken to identify the mold location. Personnel searching for the mold should take proper safety precautions in order to safeguard their own health and to avoid releasing additional mold spores

into the air. At the direction of IAQ Coordinator, it may be necessary to enlist the services of experienced professionals and it may be advisable to notify the county health department. The area in question should not be re-occupied until the IAQ Coordinator has determined that the mold remediation has taken place and moisture sources have been identified and corrected, or that the situation does not require such remediation.

Staff Education

All staff are to be made aware of conditions necessary for mold development, and of each individual's responsibility to report any concerns relative to those conditions to their supervisor.

EPA Website

The EPA website contains valuable information regarding mold and mold remediation in public buildings. The EPA publication *Mold Remediation in Schools and Commercial Buildings*is to be available for reference in all buildings.

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ag8410

THREAT ASSESSMENT AND INTERVENTION

8410 - **THREAT ASSESSMENT AND INTERVENTION**

Recognizing that student conduct may present a danger to students and staff members, in an emergency, school officials must act promptly to minimize risk.

Building-level threat assessment teams shall be headed by the Principal and include a school counselor, school psychologist, instructional personnel, and, where appropriate, the School Resource Officer. When logistics and staff assignments make it feasible, a Team may serve more than one (1) school. Team members shall receive training in threat assessment and intervention.

As required by Policy 8410 - Crisis Intervention, the following guideline outlines steps building administrators and their threat assessment teams must take when they become aware of a student-posed safety threat.

A threat is a concerning communication or behavior that suggests a person may intend to harm someone else. The threat may be spoken, written, or gestured and is considered a threat regardless of whether it is observed by or communicated directly to the target(s) of the threat. A threat may be communicated or observed electronically.

A. **Step One:** The building principal (or designee when unavailable) receives a report that a student has made a threat and/or has engaged in behaviors or communications that would indicate the student intends to harm someone. Together, except in the case of an emergency, the building administrator and the Team assess the threat level posed by the student.

    1. **High Level Threat**: This is a direct, specific, plausible, and imminent threat. The threat is detailed and delineates a plausible plan of action. Examples include a student with a weapon in the building or other information indicating imminent danger on school property.

    2. **Medium Level Threat:** This is a more general threat with a strong indication that the perpetrator is preparing for action. The threat may suggest a possible place and time, but is not detailed or immediate. Examples include a Facebook post announcing that the student plans to buy a gun soon and use it, or a YouTube video picturing a ranting student claiming to have access to weapons.

    3. **Low Level Threat:** This threat is vague and indirect. The student's threatened conduct may be unrealistic or poorly thought-out. Content suggests a general, nonspecific anger towards the school, staff, or peers. Examples include a student essay describing a school shooting or a child yelling that the child hates everyone and hopes they all die.

B. **Step Two:** After determining the level of threat, the building administrator takes immediate action. When the available information is insufficient to determine the level of threat, the administrator should err on the side of caution and consider the threat to be a high-level one.

    1. **High Level Threat:**

        a. The District Administrator or building administrator alerts emergency responders (911).

        b. The District Administrator or building administrator initiates appropriate Intruder Alert protocols as per Policy 8420 – School Safety and Reporting of Crime Statistics.

        c. The District Administrator or building administrator maintains communication with emergency responders and follows their directives.

        d. The District Administrator or building administrator contacts the student's parents.

        e. The District Administrator or building administrator takes immediate steps to protect students and address the student's specific plans. This can include emergency removal from school, emergency hospitalization, and law enforcement involvement.

        f. The District Administrator or building administrator takes disciplinary action, as appropriate, in accordance with Board policy and applicable conduct codes.

        g. After the threat is neutralized, the District Administrator or building administrator addresses media inquiries or alerts the designated media or public relations spokesperson.

h. After the specific threat has been neutralized, the Team contacts the student's parent and convenes a meeting to discuss the student and the threat. At the meeting, the Team requests consent for further evaluation and permission to receive or share information with outside and/or existing health care providers. If the student has not previously been identified as eligible for special education, the Team, including parent(s), considers whether it suspects a disability; if it does, the District will conduct a multi-factored evaluation in accordance with the Individuals with Disabilities Education Improvement Act (IDEIA).

2. **Medium Level Threat:**

a. The District Administrator or building administrator alerts emergency responders (911) and follows their directives.

b. The District Administrator or building administrator contacts the student's parents.

c. A mental health Team member (e.g., school psychologist, counselor) promptly meets with the student to evaluate the risk further. Topics to consider when speaking with the student include the student's: (1) motives and goals; (2) mental state; (3) plan details and consistency; (4) capacity to carry out the plan; (5) potential targets; (6) previous attempts or attack related behaviors; (7) communications to others; (8) previous interest in violence; (9) family circumstances; (10) possible accomplices; and (11) circumstances that may affect the likelihood of an attack. The Team member should also try to ascertain whether the student has a positive relationship with any adult, especially a staff member.

d. The District Administrator or building administrator alerts the potential targets and takes measures to secure their safety.

e. The Team determines appropriate steps to address the student's short-term and long-term challenges. This may include recommendations concerning emergency hospitalization, intensive counseling, anti-bullying measures, and evaluations for further services.

f. After the threat is neutralized, the District Administrator or building administrator addresses media inquiries or alerts the designated media or public relations spokesperson.

g. After the specific threat has been neutralized, the Team contacts the student's parent and convenes a meeting to discuss the student and the threat. At the meeting, the Team requests consent for further evaluation and permission to receive or share information with outside and/or existing health care providers. If the student has not previously been identified as eligible for special education, the Team, including parent(s), considers whether it suspects a disability; if it does, the District will conduct a multi-factored evaluation in accordance with the Individuals with Disabilities Education Improvement Act (IDEIA).

h. Provided the parent agrees in writing, a mental health professional conducts a long-term risk assessment, including the child's personality traits and behaviors, as well as family, school, and social dynamics.

i. The Team convenes with the parent(s) to review the results of the long-term risk assessment and determine whether any services are indicated.

j. The District Administrator or building administrator takes disciplinary action, as appropriate, in accordance with Board policy and applicable conduct codes.

k. The Team implements services as indicated by the long-term assessment, and continues to closely monitor the student's behaviors.

3. **Low Level Threat:**

a. A member of the Team contacts the student's parents, and convenes a meeting to discuss the student and the threat. At the meeting, the Team requests consent to evaluate and permission to receive or share information with outside and/or existing health care providers. If the student has not previously been identified as eligible for special education, the Team, including the parent(s), consider whether it suspects a disability; if it does, the District will offer to conduct a multi-factored evaluation pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

b. Provided the parent consents in writing, a mental health Team member (e.g., school psychologist, counselor) meets with the student to conduct an immediate threat assessment, including evaluating the student's: (1) motives and goals; (2) mental state; (3) plan details and consistency; (4) capacity to carry out the plan; (5)

potential targets; (6) previous attempts or attack-related behaviors; (7) communications to others; (8) previous interest in violence; (9) family circumstances; (10) possible accomplices; and (11) circumstances that may affect the likelihood of an attack.

c. The District Administrator or building administrator takes disciplinary action, as appropriate, in accordance with Board policy and applicable conduct codes.

d. The mental health member conducts a long-term assessment to determine the student's long-term risk to both the student and others. This assessment should include the child's personality traits and behaviors, as well as family, school, and social dynamics.

e. The Team convenes with the parent(s) to review the results of the long-term risk assessment and determine whether any services are indicated.

f. The Team implements services as indicated by the long-term risk assessment, and continues to closely monitor the student's behaviors.

C. **Step Three:** After neutralizing the threat, the Team convenes to debrief and self-evaluate. The Team addresses areas to improve and long-term strategies, relating both to the particular situation, as well as possible future threats.

1. The Team verifies that all appropriate Level Threat procedures have been followed.

2. The Team convenes to evaluate its response and additional areas for improvement. These can include:

a. improving Intruder Alert protocol policies and procedures;

b. working with law enforcement to conduct and supervise drills specific to student threats;

c. enhancing prevention services: red-flagging students at risk; conducting surveys; implementing hotlines; increasing counseling referrals; raising staff awareness; involving the Intervention Assistance Team;

d. clarifying SRO roles;

e. soliciting input from staff and students.

D. **Step Four:** After the threat is neutralized and the Team debriefs, a spokesperson or administrator meets with community members, staff, and students (as appropriate) to dispel rumors, raise awareness, and inform the community about future steps and prevention strategies.

E. **Step Five:** For students returning to school after an absence (e.g., as a result of disciplinary action, emergency removal, and/or psychiatric treatment/hospitalization), the District Administrator or building administrator will meet with the student's parent to discuss re-entry and appropriate next steps to determine the student's readiness for return to school. Parents shall be notified in writing of all expectations for re-entry and provided with a copy of any safety plan developed by the Team. The student's teachers will be notified of any necessary supports or accommodations required from the teachers and the precautions that will be in place to provide for student and staff safety.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

At all times, Team members must comply with students' Federal and State privacy rights, as described in Policy 8330 – Student Records. As necessary and appropriate during the assessment process (i.e., in non-life-threatening emergencies), Team members shall acquire written consent for release and exchange of information with mental health providers and local law enforcement agencies.

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ag8410D

INTERVENING EARLY WITH STUDENTS WHO ARE AT RISK FOR BEHAVIORAL PROBLEMS

8410D - **INTERVENING EARLY WITH STUDENTS WHO ARE AT RISK FOR BEHAVIORAL PROBLEMS**

Examples of early intervention components that work include:

A. Providing training and support to staff, students, and families in understanding factors that can set off and/or exacerbate aggressive outbursts.

B. Teaching the child alternative, socially appropriate replacement responses-such as problem-solving and anger control skills.

C. Providing skill training, therapeutic assistance, and other support to the family through community-based services.

D. Encouraging the family to make sure that firearms are out of the child's immediate reach. Law enforcement officers can provide families with information about safe firearm storage as well as guidelines for addressing children's access to and possession of firearms.

In some cases, more comprehensive early interventions are called for to address the needs of troubled children. Focused, coordinated, proven interventions reduce violent behavior. Following are several comprehensive approaches that effective schools are using to provide early intervention to students who are at risk of becoming violent toward themselves or others.

Intervention Tactic: Teaching Positive Interaction Skills

Although most schools do teach positive social interaction skills indirectly, some have adopted social skills programs specifically designed to prevent or reduce antisocial behavior in troubled children. In fact, the direct teaching of social problem solving and social decision making is now a standard feature of most effective drug and violence prevention programs. Children who are at risk of becoming violent toward themselves or others need additional support. They often need to learn interpersonal, problem solving, and conflict resolution skills at home and in school. They also may need more intensive assistance in learning how to stop and think before they react, and to listen effectively.

Intervention Tactic: Providing Comprehensive Services

In some cases, the early intervention may involve getting services to families. The violence prevention and response team together with the child and family designs a comprehensive intervention plan that focuses on reducing aggressive behaviors and supporting responsible behaviors at school, in the home, and in the community.

Intervention Tactic: Referring the Child for Special Education Evaluation

If there is evidence of persistent problem behavior or poor academic achievement, it may be appropriate to conduct a formal assessment to determine if the child is disabled and eligible for special education and related services under the ***Individuals with Disabilities Education Act*** (IDEA). If a multidisciplinary team determines that the child is eligible for services under the IDEA, an individualized educational program (IEP) should be developed by a team that includes a parent, a regular educator, a special educator, an evaluator, a representative of the local school district, the child (if appropriate), and others as appropriate. This team will identify the support necessary to enable the child to learn-including the strategies and support systems necessary to address any behavior that may impede the child's learning or the learning of his or her peers.

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ag8420

EMERGENCY PROCEDURES

8420 - **EMERGENCY PROCEDURES**

The primary consideration in any emergency situation must be the safety of the students and staff. In the event of an actual emergency situation, all school personnel, instructional and non-instructional, will be required to remain in the building until they are dismissed by the Principal. Staff shall consult the Crisis Response Plan and follow those procedures.

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ag8420A

SEVERE WEATHER AND TORNADOES

8420A - **SEVERE WEATHER AND TORNADOES**

Throughout the year the District faces the possibility of severe weather and tornadoes. Each school is to monitor a weather-alert radio for severe weather conditions and each principal or supervisor is responsible for setting up procedures for notifying their staff and students about severe conditions and maintaining proper safety.

The District's Crisis Response Plan should be consulted and followed for procedures during severe weather conditions.

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ag8430

TELEPHONING OF BOMB THREATS

8430 - **TELEPHONING OF BOMB THREATS**

The following guidelines may be helpful when a telephone caller announces a bomb threat.

A. Be alert to any of the following background sounds that may give a clue to the location of the caller:

radio playing, voices, sirens, construction noise, TV, whistles, traffic noise, bells

B. Ask the caller:

Where is the bomb located?

What time is it to go off?

What kind of a bomb is it?

What is your name?

Where are you calling from?

C. Make a note about speech characteristics such as:

male, female, low tone, high pitch, stutter or stammer, regional or foreign accent

D. Note impressions such as:

Does the voice sound familiar?

Does the caller sound sincere?

Does the caller seem familiar with the school?

E. Write down **exactly**what the caller says; ask him/her to repeat the message.

F. Try to signal someone about the nature of the conversation while you keep the caller on the line.

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ag8431

WRITTEN HAZARD COMMUNICATION PROGRAM

8431 - **WRITTEN HAZARD COMMUNICATION PROGRAM**

INTRODUCTION

As part of the District's overall safety and health program, the District has established this written chemical Hazard Communication Program. The Hazard Communication Program is designed to comply with the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard that includes the United Nations' Globally Harmonized System (GHS) of Classification and Labeling. To the extent that the Program conflicts with the Standard, the Standard will govern.

The objective of the hazard communication program is to prevent occupational injuries and illnesses related to chemical exposure by educating employees about workplace chemical hazards. The District Administrator shall be responsible for maintaining compliance with this guideline and shall appoint the "Safety Officer" referenced in this guideline.

The District has contracted with an environmental services provider to manage compliance of its hazard communication program as outlined in this guideline.

The District Administrator shall be responsible for maintaining compliance with this guideline and shall appoint a District employee to be the "Safety Officer" referenced in this guideline. The Safety Officer shall coordinate with the District-appointed Toxic Hazard Preparedness Officer and the Chemical Hygiene Officer, both of whom are required appointed positions per Policy 8431 - Preparedness for Toxic Hazards.This hazard communication program applies to all work areas where hazardous chemicals are known to be present both under normal conditions and in a foreseeable emergency. The safety officer has the responsibility for overall coordination of the gazard communication program.

This program outlines and describes how the following information will be organized and transmitted:

A. list of hazardous chemicals known to be present in the workplace;

B. information on precautionary labels and other forms of warning for known hazardous chemicals in the workplace;

C. Safety Data Sheets (SDS) for known hazardous chemicals in the workplace;

D. methods used to provide employee information and training;

E. methods used to inform employees of hazards of non-routine work;

F. methods used to inform contractor employees of any hazardous chemicals to which contractor employees may be exposed.

The hazardous communication program is available for review by all employees upon request to their supervisor.

DEFINITIONS

The term "hazardous chemicals" means any chemical that is a physical hazard or health hazard.

Chemical physical hazard characteristics include substances that are:

A. combustible,

B. compressed gases,

C. explosive,

D. flammable,

E. organic peroxides,

F. oxidizers,

G. pyrophoric,

H. unstable (reactive) or water-reactive.

Chemical health hazards includes substances which are:

A. toxic or highly toxic,

B. irritants,

C. corrosive,

D. carcinogens,

E. chemicals that damage the lungs, skin, eyes, or mucus membrane.

CHEMICAL INVENTORY LIST

The safety officer is responsible for maintaining an inventory list of known chemicals in the workplace. Any changes to the inventory list should be approved by the safety officer. The chemical inventory list is available to employees. Employees who have questions about the chemical inventory list should contact their immediate supervisor.

PRECAUTIONARY LABELING

A. **Containers in the Workplace**

The safety officer and building principal have the responsibility to ensure all known hazardous chemicals present in their building display a precautionary label stating:

1. identity of the hazardous chemical(s)

2. appropriate hazard warning(s)

In the event of an improperly labeled hazardous chemical container, a proper label will be requested from the chemical supplier. Failure of a supplier to correct labeling deficiencies within sixty (60) days will result in suspension of use of the affected product.

All labels on incoming chemicals must not be defaced. Observation or other detection of defaced labels must be immediately reported to the safety officer so appropriate labels can be applied.

B. **Process Vessels**

All plant process vessels which routinely store bulk chemical products shall be labeled in the following manner:

1. name of contents (chemical and/or common name);

2. identity of process lines served by vessel;

3. appropriate hazard warning;

4. National Fire Protection Association (NFPA) 704 M diamond, Hazard Identification or GHS labeling system.

Where necessary, commercially available warning labels will be purchased. If no standard commercial labels are available for a specific hazardous chemical, a proper label is prepared internally. Safety Data Sheets will provide the necessary information for hazardous warnings. The safety officer is responsible for assuring that process vessels are appropriately labeled.

C. **Temporary Storage Tanks**

Temporary storage tanks including, but not limited to, blend tanks and holding tanks used for variable process chemical formulations normally do not have permanently fixed warning labels, providing the employees knowledge of each vessel's contents. The hazard warning is fixed on the storage tanks as part of the label. Employees having questions about labeling should contact their immediate supervisor.

D. **Portable Containers**

All portable containers of hazardous chemicals require labeling. The exception to this policy is that portable containers of hazardous chemicals do not have to be labeled if they contain chemicals transferred from a labeled container, and are intended only for the immediate use by and remain the constant control of the employee who performs the transfer. This timeframe shall not exceed one (1) work shift. All other portable containers and usage will require labeling. Employees who have questions about portable container labeling should contact their immediate supervisor. The employee who uses the portable container is responsible for placing the label on the container, and the safety officer and building principal are responsible to see that labeling is done.

E. **Piping Systems**

Labeling of chemical pipes is not specifically required by the Hazard Communication standard, but employees must be aware and informed of the contents in chemical pipes. This can best be accomplished by labeling all piping used to transfer the same hazardous chemicals. The latest American National Standard Institute (ANSI) Standard (ANSI 13.1-1981), Scheme for Identification of Piping Systems, is used as a guide for location and design of pipe labels.

In lieu of labeling pipes, the employer will ensure that employees are made aware of their contents. Employees who have questions about piping systems labels and/or content hazards, should contact their immediate supervisor.

F. **Product Containers Leaving the Workplace**

All hazardous chemical containers that are shipped shall be labeled and shall include the following information:

1. identity of the hazardous chemicals
2. appropriate hazard warning(s)
3. name and address of the chemical manufacturer or other responsible party

Special information on labels, tags or other markings will be consistent with the information contained on the Safety Data Sheet and similar information suggested in the American National Standard Institute (ANSI) Precautionary Labeling Standard (Z129.1-1982). The safety officer is responsible for coordinating the labeling program for containers leaving the workplace.

G. **Update and Review**

The safety officer responsible for reviewing the labeling system annually and updating it if necessary, changes in the labeling system will be transmitted to affected supervisors and employees. Employees who have questions about the precautionary labeling system should contact the safety officer or building principal.

SAFETY DATA SHEETS (SDS)

A. **SDS Format**

SDS's are written or printed material concerning product hazard determination, which are prepared and distributed with chemicals by chemical manufacturers and distributors. (See Form 8431 F1).

The format of the 16-section Safety Data Sheet should include the following sections:

1. Section 1. Identification;
2. Section 2. Hazard(s) identification;
3. Section 3. Composition/information on ingredients;
4. Section 4. First-Aid measures;
5. Section 5. Fire-fighting measures;
6. Section 6. Accidental release measures;
7. Section 7. Handling and storage;
8. Section 8. Exposure controls/personal protection;
9. Section 9. Physical and chemical properties;

10. Section 10. Stability and reactivity;
11. Section 11. Toxicological information;
12. Section 12. Ecological information;
13. Section 13. Disposal considerations;
14. Section 14. Transport information;
15. Section 15. Regulatory Information;
16. Section 16. Other information, including date of preparation or last revision.

B. **Obtaining SDS**

The buyer of any chemical is responsible for obtaining an SDS for chemical. The buyer shall also notify the safety officer and building principal when purchasing any new chemical. An SDS should be available for every hazardous chemical listed on the inventory list. If an SDS is not available, the Buyer will use the following procedures to obtain SDS's:

1. The supplier will be contacted by telephone and letter, and all correspondence and communication will be documented as proof of effort to comply.
2. If a supplier does not satisfy the first written request within thirty (30) days, a second written request for an SDS should be sent to the supplier.

C. **Review of SDS**

The safety officer is responsible for reviewing all incoming data sheets for new and significant health/safety information. Any new information will be transmitted to building principals so appropriate measures can be taken to inform affected employees.

If deficiencies exist or additional information is need concerning SDS, the chemical manufacturer or supplier will be contacted to obtain necessary information.

D. **SDS Maintenance**

The safety officer is responsible for maintaining the SDS.

The SDS for chemicals and the chemical inventory list are maintained by the building principal in an electronic format hosted on the employer's internal server. The site is accessible to employees during work.

If SDS are not available or new chemicals in use do not have SDS's employees should contact their immediate supervisor.

A master copy of the SDS and inventory list will be maintained by the safety officer.

E. **New Chemicals**

The buyer shall notify the safety officer and building principal when purchasing any new chemical. A SDS must be reviewed before the chemical is used.

F. **Hazard Determination**

The District relies upon the hazard determination and Safety Data Sheet supplied by the chemical manufacturer or distributor to determine the hazards of all chemicals bought, used or stored in the facility. Employees who have questions about Safety Data Sheets should contact their immediate supervisor.

EMPLOYEE TRAINING AND EDUCATION

Effective employee training and education is the most critical component of the hazard communication program. A properly conducted training program will ensure that employees are aware of hazards in the workplace and appropriate control measures to protect themselves. The safety officer coordinates the employee training and education program for the District.

A. **Program Outline**

All employees who work in areas where hazardous chemicals are used and/or maintained and those who may be exposed in an emergency are involved in the employee training and educational program. The program is presented in two (2) phases:

1. General Information Training

a. explanation of the Hazard Communication Standard

b. location and availability of written hazard communication program

c. operations in the work area where hazardous chemicals are present

d. general introduction of chemical hazards, labeling and Safety Data Sheet (SDS)

General information training is administered by the safety officer during the initial orientation.

2. Specific Hazard Training

a. location of hazardous chemicals in the work area

b. discussion of methods and means of determining/detecting the presence/release of hazardous chemicals in the work area

c. the chemical-physical and health hazards in the work area

d. explanation of internal labeling system

e. hazard's associated with piping system

f. review of appropriate work practices, personal protective equipment and emergency procedures

g. access to safety and health information

h. work area list of hazardous chemicals and Safety Data Sheets

i. how to obtain additional information

j. specific hazard training is administered by the immediate supervisor

All employees who receive general information and specific hazard training sign a training sheet as documentation.

B. **Re-Assigned/Transferred Employees**

Employees who are re-assigned or transferred to other work areas will undergo a review of specific hazard training in their new work area. The safety officer is responsible for scheduling and ensuring that this retraining session is conducted by the immediate supervisor, and initiated on the first day of employment in a new work area.

C. **New Hires**

Whenever a person is hired for employment, hazard communication training and education will be provided at the time of their initial assignment. New employee training will be provided by the safety officer as part of new employee orientation at the time of initial employment and prior to handling hazardous chemicals. New hires training will be documented and maintained by the safety officer.

D. **New Hazard**

There are three (3) ways in which a new hazard may be introduced.

1. A new hazardous chemical may be brought into the workplace.

2. A current hazardous chemical in use may expose additional employees in the same work area.

3. A former non-hazardous chemical may begin to be used in a manner that is hazardous.

Whenever a new hazard is introduced, the immediate supervisor is responsible for providing specific hazard training to all affected employees prior to the introduction of the hazard.

The safety officer can provide assistance and guidance with new hazard training.

NON-ROUTINE WORK

Occasionally employees will be asked to perform non-routine work, which can be defined as work not normally performed by an employee during the normal course of job duties. Example of non-routine work could be, but not limited to:

A. floor stripping/coating;

B. building and structural repair;

C. maintenance activities during school shutdowns;

D. breaking and opening piping systems;

E. using internal combustion engines in enclosed areas.

The procedures indicated below will be used when employee perform non-routine work.

A. The safety officer will determine the need for non-routine work and the hazards associated with the work. The safety officer can provide assistance to determine the hazards involved.

B. The immediate supervisor will train the employees performing the non-routine work of the hazards associated with the work and of procedures/permits to follow. The training should be given each time prior to employees performing non-routine work.

CONTRACTORS

When contractors are working on District property they must comply with all OSHA standards and requirements, where applicable. The Hazard Communication Standard requires all contractors working on District property to be informed by the safety officer concerning applicable workplace hazardous chemicals which the contractor's employees may be exposed to while performing their work and of appropriate protective measures. This information is provided so contractor employers can properly train their employees. In addition, the contractor will inform the safety officer about hazardous chemicals that the contractor brings onto District property so that precautions can be taken. Upon request, contractors shall maintain and make available SDS sheets for all chemicals used on District property.

AUDIT

The Hazard Communication Program will be audited at least annually by the Business Manager. A report will be generated from the review audit and sent to the building principal, the safety officer, and the District Administrator. The building principal and safety officer are responsible for following up to see that supervisors take corrective action concerning recommendations resulting from the audit.

HAZARDOUS CHEMICAL USE IN SCIENCE, ART AND TECHNICAL EDUCATION CLASSROOMS AND LABORATORIES

A. The safety officer shall coordinate and maintain a list of chemicals approved for classroom and laboratory use within the District (the "Authorized Use List").

B. Before any new chemicals is used, it must be approved for instructional use and appear on this Authorized Use List.

C. Chemicals not on the Authorized Use List are prohibited from use. Students and staff members found using unauthorized chemicals shall be subject to disciplinary action.

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ag8442

ON-THE-JOB INJURY

8442 - **ON-THE-JOB INJURY**

Any employee incurring an injury while engaged in his/her performance of District duties shall abide by the following procedures:

A. The injured employee shall complete an Injury Report Form before reporting to an approved physician. The only exception will be if the injury is of such a nature that it requires immediate emergency attention. In that case, treatment should be undertaken and a report of the accident made to the district office at the earliest opportunity.

B. The appropriate form shall be completed by the District office for injuries involving outside medical costs and lost time injuries with less than seven (7) days disability.

C. Dental injuries require an estimate and approval prior to correction.

D. All necessary medical referrals shall be made only by physicians approved by the District office or insurance carrier. Upon completion of medical care by a specialist, the employee must first report back to the referring physician for release prior to returning to work.

E. All physical examinations are to be given by an approved physician.

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ag8450

MANAGEMENT OF CASUAL-CONTACT DISEASES

8450 - **MANAGEMENT OF CASUAL-CONTACT DISEASES**

Diseases spread by airborne and/or direct contact with germs from sneezing, coughing, and speaking shall be managed according to the current guidelines set forth by the Wisconsin Department of Health Services (DHS), the Jefferson County Health Department, the District's Medical Advisor, and a student or staff member's health care provider. District staff shall use the Wisconsin Childhood Communicable Diseases Chart (https://www.dhs.wisconsin.gov/publications/p4/p44397.pdf) provided by DHS as a general guide for school-based management of various communicable diseases.

School staff are not qualified to diagnose a communicable disease. However, any school staff member who knows or suspects that a certain communicable disease is present must immediately notify the school nurse and/or Principal.

Students identified to have symptoms of a communicable disease will follow the exclusion and return to school guidelines set forth by DHS, the Jefferson County Health Department, and their individual health plan (IHP). The parent(s) will be immediately notified for the reason of the exclusion.

The school nurse or designee will notify the school custodian or Buildings and Grounds Director as needed for any services related to the disinfection of contaminated areas/surfaces.

If an outbreak of a communicable disease is suspected, the school nurse and principal will work directly with the Jefferson County Health Department and the District's Medical Advisor, as needed, to properly manage the outbreak, which may include closure of a classroom/grade/school as warranted. Such a closure is a joint effort and decision by a Response Team that will include the:

A. District Administrator.

B. Principal.

C. School Nurse.

D. Buildings and Grounds Director.

E. Jefferson County Health Department.

Timely communications to staff, students, parents, and the community shall be issued as deemed by the District Administrator to be necessary and appropriate. Any communications related to the disease must preserve confidentiality according to State law.

HAND HYGIENE PRACTICE

Employees and students should wash their hands with soap and water for at least 20 seconds as frequently as possible. When soap and water is not available employees and students should use hand sanitizer. Employees and students are encouraged to wash their hands:

Before:

- Having contact with another person
- Putting on gloves
- Using equipment shared by others
- Handling food that others may consume or share
- Administering medications
- At the start of each work day or shift
- Between classes
- When starting new tasks
- Using the restroom
- Before a break

After:

- Having contact with another person
- Having contact with bodily fluids

- Having contact with equipment shared by others
- Taking off gloves
- Using the restroom
- Coughing or sneezing
- Administering medications
- After a break
- After eating
- The end of the work day or shift

If:

- Hands are soiled or visibly dirty

Hand Washing Procedure:

- Wet hands with water
- Apply soap
- Rub hands together for at least twenty (20) seconds, covering all surfaces, focussing on fingertips and fingernails
- Rinse under running water and dry with a disposable towel
- Use the towel to turn off the faucet

Hand Rub (Hand Gel) Procedure:

- Apply to palm the amount gel specific to the product
- Rub hands together, covering all parts of the hand, especially fingertips and fingernails
- Use enough rub to require at least fifteen (15) seconds to air dry

Employees are responsible for replenishing or letting the person in charge know when hand washing supplies or hand sanitizer are low.

Cough and Sneeze Etiquette

The District will provide tissues for District employees and students, if feasible. To help stop the spread of germs, employees and students should:

- cover mouth and nose with a tissue when coughing or sneezing;
- throw used tissues in the trash;
- cough or sneeze into elbow, not hand, if a tissue is not available for use; and
- wash hands after coughing or sneezing.

COMMUNICABLE DISEASE CONTROL GUIDELINES

A. **Educational and Preventive Measures**

1. The District will ensure that all immunizations (or related waiver) and health examinations/tests (e.g., tuberculin skin test or chest x-ray) required of students and staff by law and Board policy have been obtained. Staff shall refer to and follow the District's immunization plan and related District policies when carrying out this task.

2. The School Nurse shall be responsible for the maintenance of a health station/area in each school building.

3. First aid kits and other supplies and equipment appropriate to reducing the risk of transmission of communicable diseases in the school environment, as determined in consultation with public health officials, will be provided in each school building.

4. The School Nurse shall ensure that the District provides parents and guardians of students in the 6th grade with information about meningococcal disease as mandated by state law.

5. The School Nurse shall provide general information regarding suppression and control of communicable diseases to all new employees (i.e., substitutes, coaches, professional and support staff). This information will be provided periodically in training programs for all existing staff. In addition to this training, those employees who are occupationally exposed to blood or other potentially infectious materials in the performance of their duties shall receive special training upon initial employment and annually thereafter. Such training shall be provided in accordance with provisions of the District's Exposure Control/Bloodborne Pathogens Plan. 'Occupationally exposed' means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

6. District employees shall comply with provisions of the Exposure Control/Bloodborne Pathogens Plan when they are exposed to blood or other potentially infectious agents or materials in the school setting or during school related activities.

B. **Communicable Disease Reporting**

1. The building principal shall function as the District's liaison with students and staff, parents and guardians and physicians, public health officials and the community at large concerning communicable disease issues in the school.

2. Any person who knows or suspects that a student or District employee has a communicable disease has a duty to report such facts to the principal or his/her designee. The principal or designee will confer with the nurse serving the school and, to the extent circumstances warrant and permit, with the subject of the report and, for student subjects, the student's parent or guardian.

3. The principal or designee, in conjunction with the School Nurse, will report any known or suspected communicable disease that is present in the school to the local public health officer or to the local health officer's designee in accordance with state law requirements. Reportable disease categories are as follows:

    a. Category I - diseases are of urgent public health importance and must be reported immediately by telephone to the local public health officer or to the local health officer's designee upon identification of a case or a suspected case. In addition to the immediate report, a written report must be made on the required reporting form within twenty-four (24) hours. Examples of such reportable diseases include, but are not limited to measles, rabies (human, animal), tuberculosis, foodborne or waterborne outbreaks, occupationally-related diseases, COVID-19, and hepatitis

    b. Category II - diseases must be reported by fax, mail, or electronic reporting to the local public health officer or to the local health officer's designee on the required reporting form or by other means within seventy-two (72) hours of identification of a case or suspected case. Examples of such reportable diseases include, but are not limited to lyme disease, meningitis (bacterial), mumps, salmonellosis, sexually transmitted diseases (e.g., gonorrhea, chlamydia), varicella (chicken pox), and suspected outbreaks of other acute or occupationally-related diseases.

    c. Category III - diseases include acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection and must be reported to the state epidemiologist on the required reporting form or by other means within seventy-two (72) hours after identification of a case or suspected case. While nuisance diseases like head lice are not required to be reported to the local public health officer, the principal or designee may contact public health officials for information about the prevention, control and treatment of such diseases and request their involvement in recurrent infestations.

4. When an occupationally exposed employee, as defined above, has had an incident of occupational exposure to blood or other infectious agents or materials, he/she should report the incident in accordance with provisions outlined in the District's Exposure Control/Bloodborne Pathogens Plan.

C. **Exclusion from School**

1. Students

    a. Students who are suspected of having a communicable disease that could be detrimental to the health of self or others in the school environment may be sent home from school by any teacher, nurse serving the school or principal for diagnosis and treatment. Students who are diagnosed as having a communicable disease that renders them unable to pursue their studies or poses a significant risk of transmission to others in the school environment shall be excused from school attendance until their presence no longer poses a threat to the health of themselves or others, as determined by a health care provider.

    b. The determination as to whether and under what circumstances a student may be sent home for diagnosis and treatment or excused from school attendance shall be made in consultation with appropriate health care professionals (e.g., the nurse serving the school, local public health officials). If such consultation cannot be completed prior to an initial decision to send a student home, it shall be completed at the earliest reasonable opportunity, and the school's initial decision may be revised as appropriate.

        1. The principal or designee may refer this determination to a health care team if the disease in question appears to require a lengthy period of exclusion from school or to pose a serious health threat to the student or others. If a health care team is convened to make this determination, it will consist of the

principal, the nurse serving the school, the local public health officer, and—to the extent the cooperation of the individuals can be obtained—the student and/or the student's parent or guardian and the student's physician. The team will confer, as necessary, with the District's medical consultant and legal counsel and with state public health officials.

2. For a student with a disability or a student whose communicable disease may give rise to a disability, the principal or designee, in consultation with the Director of Special Education and Pupil Services, may refer this determination to an individualized educational program (IEP) team or to the District's Section 504 coordinator. The normal membership of any IEP team making any such determinations should be supplemented to the extent possible by the student's physician, the local public health officer, the principal, and the nurse serving the school.

c. Before sending a student home for diagnosis and treatment or making a determination to excuse a student from school attendance due to a concern surrounding a communicable disease, the student shall be informed of the reasons for the contemplated action to the extent appropriate for the student's age, and the school shall attempt to contact and provide relevant information to the student's parent or guardian.

d. A teacher who sends a student home from school under Board policy and these procedures must also notify the principal of the action and the reasons for the action. The nurse serving the school should also be notified when a student is sent home from school with a known or suspected communicable disease.

e. Alternative educational opportunities will be arranged for students who must be excused from school attendance for a significant period of time.

f. The principal or designee, in consultation with the nurse serving the school and, where appropriate, with local public health officials, shall determine when a student who has been excused from school attendance for a communicable disease may be readmitted. The administration may require a medical statement from the local health department or private physician about a student's suitability to return to school, if the disease warrants such a statement.

g. Appeals: Students who dispute the determinations or actions of the District concerning exclusion from school under these procedures may appeal such determinations or actions to the Superintendent or his/her designee within five school days of the District's initial decision or any subsequent decision that materially changes the extent or conditions of the student's exclusion. The appeal shall be in writing and shall include the following:

1. statement of facts;

2. statement of the relief requested; and (3) any necessary medical information required. The Superintendent or his/her designee shall render a decision in writing within five (5) school days.

Complaints involving the identification, evaluation, educational placement, or provision of a free and appropriate public education of a student with a disability will be resolved through the procedures as identified by federal, state, and local rules.

Complaints alleging student discrimination on the basis of handicap or disability will be resolved through the District's student discrimination complaint process. Except to the extent prohibited by law, a student may be excluded from school during the pendency of any appeal.

h. Aside from resolving formal appeals, the District shall be willing to consider the effect that any changed circumstances or newly available information may have on a District decision to exclude a student from school under these procedures.

2. Employees

a. Employees who are suspected of having or diagnosed as having a communicable disease that poses a significant health risk to any other person in the school environment or that renders them unable to safely or adequately perform their duties may be excluded from work consistent with District policies and procedures, provisions of the Employee Handbook, and legal requirements. Such decisions shall be made by the Superintendent in consultation with one or more appropriate health care professionals (e.g., the nurse serving the school, local public health officials).

b. Before making a determination that an employee should be excused from work, the following actions should occur:

1. The employee should be informed of the reasons for the contemplated action.

2. Any information the employee may choose to offer regarding his/her condition(s) shall be considered.

3. Consideration should be given to whether a reasonable accommodation could eliminate the health risk to others and/or permit adequate performance. An accommodation is not considered reasonable if it results in undue hardship to the District or when the employee poses a 'direct threat' to the health or safety of others. In determining whether the risk to health or safety of others is significant enough to justify exclusion of the employee from school, the following factors will be considered (a) the duration of the risk; (b) the nature of severity of the potential harm; (c) the likelihood of potential harm; and (d) the imminence of potential harm.

In accordance with state law, school food service employees shall refrain from handling food while they have a disease in a form that is communicable by food handling.

c. The Superintendent or designee shall provide written notice to any District employee excused from work pursuant to these procedures. Employees so excused may utilize any applicable employment opportunities provided under applicable law, existing Board policies, and/or provisions of the Employee Handbook—which may include sick leave, family and medical leave, applying for unpaid leave of absence, or consideration for reassignment—but are not guaranteed continued or renewed employment except to the extent provided under such policies or provisions or legal requirements. The administration may require a medical statement from the local health department or private physician about an employee's suitability to return to school after having had a communicable disease if the disease warrants such a statement.

d. Appeals: A District employee who disputes the determinations or actions of the District concerning exclusion from work under these procedures may appeal the determination or action to the Superintendent. The appeal shall be in writing and shall include the following:(1) statement of facts; (2) statement of the relief requested; and (3) any necessary medical information required. The Superintendent shall render a decision in writing within ten (10) school days. Complaints alleging employment discrimination on the basis of handicap or disability will be resolved through the District's employment discrimination complaint process.

D. **Maintenance and Confidentiality of Communicable Disease Records and Information**

1. Except as outlined below or otherwise specifically provided by law, information concerning a student's or employee's communicable disease shall be kept confidential and may be released only upon the informed written consent of the employee or student, or if the student is a minor, his/her parent or guardian. Patient health care records, except HIV-related record information, may be released without informed consent to a District employee or agent if any of the following apply:

   a. The employee or agent has responsibility for preparation or storage of patient health care records.

   b. Access to the patient health care records is necessary to comply with a requirement of state or federal law.

2. As authorized by federal law, the following individuals may have access to information obtained from required employee medical examinations:

   a. Supervisors and managers may be informed regarding necessary restriction on the work or duties of the employee and necessary accommodations.

   b. First aid and safety personnel may be informed, when appropriate, if the employee's disability might require emergency treatment.

   c. Governmental officials investigating compliance with the Americans with Disabilities Act shall be provided relevant information on request.

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ag8451

PEDICULOSIS (HEAD LICE)

8451 - **PEDICULOSIS (HEAD LICE)**

Pediculosis, or head lice, is classified as a nuisance condition and is not known to transmit infectious disease from person to person. The primary goal of identification and notification is to ensure that the child receives safe and effective treatment. The District will emphasize prevention and education as primary measures to control head lice in the school setting.

Current evidence-based practice does not support the exclusion of students for head lice, nor does it support the efficacy and cost-effectiveness of classroom or school-wide screening to decrease the incidence of head lice among schoolchildren. School administrators and school nurses are encouraged to help educate parents and staff about the diagnosis, treatment, and prevention of head lice.

Definition: Head lice are tiny, wingless parasitic insects that live on the human scalp, feeding on small amounts of blood. They are about the size of a sesame seed and attach their eggs (called nits) to the base of hair shafts near the scalp. They cause itching and irritation but do not spread disease.

Transmission: Head lice spread mainly through direct head-to-head contact. Lice are less commonly spread by indirect contact with personal items such as clothing, hats, headphones, combs, and brushes. Head lice can be found in every community at all times and are not an indicator of cleanliness or socioeconomic status. Lice are a nuisance, but do not spread disease

Symptoms: The first indication of head lice may be an itchy scalp. Additional symptoms may include visible lice or nits behind the ears and neck, or red bumps or sores from scratching.

In accordance with recommendations of the Centers for Disease Control (CDC), the National Association of School Nurses, and the American Academy of Pediatrics, the following guidelines and procedures shall be used to respond to the presence of head lice in the school setting.
Head lice shall be treated as a medical issue deserving the same level of confidentiality as any other medical concern.

Procedure

If a student is found to have head lice or untreated nits, the school staff will notify the parent.

School staff will notify the parent and recommend that they pick up the student immediately and have the student treated with an FDA-approved lice treatment (e.g., pediculicide/ovicide) by a qualified healthcare provider or at a clinic specializing in lice and nit removal. If a student with live lice or untreated nits cannot be picked up immediately, they may remain in the classroom for the remainder of the school day.

A. If suspected of having head lice, the student shall be removed from the classroom as unobtrusively as possible for further inspection.

B. The student may be inspected privately by the school nurse or other trained building personnel designated by the Principal in collaboration with the school nurse.

C. The proper way to confirm the presence of lice is to find actual lice in the child's hair. Transmission of lice most often occurs by direct contact with the head of another infested child, as lice do not jump or fly. Indirect contact can include personal belongings of an infested child (combs, brushes, hats, pillows, and bedding).

D. Parents will be provided with a guide for treating head lice.

E. The parent will be informed that other family members might be infested and need treatment.

F. If the parent is unwilling or unable to provide appropriate treatment, they should be advised where this service may be provided (local health department, clinic, physician’s office, etc.).

G. Stress daily nit removal to parents and remind them to check all family members and notify close contacts. Siblings will be screened upon parents' request.

H. Inform parents that if live lice are found after initial treatment, they will be notified to pick up their student as per the school's protocol and provide additional treatment.

I. The student will be permitted to return to school after appropriate treatment and confirmation by health staff that no live lice are present.

J. If nits are found after initial treatment with an FDA-approved pediculicide/ovicide or other treatment, the child may stay in school. Nit removal should be done at home. Additional assistance at school will be provided at the staff's discretion.

K. With parent permission, school staff may discreetly notify parents of close contacts, strictly maintaining student confidentiality at all times.

L. The school nurse or trained staff may conduct follow-up checks at seven (7) and fourteen (14) days post-treatment to ensure effectiveness.

M. Targeted screenings may be conducted in response to confirmed cases. Routine mass screenings are not necessary or recommended and may be disruptive.

N. The District reserves the right to inspect other known household contacts (e.g., siblings) and close personal contacts attending school to help stem outbreaks in other classes. However, checking an entire classroom or student body is seldom necessary or effective.

O. Parents are requested to report to the school cases of head lice infestation that they discover at home. The school nurse will determine what interventions are appropriate in the school setting.

P. If the parent notifies the school that head lice/nits were found at home, the student may return to school after an FDA-approved or other appropriate lice treatment.

Q. Cases of recurrent lice or noncompliance with an FDA-approved or other appropriate treatment will be addressed on a case-by-case basis by the Principal and the school nurse.

R. Parent conferences may be appropriate when a student is frequently absent due to head lice infestations. Referrals to community agencies may be appropriate.

S. Head lice information shall be available upon request.

T. All discussions and examinations related to head lice will be conducted confidentially to respect student privacy and reduce stigma.

While no school can ever guarantee that it will be entirely free of head lice infestations, efforts focused on awareness and prevention are believed to result in fewer outbreaks and be cost-effective and time-saving.

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ag8452

AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

8452 - **AUTOMATED EXTERNAL DEFIBRILLATORS (AED)**

The District Administrator will consult with a medical doctorOR the local EMS Medical Director regarding the authorization to purchase AED devices for the School District. The medical doctor OREMS Medical Directorwill be deemed the District's Medical Director for purposes of its AED devices. The consultation with the Medical Director will consider the proper placement of the AED(s), appropriate training to be provided, appropriate maintenance and testing of the AEDs, and guidelines for use on students and adults according to manufacturer specifications.

The District Administrator has designated the School Nurse as the AED Officer who is responsible for maintenance and testing of the AED according to the manufacturer's guidelines and according to any input from the Medical Director. The AED Officer will notify the nearest emergency medical services program of the following information: the type of AED; the location of the AED at the District, the intended use of the AED and the owner of the AED.

The guidelines developed by the AED Officer are found in the school nurse's office. The medical director OR AED Officer will draft a maintenance checklist to provide for servicing and testing of the AED devices.

Only trained AED users shall operate the AED. A trained user means a person who has successfully completed a course of instruction approved by the Wisconsin Department of Health Services (DHS), such as the American Red Cross program or the American Heart Association program. The District Administrator will ensure that training is offered to specific positions within the District i.e., school nurse, MERT Team. athletic coaches, and/or trainers; personnel who desire to be trained in the use of AED's. Training will be done in accordance with the American Red Cross (one (1) year), and/OR American Heart Association (two (2) year) programs and in accordance with State or Federal law. The District Administrator will ensure that the individual(s) conducting the training are qualified to conduct such training. The training will also include instruction in cardio-pulmonary resuscitation (commonly referred to as 'CPR'), in accordance with nationally recognized guidelines.

After the use of an AED, the AED Officer and Medical Director will review the incident, including any data recorded by the AED.

Neither the properly trained care provider, owner, provider of the automated defibrillator or the trainers of its use will be held civilly liable for their acts or omissions in rendering good faith emergency care to someone who appears to be in cardiac arrest.

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ag8462

MANDATORY REPORTING OF CHILD ABUSE OR NEGLECT AND THREATS OF VIOLENCE

8462 - **MANDATORY REPORTING OF CHILD ABUSE OR NEGLECT AND THREATS OF VIOLENCE**

Board policy strictly prohibits child abuse, neglect, or threats of school violence, in addition to articulating legal standards which compel reporting of suspected incidents of child abuse, neglect, or the threat of abuse or neglect or the threat of violence targeting a school which poses a serious or imminent threat to the health or safety of any person (See Policy 8462 and Policy 8462.01).

Staff members are required to make a report to the proper legal authorities if, in the course of performance of a staff member's responsibilities, they have (a) any reasonable cause to suspect that a child has been abused or neglected; (b) reason to believe that a child has been threatened with abuse or neglect and that abuse or neglect of the child will occur; and (c) good faith belief, based on a threat made by an individual regarding violence in or targeted at a school, that there is a serious and imminent threat to the health or safety of a student, school employee, or the public.

The District furthers this policy by:

A. implementing and enforcing a mandatory reporting policy and procedure, Policy 8462.

B. providing training on the requirements for mandatory reporting which shall also include training on identifying the warning signs of a child that has been or is threatened with abuse and neglect.

C. conducting background checks, including reference checks on all employees which include components designed to identify persons that have previously engaged in inappropriate conduct directed towards children.

D. providing education and other awareness efforts to students designed to improve awareness of the warning signs in a child that has been or is threatened with being abused or neglected, and providing resources for such persons to involve a responsible adult and/or to assist a peer in such a circumstance.

E. evaluating other efforts to promote and maintain a safe environment, including initiatives to prevent abuse and neglect.

Reporting Suspected Child Abuse or Neglect

In compliance with Board policy and State law, staff members are required to report to the proper legal authorities if they have any reasonable cause to suspect that a child has been abused or neglected or reason to believe that a child has been threatened with abuse or neglect and that abuse or neglect of the child will occur. The child may suffer from physical abuse or neglect, sexual abuse, and/or emotional damage. Physical abuse is physical injury inflicted on a child by other than accidental means; neglect is failure, refusal, or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical, or dental care or shelter so as to seriously endanger the physical health of the child; sexual abuse is any sexual activity or behavior involving a child; and emotional damage is harm to a child's psychological or intellectual functioning evidenced by one or more of the following characteristics exhibited to a severe degree: anxiety; depression; withdrawal; outward aggressive behavior; or a substantial and observable change in behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development.

Staff members are required to report to the proper legal authorities if they believe, in good faith, based on a threat made by an individual and observed in the course of professional duties regarding violence in or targeted at a school, that there is a serious and imminent threat to the health or safety of a student or school employee or the public.

Procedure for Reporting

Staff members shall immediately inform, by telephone or personally, the county child protective services (or department or a licensed child welfare agency under contract with the department) or local law enforcement of the facts and circumstances contributing to a suspicion of child abuse or neglect or of unborn child abuse or to a belief that abuse or neglect will occur. Staff members shall immediately inform, by telephone or personally, a law enforcement agency of the facts and circumstances contributing to the belief that there is a serious and imminent threat to the health or safety of a student or school employee or the public.

A. To the extent possible, the oral report should include the following information:

1. the name, address, and telephone number of all of the following:

a. the reporter

b. the alleged child victim

c. the caretaker or guardian, if different from caretaker, of the alleged child victim

2. the approximate age and what is known of the child's behavior and level of functioning;

3. when and where the alleged abuse or neglect occurred, the type, extent, and duration of the alleged abuse or neglect, and the child's current condition;

4. when, where, and how the child is at risk of abuse or neglect;

5. the circumstances surrounding the alleged abuse or neglect or any other information which might be helpful to establish the cause of abuse or neglect;

6. what is known about the behavior and functioning of the caretaker of the alleged child victim;

7. whether or not anything has been done to reduce the risk to the child;

8. what actions have been taken, such as photographs, medical attention, or notification of law enforcement officials or other persons;

9. the identity and current whereabouts of the alleged perpetrator, the relationship of the alleged perpetrator to the alleged child victim, and the access s/he may have to the child;

10. any knowledge of other children living in the home, and if so, their names, approximate ages, and relationship to the alleged child victim;

11. any knowledge if other children in the home are currently or have been alleged victims of child abuse or neglect, and if so, their names and approximate ages, and the identity of the alleged perpetrator;

12. the identity and location of anyone else with knowledge of the current allegation of abuse or neglect.

B. Notify the student's Principal that a report has been made. The Principal shall ensure that the suspected case has been properly reported; and, if not, s/he shall ensure that an appropriate oral report is made immediately. The Principal shall notify the District Administrator that a report has been made and the status of any investigation.

C. Since it is the responsibility of the social worker and/or law enforcement agency to investigate possible abuse and/or neglect, school personnel should not pressure the child to divulge information regarding any injury or other circumstances surrounding the abuse and/or neglect. The school staff member need not prove that abuse and/or neglect exists before reporting. They need only suspect that abuse and/or neglect has occurred, is currently occurring, or is likely to occur. Staff are not to investigate concerns prior to reporting.

Investigation of Child Abuse or Neglect

A. Investigators who seek to interview a student who is a suspected victim of abuse or neglect must make the request to the Principal who shall determine from the investigator whether or not it is appropriate to notify the student's parents. If it is appropriate, the Principal should notify the parents of the time and place of the impending interview.

If the interviewer directs that parents are not to be notified, the Principal shall record this direction on Form 8462 F1. The Principal shall sign this record and maintain it in the school files.

B. The Principal will maintain contact with the investigating agency during the investigation period and determine what action, if any, was taken to protect the health and welfare of the child or unborn child who was the subject of the report.

Reporting of Threats of School Violence

Staff members shall immediately inform the local law enforcement agency, by telephone or personally, of the facts and circumstances contributing to the staff member's good faith belief that there is a serious and imminent threat to the health or safety of a student, school employee, or the public. The report shall include the specific details concerning the threat of violence in or targeted at a school.

The staff member making a report shall also notify the Building Principal that a report has been made. The Principal shall ensure that the suspected case has been properly reported; and, if not, s/he shall ensure that an appropriate report is made immediately. The Principal shall notify the District Administrator that a report has been made and the status of any investigation. The District Administrator shall designate a contact person for law enforcement for any subsequent investigation process.

The District Administrator and building principal shall assure that any applicable protocols in the District's safety plan are implemented.

TRAINING

Every employee of the District must receive training within the first six (6) months after commencing employment with the District and at least once every five (5) years after that initial training. The training shall include the following:

A. identifying children who have been abused or neglected and, in the laws and procedures governing the reporting of suspected or threatened child abuse and neglect;

B. the laws governing the reporting of a threat of violence.

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PROCEDURE FOR CHARGED MEALS

8500A - **PROCEDURE FOR CHARGED MEALS**

It is the responsibility of the parents to provide lunch for their children while at school. However, it is important to provide children the nutrition they need to stay focused during the school day. This procedure shall apply in the event that a child neither has a lunch nor the funds to purchase a lunch.

The School Board wishes to maintain the fiscal integrity of the District's food service program and to incentivize appropriate household responsibility for the payment of costs that a student incurs in the use of the program, while also pursuing the critically important goals of providing students with adequate nutrition and minimizing the extent to which any student is stigmatized because they have insufficient funds to pay for a meal or because the student's household owes a debt within the food service program.

In accordance with requirements established by federal and state oversight agencies, the administration shall adopt, maintain, implement, and clearly communicate a written administrative rule on the subject of meal charges and the collection of funds within the District's food service program. With respect to meal charges, the rule must particularly identify how children who pay the full-price (paid rate) or reduced price for a Federally-reimbursable meal are affected by not having enough money (either in hand or in their student food service account) to cover the cost of a meal at the time of the meal service.

Key Responsibilities of Parents and Guardians

Parents and guardians must plan for their child to have sufficient access to food at school on each school day and must actively monitor and manage their child's school food service account, including making prompt payment of any charges. Parents and guardians should communicate with their child about how meals, snacks, and other food will be provided each day.

The administrative rule shall be consistent with this policy, including the following parameters:

A. The District Administrator shall ensure that the Director of Business Services, the Student Nutrition Director and school principals are consulted in the process of developing and, as needed, revising the written administrative rule regarding meal charges and collections.

B. The rule may differentiate meal charge and collection procedures by school level or by particular grade spans.

C. When a student's meal account has an unused, positive balance at the end of a school year, the positive balance will be carried over to the following year unless a written request is received from the parent/guardian for reimbursement.

D. All students that attend the School District of Jefferson shall have a meal account.

E. Account deposits may be made by electronic funds transfer or mailed to or dropped off at the district office or at any of the schools in the district. Deposits made by 8:30 a.m. will be reflected in service line balances as soon as possible. Deposits should be sent in an envelope which is labeled with the student's first and last name and the amount of the payment. All checks are to be made payable to the School District of Jefferson.

F. Families are encouraged to keep a minimum balance of $20.00 and make minimum deposits of $20.00.

G. Students who are eligible for free meals are eligible to receive one free lunch and breakfast daily. Ala carte items and additional meals do not qualify under free or reduced lunch federal guidelines.

H. Additional meals or ala carte food items may be purchased only if there is money in the student's account.

I. There will be no adjustments to student meal accounts after 60 calendar days from purchase.

J. Parents/guardians are responsible for maintaining sufficient funds in their student's account.

K. Parents/guardians may use the online parent account software program setup through the school to monitor student's food service activity and balances.

L. Parents may also pay for school meals via the Internet through the District's Nutrition Services website.

M. Parents/guardians who do not have Internet access may contact the Food Service department at 920-675-1035 or 920-675-1114 to request information on their account.

N. Upon request by a student, food service personnel or office staff will provide balance information to the student.

O. Families who have negative balances will receive automated phone messages and/or emails until the balance is positive.

P. When a student's meal account is depleted, or there are low or insufficient funds in the account, the Collection Guidelines below apply.

SCHOOL MEAL ACCOUNT CHARGES AND COLLECTIONS GUIDELINES:

Elementary (Grades K-5) Meal Charges

A. Families are notified by an automated phone message if their food service account balance is at all negative.

B. The food service department will notify the building principal when a student's lunch account reaches a negative ten dollars (-$10.00). This allows appropriate staff such as principal, social worker, or counselor to be aware of the concern and use their best judgment to reach out to the family if necessary.

C. Students will continue to receive a regular lunch until the account reaches a negative twenty-five dollars ($-25.00).

D. If an account reaches a negative twenty-five dollars (-$25.00), the student will be provided a regular meal until the negative account has been rectified. These meals will be the least expensive entree item in the USDA meal pattern.

E. If an account reaches a negative twenty-five dollars ($-25.00), the parent/guardian will be referred to the principal and/or the school social worker for further assistance in resolving each situation.

F. If a negative lunch account is not resolved after five days, and if the student does not bring a lunch of their own, the student will continue to be provided with a regular meal at a per-diem rate determined by the Student Nutrition Director with fees to be collected at a determined future date.

Secondary School (Grades 6-12) Meal Charges

A. Families are notified by an automated phone message if their food service account balance is at all negative.

B. Additionally, students will be discreetly told (verbally) by the food service staff when their account has reached a negative number.

C. The food service department will notify the building principal or designee when a student's lunch account reaches a negative ten dollars (-$10.00). This allows appropriate staff such as principal, social worker, or counselor to be aware of the concern and use their best judgment to reach out to the family if necessary.

D. Students will continue to receive a regular lunch until the account reaches a negative twenty-five dollars ($-25.00).

E. If an account reaches a negative twenty-five dollars (-$25.00), the student will be limited to the main line option until the negative account has been rectified. These meals will be the least expensive entree item in the USDA meal pattern.

F. If an account reaches a negative twenty-five dollars ($-25.00), the parent/guardian will be referred to the principal and/or the school social worker for further assistance in resolving each situation.

G. If a negative lunch account is not resolved after five (5) days, and if the student does not bring a lunch of their own, the student will continue to be provided with a regular meal at a per-diem rate determined by the Student Nutrition Director with fees to be collected at a determined future date.

Every effort shall be made by school personnel to avoid embarrassing or in any way harming the student as a result of account deficiencies.

Regular meals provided to students will be claimed for reimbursement and any balance charged to the student.

A student's parents, teacher, and Principal will all be notified of the delinquency in the student's account each time it is necessary for the student to charge a meal to give the parents time to send a check or cash to school with their child to give to the Student Nutrition Director.

Donations to Pay Debts in Student Food Service Accounts

When donations are received by the school district earmarked for negative food service accounts held by students, the district may, at the end of each applicable month, apply the donated funds to free and reduced qualifying students' lunch accounts to offset negative balances that may exist.

At the discretion of each Principal, a school or private service fund may be established to pay for student's charged meals. The Nutrition Services Manager will work with each Principal to determine a payment schedule for these meals.

School District of Jefferson 2023

ag8510

WELLNESS POLICY GUIDELINES FOR IMPLEMENTATION AND EVALUATION

8510 - **WELLNESS POLICY GUIDELINES FOR IMPLEMENTATION AND EVALUATION**

HEALTHY CLASSROOM SNACKS

The School District of Jefferson Snack List was developed to provide guidance to parents in selecting healthy and nut-free snacks for sharing in the classroom.

General Guidelines:

- Home-baked goods and pastries, as well as candy, are NOT acceptable classroom snacks.
- Snacks containing peanuts or nuts are not allowed.
    - This includes snacks containing almonds, nut butters, Brazil nuts, cashews, hazelnuts, macadamias, pecans, pine nuts, pistachios, walnuts, and/or sesame seeds, or foods made in a facility that processes nuts.
- Snacks should be easy for teachers to distribute, serve, and clean up, in the classroom.
- Parents/guardians are responsible to bring napkins, cups, and other serving items as needed. (School does not supply these items).

Items on the Healthy Classroom Snack List have been selected because, at this time, they do not contain peanut or nut products. These items HAVE NOT been reviewed for other major allergens. Parents (and teachers) of children with food allergies are encouraged to check product labels every time to be sure that the products are free of their child's offending allergens, free from cross-contamination, and safe for their child to eat. Checking manufacturer websites may also provide helpful information.

Items not included on the list below need to be evaluated through the Smart Snacks Product Calculator (https://foodplanner.healthiergeneration.org/calculator/). Please contact your building administrator or Student Nutrition Services Director.

HEALTHY CLASSROOM SNACK LIST

FRUITS / VEGETABLES				
FRESH FRUITS	FRESH VEGETABLES	FROZEN FRUIT	VEGETABLES & DIPS	OTHER IDEAS
Strawberries Raspberries Blueberries Oranges Apples Grapes Melons Peaches Pears Pineapple Banana	Cucumbers Broccoli Green Beans Peppers Sugar Snap Peas Carrots Celery Veggie "Matchsticks"	Blueberries Strawberries Mangoes Melon Ball	Hummus Bean Dip Salad Dressing Salsa	Smoothies Applesauce Fruit Cups/Kabobs Canned Fruit Dried Fruit Raisins/Cranberries All Natural Fruit Rollups Fruit Salad Fruit Sorbet Fruit Juice Popsicles Veggie Pockets Fruit Leathers Soy (Edamame) Salad in a Bag Fruit Snacks Veggie Burger Fruit Platter with Yogurt Dip

LOW-FAT DAIRY	HEALTHY GRAINS/MUNCHIES	BEVERAGES
The American Heart Association recommends Dairy products with under 2% fat or no more than 3 grams of fat per ounce and no more than 1 gram of saturated fat per oz	Serve mostly whole grains which provide more fiber, vitamins, and minerals than refined grains.	Choose only 100% fruit juice, but limit juice to no more than 6 ounces for 1- to 6-year olds and no more than 12 ounces for 7- to 18-year olds.
Cheese String Cheese Yogurt Frozen Yogurt Ice Cream Pudding Cottage Cheese Yogurt Beverages Yogurt Popsicles Milk Milk Alternatives: For plant-based milk alternatives, choose products that have been fortified with vitamins A and D, such as oat, soy, or almond milk. *(Avoid milk substitutes that contain coconut oil, palm oil, or palm kernel oil. These oils are very high in saturated fats)*	English Muffins Bagels Pita Bread Sticks Rice Cakes Flat Bread Trail Mix—No Nuts Tortillas Breakfast Cereals-Low Sugar: Chex Cinnamon Oats Bites Crispix Crispy Rice Mini Spooners Mini-Wheats Shredded Wheat Life (Original/Cinnamon) Shredded Wheat Toasted Cinnamon Squares Toasted Corn or Wheat Toasted Oats Cereal Bars Nutri-Grain Bars Muffins Fig Newtons Gingersnaps Popcorn Baked Tortilla Chips Baked Lays, Bugles, Doritos Reduced-Fat Pringles Pretzels—Not Snyder Chex Mix Gardetto's Crackers: Goldfish Crackers Animal Crackers Graham Crackers Saltine Crackers Wheat Thins Triscuits	Water Seltzer/Sparkling Water Low-Fat/Fat-Free Milk 100% Fruit Juice Vegetable Juice Yogurt Drinks Soy Drinks Rice Drinks Crystal Light Tea Without Sugar Added Fruit Flavored Water Without Sugar

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ag8601A

IMPLEMENTING GUIDELINES REGARDING THE DISTRICT'S ALCOHOL AND CONTROLLED SUBSTANCE TESTING POLICY FOR EMPLOYEES WHO TRANSPORT STUDENTS

8601A - **IMPLEMENTING GUIDELINES REGARDING THE DISTRICT'S ALCOHOL AND CONTROLLED SUBSTANCE TESTING POLICY FOR EMPLOYEES WHO TRANSPORT STUDENTS**

This guideline covers employee-drivers who are specified as "covered employees" in Policy 8601 - Controlled Substance and Alcohol Policy for Employees that Transport Students.

The purpose of the District's drug-testing program is to institute and maintain a program for achieving the objective of a drug-free work force and to provide a workplace that is free from the illegal and improper manufacture, distribution, dispensing, possession, sale, and use of alcohol and controlled substances.

The Board recognizes that a drug-free and alcohol-free school and work environment is vital to workplace and school safety and to the quality of the District's educational services.

The program will assist drivers in understanding and avoiding the perils of alcohol misuse and controlled substance abuse. The District will provide a comprehensive drug-free awareness program as an ongoing educational effort to prevent and eliminate alcohol misuse and controlled substance abuse. The drug-free awareness program will inform drivers about:

A. the dangers of alcohol misuse and controlled substance abuse;

B. the Board's policy on drug-free schools, drug testing, and others related to the use of controlled substances (see Appendix below);

C. the availability of treatment and counseling for employees who voluntarily seek such assistance;

D. the sanctions the District will impose for violations of its policies related to this program.

This Drug and Alcohol Testing Procedure (Procedure) is not meant to create a contract or expectation of future employment between the District and its employees, and is merely one (1) condition of continued employment. The terms of the Procedure may change in the future at the District's discretion or to comply with changes in Federal or State law or District policy, with or without notice to employees.

The District has discretion to impose corrective action against violators of the Procedure in addition to that imposed by the Department of Motor Vehicles (DMV).

This procedure is designed to:

A. provide a safe, healthy, productive, and drug - and alcohol – free workplace and school environment for all employees and students;

B. protect the District and students from losses arising out of or associated with alcohol and controlled substances;

C. provide an effective tool for deterrence of substance abuse;

D. provide an effective tool for detection of violators;

E. ensure efficient operations; and

F. satisfy the State and Federal rules covering employees with commercial driver's licenses.

District Coordinator

The Director of Business Services shall be the coordinator of the District's alcohol and controlled substances testing program and the person to be contacted for answers to any questions that a staff member may have.

Supervisors and other appropriate personnel will be trained in alcohol misuse and controlled substances abuse recognition and the District's procedures for handling and assisting drivers who are subject to the effects of alcohol and controlled substances.

RULES RELATED TO THE DRUG-TESTING PROGRAM

All drivers are required to abide by Board policies related to controlled substance and alcohol use and testing, as well as the following rules. Any violations will lead to disciplinary action, up to and including termination of employment.

Required Hours of Compliance

A driver must not consume alcohol while on duty, four (4) hours prior to on-duty time, and up to eight (8) hours following an accident or until the employee undergoes a post-accident test, whichever occurs first. A driver shall not report for duty or remain on duty that requires performing safety-sensitive functions when the driver uses any controlled substance, except when the use is at the instruction of a physician who has advised the driver that the substance does not adversely affect the ability to safely operate a Commercial Motor Vehicle (CMV). The District reserves the right to require any driver to provide verification from the employee's health care provider that any prescribed medications do not pose a risk to the employee's safe operation of a CMV.

DEFINITIONS

A. **Alcohol**

Intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.

B. **Alcohol Concentration**

Alcohol is a volume breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

C. **Alcohol Use**

Consumption of a beverage, mixture, or preparation, including medication, containing alcohol.

D. **Breath Alcohol Technician**

An individual who instructs and assists an individual in the alcohol testing process and operates an evidential breath testing device.

E. **Commercial Motor Vehicle**

A commercial motor vehicle includes any vehicle which:

1. has a gross combination weight rating of 26,001 or more pounds, inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
2. has a gross vehicle weight rating of 26,001 or more pounds;
3. is designed to transport sixteen (16) or more passengers, including the driver; or
4. is any size transporting hazardous materials requiring placards.

F. **Controlled Substances**

Controlled substances (or "drugs") refers to marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamines).

G. **Driver**

Any person who operates a commercial motor vehicle including, but not limited to, full-time, regular employees of the District; casual, intermittent, or occasional drivers; drivers who are leased by the District; and independent, owner-operated contractors who are either directly employed by or under lease to the District or who operate a commercial motor vehicle at the direction of or with the consent of the District.

H. **Medical Review Officer (MRO)**

A licensed medical doctor or osteopath responsible for receiving laboratory results under the Procedure who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate confirmed positive test results, medical history, and other relevant biomedical information.

I. **Performing Safety-Sensitive Functions**

Several provisions of the Procedure govern a driver's conduct in relation to their performance of "safety-sensitive functions." A "safety-sensitive function" is all time from the time a driver begins work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work, including:

1. all time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
2. all time inspecting equipment or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
3. all time spent at the driving controls of a commercial motor vehicle in operation;
4. all time, other than driving time, in or upon any commercial motor vehicle;
5. all time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle;
6. all time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle.

PROHIBITED CONDUCT

The following conduct is strictly prohibited:

A. **Alcohol Concentration**

No employee shall perform a safety-sensitive function while having an alcohol concentration of 0.02 or greater, or within twenty-four (24) hours of being tested with an alcohol concentration of at least 0.02 but less than 0.04.

No employee shall report for duty or remain on duty with an alcohol concentration of 0.04 or greater.

B. **Alcohol Possession**

No employee shall be on duty while the employee possesses alcohol.

C. **Pre-Duty Alcohol Use**

No employee shall perform safety-sensitive functions within four (4) hours after alcohol use.

D. **Alcohol Use Following An Accident**

No employee required to take a post-accident alcohol test, as provided in the Procedure, shall use alcohol for eight (8) hours following the accident, or until the employee undergoes a post-accident alcohol test, whichever occurs first.

E. **Refusal To Submit To Testing**

1. No driver shall refuse to submit to a test. Such behavior includes refusal to submit to a test; inability to provide sufficient quantities of breath, saliva, or urine to be tested without a valid medical explanation; tampering with or attempting to adulterate the specimen; interfering with the collection procedure; not immediately reporting to the collection site; failing to remain at the collection site until the collection process is complete; having a test result reported by an MRO as adulterated or substituted; or leaving the scene of an accident without a valid reason before the tests have been conducted.
2. No applicant for employment shall refuse to submit to pre-employment testing as defined in the Procedure.

F. **Controlled Substances Use**

No driver shall report for duty or remain on duty when the driver uses any controlled substance, except when such use is prescribed by a physician as described in this policy.

G. **Controlled Substances Possession**

No employee shall report for duty or remain on duty when the employee possesses any controlled substance, except when such possession is authorized by the District pursuant to the instructions of a treating physician.

H. **Impaired Job Performance Or Attendance**

Alcohol use or controlled substance use, even though not during working hours or in the workplace, which impairs job performance or attendance.

I. **Testing Procedures**

Failing any drug or alcohol test or engaging in any other conduct prohibited under the drug or alcohol testing procedures including, but not limited to, refusing, interfering with, or altering a test in any manner.

J. **Prescription Drug Use**

1. Being under the influence of legally prescribed drugs in the workplace that prevent an individual from performing the essential functions of the employee's job or where that individual poses a direct threat while using those drugs.

2. Inquiries regarding prescription drug use by employees are governed by the Americans With Disabilities Act of 1990, and therefore should be made only as authorized by the District Administrator.

3. If an employee has been prescribed any controlled substance that the employee has been advised will adversely affect the ability to safely perform the specified job, the employee shall immediately report that to the District.

K. **Treatment Programs**

Failure to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled under this policy.

L. **Acknowledgment**

Refusing to sign the acknowledgment to the Procedure.

M. **Inspection**

Refusing to submit to, or interfering with, an inspection of an employee’s property or person reasonably requested by the District.

N. **Storing** any controlled substances or alcohol on District property.

TESTING REQUIREMENTS

A. **Pre-Employment Testing**

Upon a conditional offer of employment, applicants for positions requiring a CDL with the District must submit to pre-employment drug testing. The District must obtain the results prior to the individual performing any work for the District. Applicants must also sign a Consent and Release Agreement, allowing the District to obtain information from the applicant’s prior employers.

1. **Applicant Positive Test Results at Previous Employers**

If a driver-applicant has tested positive for alcohol or drugs at a prior employer, the applicant must be required to complete the DOT-required procedures before being assigned to safety-sensitive function (including, but not limited to, consultation with a Substance Abuse Professional, compliance with the recommendations of the Substance Abuse Professional, satisfactory completion of return-to-work tests, and satisfactory participation in follow-up testing). The District will verify the applicant’s test results with prior employers as required by law.

2. **Positive Pre-Employment Test (or Refusal to Take Pre-Employment Test)**

During the interview process, all driver-applicants will be asked if they have ever tested positive at a pre-employment test, or ever refused to take a pre-employment test for any employer which the applicant applied for, but did not receive employment, within the prior two (2) years. The employee must answer the questions honestly. If there was a positive test result or refusal to test, the employee cannot be assigned to safety-sensitive functions prior to completing the DOT-required procedures (described in subparagraph 1, above).

B. **Reasonable Suspicion Testing**

Drivers are required to submit to drug or alcohol testing, or both, whenever the District has reasonable suspicion to believe that the employee is under the influence of, or using alcohol (before, during, or just after performing a safety-sensitive function), or controlled substances anytime while at work.

District supervisors have been trained to make observations concerning potential alcohol and/or drug use including, but not limited to, factors such as the driver's appearance, behavior, speech, and body odors.

Whenever a supervisor has reasonable suspicion that an employee is under the influence of alcohol or drugs, or both, the supervisor will do the following:

1. immediately relieve the employee of all duties;

2. contact the human resources department or District Administrator for authorization to conduct testing;

3. document the factors constituting reasonable suspicion on the attached Reasonable Suspicion Documentation Form within twenty-four (24) hours of observing the conduct in question.

The employee under suspicion will be escorted by a District representative to the collection site for the specimen collection. Upon completion of the collection process, arrangements will be made for a spouse, family member, or friend to escort the employee home. If none are available, the District will arrange alternative transportation to get the employee home at the employee's expense.

Alcohol and drug tests based on reasonable suspicion will be conducted as soon as possible following the observations.

If an alcohol test of a driver is not administered within two (2) hours, the District will be required to verify why the test was not administered. An alcohol test of a driver may not be taken after eight (8) hours following the observed behavior, and the District will be required to verify its reasons for its failure to conduct the test within the eight (8) hours.

No employee shall be allowed to perform any duties for the District including, but not limited to, safety-sensitive functions until after the alcohol or drug test results are received by the District, and the District authorizes the employee to return to duty.

C. **Random Testing**

Drivers will be subject to random testing for both drugs and alcohol. The number of random tests will be based on the DOT regulations. Currently, at least fifty percent (50%) of the District's drivers (or the drivers of any consortium which the District is a member of) must be tested for drugs, and at least ten percent (10%) of its drivers (or the drivers of any consortium which the District is a member of) must be tested for alcohol on an annual basis. A driver selected for a random test must proceed to the collection site immediately.

The random test will not be announced in advance and will be conducted at randomly selected intervals throughout the calendar year. Every driver will have an equal chance of being selected for a test each time a selection is conducted.

D. **Post-Accident Testing**

1. **Generally**

Whenever the District determines that an employee may have contributed to an accident involving a fatality, bodily injury, or damage to property, the District may require the employee to be tested for drugs or alcohol, or both.

In addition, Department of Transportation regulations requirethat drivers submit to post-accident testing for drugs and alcohol under the following circumstances:

a. When the driver is involved in an accident involving the loss of a human life, regardless of who was at fault; or

b. When the driver is involved in an accident in which the driver is issued a citation for a moving traffic violation, andthe accident involves an injury to any person who, as a result of the injury, immediately receives medical treatment away from the accident scene, orinvolves disabling damage (i.e., must be towed away or cannot be driven from the accident scene) to any vehicle.

2. **Post-Accident Reporting Procedure And Conduct**

When a driver is involved in an accident, the driver shall do the following:

a. ensure that injured persons receive necessary medical attention;

b. notify and cooperate with law enforcement officials;

c. record the name, address, telephone number, and insurance information (i.e., insurance company, agent, and policy number) of other persons involved in the accident;

d. determine whether any vehicle is disabled, i.e., must be towed or cannot be driven from the accident scene;

e. notify the District;

f. follow all directions given by the District, including those concerning drug and alcohol testing;

g. if drug and alcohol testing is required, the employee is prohibited from consuming any alcohol until the employee has been tested and must remain at the site and available to the District for testing (unless emergency medical treatment is required).

3. **Time Limits for Testing**

All efforts will be made to test for alcohol within two (2) hours after the accident. If that cannot be accomplished, the reasons for the failure must be documented, and further attempts must be made for the next six (6) hours. If testing cannot be completed within eight (8) hours, the reason for the failure must be documented.

A drug test must also be conducted within thirty-two (32) hours of the accident or the District will be required to document the reasons for the failure.

4. **Post-Accident Testing Conducted By Federal, State, or Local Officials**

The results of alcohol or controlled substances testing conducted by Federal, State, or local officials having independent authority to perform such testing may be used by the District under the Procedure, provided that such testing conforms to applicable Federal, State, or local certification requirements. An employee subject to such testing shall complete a release which authorizes the District to obtain the employee's test results. Failure to provide such authorization shall be considered a refusal to comply with the Procedure, and shall be grounds for discipline, up to and including termination.

E. **Return to Duty Testing**

If an employee who has refused a test or who has tested positive is not terminated and is allowed by the District to complete the applicable treatment program described below, before the employee may return to work, the employee must be evaluated by a Substance Abuse Professional, participate in any required substance abuse assistance program, and be tested for drugs and/or alcohol. All test results must be negative.

F. **Follow-Up Testing**

Any driver who is allowed to return to work following a positive test or a refusal, and has satisfactorily passed the return-to-duty testing and has completed the required substance abuse assistance programs, will be subject to additional follow up tests over and above the general random tests applied by the District. The employee will be subject to a minimum of six (6) tests during the first twelve (12) months following the return, and further testing for up to five (5) years. The dates, times, and conditions of the testing will be established by the District, in conjunction with any written follow-up testing programs and input from the Substance Abuse Professional.

G. **Pay Status During Testing**

Any employee removed from duty for drug or alcohol testing will remain in pay status during the employee's absence from work due to testing requested by the District. An employee who is absent from work for testing will not be in pay status while

absent from work. Generally, an employee suspended as a consequence of a positive test result will not be in pay status during the suspension.

CONDUCT CONSTITUTING A "REFUSAL"

Any employee conduct which constitutes a "refusal" to participate in a required drug or alcohol test is considered a positive test result. The following summarizes some of the conduct which can constitute a "refusal":

A. **General Refusals**

The following are general examples of conduct that will be considered a "refusal":

1. failure to proceed immediately to the collection site and submit to testing for a required test;
2. failure to remain at the test site until completion of the testing process;
3. failure to provide a urine, saliva, or breath specimen as required under this procedure;
4. failure to permit a monitored or observed collection, when required under this procedure;
5. failure to provide sufficient urine or breath specimen without a valid medical reason;
6. failure to submit to a medical examination to verify a valid medical reason for an inability to provide a sufficient specimen;
7. failure to submit to a second test as directed by the District or a collector;
8. failure to complete any required forms, including, but not limited to, certification forms, authorization and consent forms, or other forms;
9. failure to otherwise cooperate with any part of the testing process.

B. **Invalid Urine Tests**

Federal law requires procedures to be followed (called "Validity Testing") to ensure that no urine sample is subject to "tampering" or other conduct which might lead to an inaccurate test result. The following situations could lead to urine test results being classified as a "refusal".

1. **Diluted Specimens:** A urine sample that exhibits unexpectedly low amounts of creatinine and specific gravity value for human urine will be considered to be a "diluted specimen". A diluted specimen that tests positive is treated as a positive test. If a diluted specimen tests negative, the employee may be required to immediately submit to a second test. The failure to submit to a second test may be considered a "refusal".
2. **Substituted Specimen:** A urine specimen that exhibits such low levels of creatinine and specific gravity value that are deemed to be inconsistent with human urine will be considered to be a "substituted specimen". A substituted specimen is treated as a "refusal".
3. **Adulterated Specimen:** A urine specimen that contains substances not expected in human urine, or a specimen containing expected substances, but in unexpectedly high concentrations, will be considered to be an "adulterated specimen". An adulterated specimen is treated as a "refusal".
4. **Invalid Specimen:** A urine specimen where there is an unexplained interfering substance will be considered to be an invalid specimen. An employee must provide a legitimate medical explanation for the result. If none exists, and if the employee denies tampering, the employee must immediately submit to a second test under "direct observation" procedures. If the employee admits to having adulterated or substituted the specimen, it is treated as a "refusal". If the invalid test results from circumstances unrelated to employee conduct (such as spilled specimens, damaged specimens, or specimens improperly collected), the test will be disregarded, but the employee must immediately submit a new specimen, but not under direct observation procedures.
5. **Insufficient Urine Specimen:** An employee who is unable to provide a sufficient urine specimen will be urged to drink up to forty (40) ounces of fluid over a three (3) hour period to aid in providing a sufficient urine sample. If no sufficient sample can be obtained within three (3) hours of arriving at the test site, the District is notified, and the employee will be required to be examined by a licensed physician within five (5) working days to determine whether

there is a valid medical reason for the inability to provide a sufficient specimen. If no reason is verified, the test is treated as a "refusal". (If there is a legitimate medical reason, the test is canceled.)

C. **Insufficient Alcohol Breathalyzer Test**

An employee who is unable to provide a sufficient breathalyzer specimen after three (3) attempts will be required to be examined by a licensed physician within five (5) working days to determine whether there is a valid medical explanation for the failure. If the failure is not based on any legitimate medical reason, the test is treated as a "refusal". (If there is a legitimate medical reason, the test is canceled.)

General Rules

Discipline will also be imposed if a CDL license holder:

A. fails to enroll, when requested by the District, in alcohol or other controlled substance treatment or counseling program and/or fails to adhere to the requirements of the program;

B. is indicted or convicted under any criminal drug statute for a violation occurring in the workplace or outside the workplace;

C. fails to notify the District of any indictment or conviction under any criminal drug statute within five (5) days of the event;

D. does not comply with regulations promulgated under any testing program.

CONSEQUENCES OF VIOLATIONS OF THIS PROCEDURE

Employees who violate the Procedure are subject to a number of overlapping adverse consequences, some imposed by Federal law, and others imposed by the District. These include the following:

A. **Relieved of Duties and Disciplined**

Any employee who engages in conduct prohibited under the Procedure may be relieved of duties and subject to disciplinary action, up to and including termination of employment.

B. **Positive Alcohol Tests**

Federal law imposes several consequences for a positive alcohol test.

1. .02 to .039 Breath Alcohol Concentration: Drivers who have a positive test result of .02 or greater, but less than .04 alcohol concentration, must be removed from all safety-sensitive functions for a period of at least twenty-four (24) hours.

2. Alcohol Concentration of .04 or Greater: Drivers with an alcohol concentration of .04 or greater must be removed from all safety-sensitive functions immediately. Before being reassigned to any safety-sensitive function for any employer, the employee must consult with a DOT-qualified Substance Abuse Professional, complete any treatment assigned by that professional, and submit to return to work and follow up testing.

C. **Positive Drug Test**

Any employee who tests positive for controlled substances must be immediately removed from all safety-sensitive functions. Before being reassigned to any safety-sensitive function for any employer, the employee must meet with a DOT-qualified Substance Abuse Professional, complete any required treatment recommended by that professional, and submit to return to work and follow up testing.

IDENTITY OF PERSONS RESPONSIBLE FOR ADMINISTERING THIS PROCEDURE

A. **District Representative**

The following District representatives are responsible for administering the Procedure, and answering questions concerning the Procedure:

B. Name: Ryan Bandt

Phone Number: 920-675-1044

E-Mail Address: bandtr@sdoj.org

If an employee needs to contact the District after hours or if a District Representative is unavailable, the following individual should be contacted:

Name: Charles Urness

Title: Superintendent

Phone Number: 920-675-1013

C. **Substance Abuse Professionals**

Employees who violate the Procedure will be provided with the names, addresses, and telephone numbers of properly qualified Substance Abuse Professionals.

Any **driver** not terminated will be required, before being reassigned to a safety-sensitive function (for this or any other District), to comply with all of the following procedures:

1. Submit to an initial face-to-face assessment and evaluation by the Substance Abuse Professional.

2. The Substance Abuse Professional will refer the driver to an appropriate education and/or treatment program based on the initial assessment and evaluation. (This could include, but is not limited to, educational programs such as self-help groups (for example, Alcoholics Anonymous), community lectures, drug and alcohol educational courses, outpatient counseling programs, after-care programs, partial inpatient treatment programs, or inpatient hospitalization.)

3. The driver must complete the education and/or treatment program assigned by the Substance Abuse Professional. The driver must submit to a follow-up face-to-face reevaluation with the Substance Abuse Professional after completing the education or treatment program assigned to them.

4. The driver must comply with follow-up drug and/or alcohol testing, as well as possible continuing education and/or treatment, as directed by the District (with input from the Substance Abuse Professional).

   The District makes no representation concerning, assumes no responsibility for, and shall not be liable for any treatment provided by a Substance Abuse Professional. Further, the District is not liable to pay for any services provided by a Substance Abuse Professional under the Procedure.

D. **Breath Alcohol/Urine Collection Site Locations**

Employees may be sent to the Fort HealthCare Business Services for testing under the Procedure.

PROCEDURES AND SAFEGUARDS USED IN CONDUCTING THE DRUG AND ALCOHOL TESTING

The District has adopted a multitude of procedures to safeguard the accuracy of testing procedures to protect employees from inaccurate results and inadvertent consequences. These safeguards include the District's retention of qualified, trained personnel to conduct the drug and alcohol testing, retention of trained, qualified, and Federally-certified laboratories to perform the analysis of urine samples, the retention of qualified and trained physicians to serve as Medical Review Officers, the internal training of the District's supervisors and other personnel charged with administering the Procedure, and other measures.

The District complies with the Federally-regulated procedures for conducting the collection and testing of breath and urine samples under this Procedure. Attached, as Appendix "A" (see below), is a summary of those testing procedures and other safeguards.

One important feature of the safeguards is the employee's right to test, at a second laboratory, at the employee's cost, the split sample of a urine specimen.

ADVERSE MEDICAL CONSEQUENCES OF DRUG AND ALCOHOL USE

The Federal government also requires the District to provide information to drivers about the adverse consequences of drug and alcohol use. Attached as Appendix "B" (see below) is a description of adverse consequences associated with drug and alcohol use. Further information may be obtained from the substance abuse professionals listed above.

CONFIDENTIALITY

All matters and documents under the Procedure shall be treated confidentially to the maximum extent possible consistent with the interests of the District and applicable legal requirements.

CONCLUSION

The District anticipates that the Procedure will serve to increase the productivity of its workforce, promote safety in the workplace and to our employees in the public, and advance the health and well-being of our employees and students. The District expects each employee to commit to the Procedure and help make it work.

Violation of the Procedure may have severe consequences to the employee and also to the employee's family and dependents. Employees are urged to take this into consideration in their future actions.

The District is confident that the Procedure will not overburden its employees and will serve to increase morale, safety, and productivity in the workplace.

All employees must sign the Acknowledgement attached to the Procedure and return it to the District.

APPENDIX "A"

TESTING PROCEDURES AND SAFEGUARDS (Customize For District's Testing Procedures)

The District complies with the drug and alcohol testing procedures prescribed by the Federal DOT rules. The District has also established additional safeguards to facilitate the accuracy of test results and to provide assurances to its employees. Generally, the safeguards and regulations applicable to drivers of commercial motor vehicles will be applied to non-drivers. However, the District reserves the right to deviate from these procedures for non-drivers.

A. **Qualifications**

One of the principal safeguards for our employees is Federal regulations requiring qualifications, training, and certification for "collectors" (both urine and breath-alcohol), laboratory, Medical Review Officers, and District supervisors/managers. Our District has retained collectors, laboratories, and Medical Review Officers that meet these requirements, and we have conducted necessary training of applicable management staff.

In addition, the law requires that collection "sites" meet very specific standards. Finally, documentation of the collection and testing process must be completed and preserved pursuant to Federally-required forms and procedures.

B. **Urine Collection Procedures for Drug Testing**

The following is a summary of the urine drug screen collection and test process (note that those procedures are subject to change as may be required by Federal law):

1. Employees are required to report immediately to the designated collection site for any required testing. The collector will notify the District of late arrivals.

2. In the event alcohol testing is also required, the alcohol testing must be done before the urine collection if practicable.

3. The employee must submit a picture ID to the collector to be identified by an employer representative. The employee may request the collector to present identification.

4. The collector will review the collection procedures with the employee and review the Federally-required form which will be completed by both the employee and the collector. This form is entitled "Federal Drug Testing Custody and Control Form".

5. The employee will then be required to remove outer clothing (such as overcoats, coveralls, suit coats, or hats), and will be required to store all personal belongings, such as briefcases, purses, and other items, in a mutually agreeable location.

6. The employee will then be required to empty their pockets to display the items to the collector. If the collector determines that nothing can be used to adulterate a urine specimen, the items will be allowed to be returned to the pockets. If the collector identifies items that could be used to tamper with a specimen, the collector will require that the employee submit to a "directly observed" collection (unless the collector determines that the materials were brought in inadvertently).

7. The employee will then be instructed to wash and dry their hands. The employee will not have access to water or other materials to be used to adulterate or dilute the urine specimen after this point in the procedure.

8. The collector or employee will then unwrap a sealed "collection container". This is the only item that the employee is allowed to take into the room for urination.

9. The employee will be instructed to then enter the room used for urination, provide a specimen of at least forty-five (45) ml, not flush the toilet, and return the specimen as soon as the employee has completed the process. No one will be in the room with the employee except in the case of an "observed" or "monitored" collection.

10. The employee will then present the urine sample to the collector.

    a. There must be at least forty-five (45) ml of urine. If there is not, the collector will proceed with "shy bladder" procedures.

    b. The urine sample must be within the Federally-acceptable temperature ranges. If it is not, a new collection will be immediately required using "direct observation" procedures.

    c. The collector will observe the specimen for signs of tampering. If tampering is indicated, the employee will be required to provide a new collection using "direct observation" procedures.

11. If the employee cannot provide a sufficient amount of urine, the employee will be allowed up to three (3) hours to provide another specimen (the "shy bladder" procedures). During that time, the employee will be allowed to drink up to forty (40) ounces of fluid. If the employee refuses to attempt to provide a second specimen, it will be designated a "refusal". If the employee is unable to provide a sufficient specimen within three (3) hours, the District will be notified and the employee will be required to submit to an evaluation by a licensed physician to determine if there is a medical explanation.

12. In several situations (for example, urine sample not within Federally-accepted temperature ranges, or evidence of tampering exists), the employee will be required to submit to "direct observation" collection procedures which include the following:

    a. A person (known as the "observer") will be required to specifically observe the employee's urine go from the employee's body into the collection container.

    b. The "observer" may be the collector, but is not required to be the collector.

    c. The "observer" is required to be the same gender as the employee.

    d. If the observer is not the collector, the observer cannot take the specimen directly from the employee, but must watch the container while the employee submits it to the collector.

13. After obtaining a proper urine sample, the collector will divide the urine sample into two (2) specimen bottles, one used for the "primary" collection/testing, and the second used for "split-specimen" testing. A seal will be placed on the bottles, and the employee will be asked to initial the seals.

14. The employee and the collector will then complete the remainder of the Federal Drug Testing Custody and Control Form, and that form will be placed with the specimen bottles for delivery to the laboratory.

15. The laboratory will test for five (5) drugs or classes of drugs:

    a. marijuana;

    b. cocaine;

    c. amphetamines;

    d. opiates;

    e. phencyclidine (PCP).

16. The laboratory will also conduct "validity testing" to determine whether the sample was adulterated, substituted, or diluted.

17. The laboratory will then issue one of the following findings regarding the urine sample:

    a. The urine is negative.

    b. The sample was negative – diluted.

    c. The sample was rejected for testing (with an explanation).

    d. The sample was positive (with the specific drugs noted).

    e. The sample was positive (with the specific drugs noted and diluted).

    f. The sample was adulterated (with an explanation).

    g. The sample was substituted (with an explanation).

    h. There was an invalid result (with an explanation).

18. The laboratory results are then conveyed to the Medical Review Officer (not to the District).

19. The Medical Review Officer will review the tests and determine whether there is a legitimate medical explanation for all confirmed positive, adulterated, substituted, or invalid test results. If there is a confirmed positive, adulterated, substituted, or invalid drug test, the Medical Review Officer will conduct a "verification interview" with the employee. During that interview, the employee may indicate any medications or other substances that the employee is using or medical conditions the employee reports having, that may have affected the test result. The Medical Review Officer may contact the employee's physician and take all necessary and reasonable steps to verify any medical information that the employee presents. The Medical Review Officer may direct the employee to undergo further medical evaluation by the Medical Review Officer or another physician.

20. The Medical Review Officer will also inform the employee of the right to have the "split specimen" tested by another laboratory at the employee's cost.

21. The Medical Review Officer will attempt to reach the employee at least three (3) times over a twenty-four (24) hour period. If the Medical Review Officer is unable to reach the employee, the District will be notified and the District will attempt to contact the employee and inform the employee to contact the Medical Review Officer.

22. The Medical Review Officer will not verify a positive test result to the employer without communicating to the employee, unless the employee declines the opportunity to discuss the test results, more than seventy-two (72) hours have passed since the District contacted the employee to advise the employee to contact the Medical Review Officer, or if neither the Medical Review Officer nor the District has been able to contact the employee within ten (10) days from the date that the Medical Review Officer received the confirmed test result.

23. If the employee elects to have the split-specimen tested, the employee must notify the Medical Review Officer within seventy-two (72) hours after being advised of this right.

24. The Medical Review Officer will notify the District of the final test results, and the District will proceed as indicated in the Procedure.

C. **Alcohol Testing Procedures**

The following is a description of the procedures used to test for the employee's possible use of alcohol (note that these procedures are subject to change as may be required by Federal law or District Procedure, or both):

1. Like the drug testing procedures, the employee must report immediately to the collection site for any required testing.

2. The employee must provide a picture ID or be identified by an employer representative.

3. The technician and the employee will then review the Federally-required form (the "Alcohol Testing Form"), which will be completed by both the technician and the employee.

4. The alcohol testing is then performed in two (2) stages, an initial or "screening" test, and a final or "confirmation" test.

5. The screening test can be performed using either a breath test or a saliva test, but either type of test must be performed with a device that has been pre-approved by the Federal government.

6. During this screening test, the technician will unwrap the mouthpiece (for a breathalyzer device) in front of the employee and ask the employee to blow into the mouthpiece for at least six (6) seconds or until an adequate amount of breath has been obtained.

7. If a saliva test is used, the technician will open the package containing the device in front of the employee and will either allow the employee to insert the device into their mouth or will, with the employee's permission, insert the device into the employee's mouth (wearing approved gloves), and obtain the necessary amount of saliva on the test device.

8. If insufficient saliva is provided, the employee will be required to make another attempt. If the second attempt does not result in sufficient saliva, the District will be notified, and the employee will be required to submit to a breath testing device to perform the screening test.

9. If insufficient breath is provided, the employee will be instructed to make a second attempt. If there is insufficient breath after the second attempt, the collector may allow the employee to make a third attempt. If there is insufficient breath after three (3) attempts, then, for initial screening, a saliva test may be used, but for the final testing, the employee will be directed to obtain, within five (5) working days, an evaluation from a licensed physician to determine whether there is a medical explanation for the failure. If no medical explanation is provided, the test will be considered a "refusal".

10. The employee will then be informed of the results of the breath or saliva screening test.

11. If the screening test result is less than .02 alcohol concentration, the test will be considered a negative and the employee will be dismissed.

12. If the screening test result indicates an alcohol concentration of .02 or higher, a confirmation test must be given.

13. Before the confirmation test is given, a "waiting period" of at least fifteen (15) minutes, but not more than thirty (30) minutes, must occur. During this period, the employee is not allowed to eat, drink, or put anything (such as a cigarette or chewing gum) in their mouth, or belch. Note: Careful compliance with the waiting period is for the employee's benefit – the purpose is to prevent an accumulation of mouth alcohol leading to an artificially high reading. The confirmation test will be performed even if the employee has not complied with the waiting period instructions.

14. The confirmation test will be performed on a breathalyzer device.

15. The technician will conduct an air blank on the breathalyzer machine and show the reading to the employee. The reading should be 0.00. If it is not, a second test will be done. If that test does not reflect a 0.00 reading, the breathalyzer will be taken out of service and a different one used.

16. The technician will then open the mouthpiece and insert it into the device, and the employee will then be required to blow into the mouthpiece for a least six (6) seconds or until an adequate amount of breath is obtained. (If sufficient breath is provided, the same steps as in the screening process will be followed.)

17. The technician will then complete the Alcohol Testing Form, indicating the results of the breathalyzer.

18. Results will be communicated to the District by the technician, and the District will proceed as indicated in this procedure.

APPENDIX "B"

ADVERSE MEDICAL EFFECTS OF ALCOHOL AND DRUG USE

Federal law mandates that all employees be provided with training material discussing the effects of alcohol and controlled substance use on an individual's health, work, and personal life. This material is intended to help individuals understand the personal consequences of substance abuse.

Alcohol

Although used routinely as a beverage for enjoyment, alcohol can also have negative physical and mood-altering effects when abused. These physical or mental alterations may have serious personal and public safety risks.

Health Effects

An average of three (3) or more servings per day of beer twelve ounces (12 oz.), whiskey one ounce (1 oz.), or wine six ounces (6 ozs.) over time may result in the following hazards:

A. dependency;

B. fatal liver disease;

C. kidney disease;

D. pancreatitis;

E. ulcers;

F. decreased sexual functions;

G. increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma;

H. spontaneous abortion and neonatal mortality;

I. birth defects.

Social Issues

A. Two-thirds (2/3's) of all homicides are committed by people who drink prior to the crime.

B. Two-thirds (2/3's) of the driving population are legally drunk at any one time. This rate doubles at night and on weekends.

C. Two-thirds (2/3's) of all Americans will be involved in an alcohol-related vehicle accident during their lifetime.

D. The separation and divorce rate in families with alcohol dependency problems is seven (7) times the average.

E. Forty percent (40%) of family court cases are alcohol-related.

F. Alcoholics are fifteen (15) times more likely to commit suicide.

G. More than sixty percent (60%) of burns, forty percent (40%) of falls, sixty-nine percent (69%) of boating accidents, and seventy-six percent (76%) of private aircraft are alcohol-related.

H. Over 13,000 fatalities occurred in 2024 in highway accidents which were alcohol-related. This was thirty-three percent (33%) of all highway fatalities.

I. 30,000 people will die each year from alcohol-caused liver disease.

J. 10,000 people will die each year due to alcohol-related brain disease or suicide.

K. Up to 125,000 people die each year due to alcohol-related conditions or accidents.

Workplace Issues

It takes one (1) hour for the average person (150#) to process one (1) serving of alcohol from the body. A person who is legally intoxicated is six (6) times more likely to have an accident than a sober person.

Alcohol's Trip Through the Body

Mouth and Esophagus: Alcohol is an irritant to the delicate linings of the throat and food pipe. It burns as it goes down.

Stomach and Intestines: Alcohol has an irritating effect on the stomach's protective lining, resulting in gastric or duodenal ulcers. This condition, if it becomes acute, can cause peritonitis or perforation of the stomach wall. In the small intestine, alcohol blocks absorption of such substances as thiamin, folic acid, fat, vitamin B1, vitamin B12, and amino acids.

Blood Stream: Ninety-five percent (95%) of the alcohol taken into the body is absorbed into the bloodstream through the lining of the stomach and duodenum. Once in the bloodstream, alcohol quickly goes to every cell and tissue in the body. Alcohol causes red blood cells to clump together in sticky wads, slowing circulation and depriving tissues of oxygen. It also causes anemia by reduction

of red blood cell production. Alcohol slows the ability of white cells to engulf and destroy bacteria and degenerates the clotting ability of blood platelets.

Pancreas: Alcohol irritates the cells of the pancreas, causing them to swell, thus blocking the flow of digestive enzymes. The chemicals unable to enter the small intestine, begin to digest the pancreas, leading to acute hemmorrhagic pancreatitis. One (1) out of five (5) patients who develop this disease dies during the first attack. Pancreatitis can destroy the pancreas and cause a lack of insulin, thus resulting in diabetes.

Liver: Alcohol inflames the cells of the liver, causing them to swell and block the tiny canal to the small intestines. This prevents bile from being filtered properly through the liver. Jaundice develops, turning the whites of the eyes and skin yellow. Each drink of alcohol increases the number of live cells destroyed, eventually causing cirrhosis of the liver. This disease is eight (8) times more frequent among alcoholics than among non-alcoholics.

Heart: Alcohol causes inflammation of the heart muscle. It has a toxic effect on the heart and causes increased amounts of fat to collect, thus disrupting its normal metabolism.

Urinary Bladder and Kidneys: Alcohol inflames the lining of the urinary bladder, making it unable to stretch properly. In the kidneys, alcohol causes increased loss of fluids through its irritating effect.

Sex Glands: Swelling of the prostate gland caused by alcohol interferes with the ability of the male to perform sexually. It also interferes with the ability to climax during intercourse.

Brain: The most dramatic and noticeable effect of alcohol is on the brain. It depresses brain centers, producing progressive incoordination: confusion, disorientation, stupor, anesthesia, coma, and death. Alcohol kills brain cells and brain damage is permanent. Drinking over a period of time causes loss of memory, judgment, and learning ability.

MARIJUANA

Health Effects

A. Emphysema-like conditions.

B. One joint of marijuana contains cancer-causing substances equal to one-half (1/2) pack of cigarettes.

C. One (1) joint causes the heart to race and be overworked. People with heart conditions are at risk.

D. Marijuana is commonly contaminated with the fungus Aspergillus which can cause serious respiratory tract and sinus infections.

E. Marijuana lowers the body's immune system response, making users more susceptible to infection.

F. Chronic smoking causes changes in brain cells and brain waves. The brain does not work as efficiently or effectively. Long-term brain damage may occur.

G. Tetrahydrocannabinol (THC) and sixty (60) other chemicals in marijuana concentrate in the ovaries and testes.

H. Chronic smoking of marijuana in males causes a decrease in testosterone and an increase in estrogen, the female hormone. As a result, the sperm count is reduced, leading to temporary sterility.

I. Chronic smoking of marijuana in females causes a decrease in fertility.

J. A higher-than-normal incidence of stillborn births, early termination of pregnancy, and higher infant mortality rate during the first few days of life are common in pregnant marijuana smokers.

K. THC causes birth defects, including brain damage, spinal cord, forelimbs, liver, and water on the brain and spine in test animals.

L. Prenatal exposure may cause underweight newborn babies.

M. Fetal exposure may decrease visual functioning.

N. User's mental function can display the following effects:

1. delayed decision making;

2. diminished concentration;

3. impaired short-term memory;

4. impaired signal detection;

5. impaired tracking;

6. erratic cognitive function;

7. distortion of time estimation.

Workplace Issues

A. THC is stored in body fat and slowly released.

B. Marijuana smoking has long-term effects on performance.

C. Increased THC potency in modern marijuana dramatically compounds the side-effects.

D. Combining alcohol or other depressant drugs with marijuana increases the impairing effects of both.

COCAINE

Used medically as a local anesthetic. When abused, it becomes a powerful physical and mental stimulant. The entire nervous system is energized. Muscles tense, the heart beats faster and stronger, and the body burns more energy. The brain experiences an exhilaration caused by a large release of neurohormones associated with mood elevation.

Health Effects

A. Regular use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing damage to critical nerve cells. Parkinson's Disease could also occur.

B. Cocaine causes the heart to beat faster, harder, and rapidly increases blood pressure. It also causes spasms of blood vessels in the brain and heart. Both lead to ruptured vessels, causing strokes and heart attacks.

C. Strong dependency can occur with one "hit" of cocaine. Usually, mental dependency occurs within days for "crack" or within several months for snorting coke. Cocaine causes the strongest mental dependency of all the drugs.

D. Treatment success rates are lower than other chemical dependencies.

E. Extremely dangerous when taking with other depressant drugs. Death due to overdose is rapid. Fatal effects are usually not reversible by medical intervention.

Workplace Issues

A. Extreme mood and energy swings create instability. Sudden noise causes a violent reaction.

B. Lapses in attention – ignoring warning signals, increases probability of accidents.

C. High cost frequently leads to theft and/or dealing.

D. Paranoia and withdrawal may create unpredictable or violent behavior.

E. Performance is characterized by forgetfulness, absenteeism, tardiness, and missing assignments.

OPIATES

Narcotic drugs which alleviate pain and depress body functions and reactions.

Health Effects

A. IV needle users have a high risk of contracting hepatitis or AIDS when sharing needles.

B. Increase pain tolerance. As a result, a person may more severely injure themselves and fail to seek medical attention as needed.

C. Narcotic effects are multiplied when combined with other depressants, causing an increased risk for an overdose.

D. Because of tolerance, there is an ever-increasing need for more.

E. Strong mental and physical dependency occurs.

F. With increased tolerance and dependency combined, there is a serious financial burden for the users.

Workplace Issues

A. Side-effects such as nausea, vomiting, dizziness, mental clouding, and drowsiness place the user at high risk for an accident.

B. Causes impairment of physical and mental functions.

AMPHETAMINES

Central nervous system stimulant that speeds up the mind and body.

Health Effects

A. Regular use causes strong psychological dependency and increased tolerance.

B. High doses may cause toxic psychosis resembling schizophrenia.

C. Intoxication may induce a heart attack or stroke due to increased blood pressure.

D. Chronic use may cause heart or brain damage due to severe constriction of capillary blood vessels.

E. Euphoric stimulation increases impulsive and risk-taking behavior, including bizarre and violent acts.

F. Withdraw may result in severe physical and mental depression.

Workplace Issues

A. Since the drug alleviates the sensation of fatigue, it may be abused to increase alertness during periods of overtime or failure to get rest.

B. With heavy use or increasing fatigue, the short-term mental or physical enhancement reverses and becomes an impairment.

PHENCYCLIDINE (PCP)

Often used as a large animal tranquilizer. Abused primarily for its mood-altering effects. Low doses produce sedation and euphoric mood changes. Mood can rapidly change from sedation to excitation and agitation. Larger doses may produce a comalike condition with muscle rigidity and a blank stare. Sudden noises or physical shocks may cause a "freak out" in which the person has abnormal strength, violent behavior, and an inability to speak or comprehend.

Health Effects

A. The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.

B. PCP, when combined with other depressants, including alcohol, increases the possibility of an overdose.

C. If misdiagnosed as LSD induced and treating with Thorazine, can be fatal.

D. Irreversible memory loss, personality changes, and thought disorders may result.

Workplace Issues

A. Not common in workplace primarily because of the severe disorientation that occurs.

B. There are four (4) phases of PCP abuse:

1. acute toxicity causing combativeness, catatonia, convulsions, and coma;

2. toxic psychosis with visual and auditory delusions, paranoia, and agitation;

3. drug-induced schizophrenia;

4. induced depression which may create suicidal tendencies and mental dysfunction.

ACKNOWLEDGMENT OF RECEIPT OF DRUG AND ALCOHOL PROCEDURE AND TESTING PROCEDURE

I hereby acknowledge receipt of Drug and Alcohol Procedure and Testing Procedure for _____. I understand that compliance with this Procedure is a condition of my continued employment.

_____
Employee's Signature

_____
Employee's Name (Printed)

_____
Social Security Number

_____
Date Signed

This Acknowledgment must be returned to your supervisor or the Human Resources department within seven (7) days of date issued with your signature and date.

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ag8601B

HANDLING OF TEST RESULTS, RECORD RETENTION, AND CONFIDENTIALITY

8601B - **HANDLING OF TEST RESULTS, RECORD RETENTION, AND CONFIDENTIALITY**

MAINTENANCE OF RECORDS

The Director of Business Services shall maintain the following specific records for the time period indicated in the schedule that follows the listing.

A. **Records related to the collection process:**

1. Collection logbooks, if used;
2. Documents relating to the random selection process;
3. Calibration documentation for Evidential Breath Testing (EBT) devices;
4. Documentation of breath-alcohol technician training;
5. Documents generated in connection with decision to administer reasonable suspicion alcohol or controlled substances test;
6. Documents generated in connection with decisions on post-accident tests; and
7. Documents verifying existence of a medical explanation of the inability of a driver to provide adequate breath or to provide a urine specimen for testing.

B. **Records related to a driver's test results:**

1. The District's copy of the alcohol test, including the results of the test;
2. The District's copy of the controlled substances test chain of custody and control form;
3. Documents sent by the Medical Review Officer (MRO) to the District;
4. Documents related to the refusal of any CDL licensed driver to submit to an alcohol or controlled substances test required by this part; and
5. Documents presented by a driver to dispute the result of an alcohol or controlled substances test administered under this part.

C. **Records related to alcohol and controlled substances violations.**

D. **Records related to evaluations:**

1. Records pertaining to a determination by a substance-abuse professional concerning a driver's need for assistance; and
2. Records concerning a driver's compliance with recommendations of the substance-abuse professional.

E. **Records related to education and training:**

1. Materials on alcohol misuse and controlled substance use awareness, including a copy of the District's policy on alcohol misuse and controlled substance use;
2. Documentation of compliance with the requirements of employee notification, including the driver's signed receipt of education materials;
3. Documentation of training provided to the supervisor for the purpose of qualifying the supervisor to make a determination concerning the need for alcohol and/or controlled substances testing based on reasonable suspicion;

4. Certification that any training conducted complies with Federal or State requirements;

5. Documentation of appropriate MRO training;

6. Training for persons who directly supervise drivers; and

7. Written notice to every Driver and Driver organization of the availability of the above materials.

F. **Records related to drug testing:**

1. Agreements with collection site facilities, laboratories, medical review officers, and consortia;

2. Names and positions of officials and their role in the District's alcohol and controlled substances testing program(s);

3. Monthly laboratory statistical summaries of urinalysis; and

4. The District's drug testing policy and procedures.

G. **Records related to alcohol testing:**

1. Records of the inspection and maintenance of each Evidential Breath Tester used in driver testing; (Two (2) years)

2. Documentation of the compliance with the Quality Assurance Plan for each EBT used for alcohol testing; (Two (2) years)

3. Records of the training and proficiency testing of each Breath Alcohol Technician; (Two (2) years)

4. Records pertaining to the calibration of each EBT used in alcohol testing, including records of the results of external calibration checks. (Five (5) years)

RETENTION OF RECORDS

The Director of Business Services shall maintain records of all alcohol misuse and controlled-substances use prevention programs. The records shall be maintained in a secure location with controlled access and in accordance with the following schedule:

A. **Five (5) Years**

1. Records of driver alcohol test results indicating an alcohol concentration of 0.02 or greater;

2. Records of driver verified positive controlled substances test results;

3. Documentation of refusals to take required alcohol and/or controlled substances tests;

4. Documentation related to a medical inability to provide an adequate breath sample;

5. Documentation presented by a Driver to dispute the result of an alcohol test;

6. Calibration documentation;

7. Driver evaluation and referrals.

B. **Two (2) Years**

Records related to the random selection process, documents generated in connection with decisions to administer reasonable suspicion alcohol tests or decisions on post-accident tests, documents showing existence of medical explanation of inability of drivers to provide enough breath for test, alcohol and controlled substances collection process (except calibration of breath testing devices), and training.

C. **One (1) Year**

Records of negative and canceled controlled substances test results and alcohol test results with a concentration of less than 0.02.

D. **As Long as Individuals are Performing the Tasks and for Two (2) Years After They Cease Performing**

Education and training records.

LOCATION OF RECORDS

All records pertaining to employees shall be maintained as confidential records in accordance with Federal law and District guidelines. All other records shall be maintained by the Director of Business Services and shall be made available for inspection at District Office within two (2) business days after a request has been made by an authorized representative of the Federal Motor Carrier Safety Administration (FMCSA).

REPORTING OF RESULTS IN A MANAGEMENT INFORMATION SYSTEM

The District Administrator shall prepare and maintain an annual calendar year summary of the results of its alcohol and controlled substances testing programs. This summary must be completed by March 15 of each year.

If the District is notified, during the month of January, of a request by the FMCSA to report the District's annual calendar year summary information, the District Administrator shall prepare and submit the report to the FMCSA by March 15th of that year. The District Administrator shall ensure that the annual summary report is accurate and received by March 15th at the location that the FMCSA specifies in its request. The report shall be in the form and manner prescribed by the FMCSA in its request. When the report is submitted to the FMCSA by mail or electronic transmission, the information requested shall be typed, except for the signature of the District Administrator.

Note

If the District is involved in a consortium, the consortium may prepare the annual calendar year summaries and reports on behalf of individual Districts. However, the District Administrator must sign and submit such a report and shall remain responsible for ensuring the accuracy and timeliness of each report prepared on behalf of the District by the consortium.

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ag8606

TRANSPORTATION FOR STUDENTS WITH DISABILITIES

8606 - **TRANSPORTATION FOR STUDENTS WITH DISABILITIES**

Transportation and bus behavior are normally an integral part of the student's program. Because of the significance of this service for maintaining effective programs for the variety of disabling conditions, the Director of Pupil Services should be involved with the IEP team to assist in providing answers to such questions as:

A. Can the child be transported safely, given the transportation environment and the nature of the disabling condition?

B. What medical, health, physical, or behavioral factors could expose the student to unreasonable risk, given the anticipated transportation environment?

C. What assistive or adaptive equipment is necessary to accommodate the student during the transportation process, can it be safely transported and secured, and are there adequate instructions to ensure its proper use?

As participants in and recipients of special education planning, transportation staff need to be advised that the information they deal with is confidential and protected by Federal law.

BEHAVIORAL MANAGEMENT

Managing student behavior on the bus should be done primarily through teaching appropriate bus-riding skills. Learning the skills necessary to ride the school bus is part of the skills needed for the student to participate in the student's educational program.

To teach bus-riding skills, transportation staff will collaborate with school staff to proactively address student behavior and provide the necessary supports to the student. For example, portions of the student's Individual Education Program (IEP) and/or Behavior Intervention Plan (BIP) may address behavior on the bus. Transportation staff may be required to implement portions of the IEP and/or BIP related to the provision of supplementary aids and services, safety equipment, and behavior modifications and supports.

Behaviors that present a danger to the student or others require special attention. An attack on another person or running from the bus are two (2) examples of dangerous behaviors that present high risk of harm and require documentation and follow-up with appropriate school staff.

Any use of seclusion or physical restraint in response to student behavior on the bus must adhere to Board Policy 5630.01 - Use of Seclusion and Physical Restraint with Students.

Communication Between School/Transportation Staffs

A. Both the school staff and the transportation staff are expected to maintain confidentiality and protect the students' rights. Except for positive statements, information given by the drivers to the building staff should not be relayed to the student; nor should drivers relay information received from the building staff. Bus behavior should never be a subject of general conversation.

B. Communication with parents is encouraged, particularly positive comments that are honest and sincere. It is important to develop means to maximize this effort.

Alternate Transportation

In the event a student has demonstrated severe behavior problems at school and cannot be adequately brought under control for the ride home, the student is not to be placed on the bus. The student is to remain at school and the parents called to transport the student home. If the parent cannot provide transportation, alternate means are to be provided. (It is important to keep in mind that alterations in transportation may be considered a change in placement.)

Suspension from Transportation

A. Students may be suspended from transportation, in accordance with District policies and guidelines related to suspension of disabled students.

B. When a student's behavior is unmanageable in spite of behavior management techniques, the suspension procedure may be initiated. This procedure may be initiated as a natural consequence of inappropriate behavior: to protect the student, other

students, the driver or District equipment, or to provide time to help the student make the adjustment to transportation services.

Restoration of Riding Privileges

If a student is suspended from transportation, a meeting will be held prior to the student's resuming transportation.

SPECIAL EQUIPMENT USE AND OPERATION

There is a wide variety of equipment that may need to be used to accommodate the District's students with disabilities. The Director of Pupil Services is responsible for ensuring that appropriate members of the transportation staff understand the design and operating procedures for special equipment assigned to their use. They should also be able to conduct a proper inspection of the equipment and make simple adjustments in the field in case of breakdowns.

MEDICAL/HEALTH CONCERNS

It may be necessary for members of the transportation staff to be able to provide emergency and routine health care to students during the transportation process.

Precautionary Procedures

All members of the transportation staff should be able to use standard precautions relative to the handling of and exposure to communicable disease. Such precautions would include but not be limited to:

A. characteristics of common communicable diseases;

B. techniques for managing such common diseases;

C. use of protective equipment and devices.

Care, Intervention, and Management

Staff members need to be able to implement any care plans developed during the IEP process to deal with special health risks, such as medically fragile, technology-dependent, and/or highly-disruptive students.

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ag8660

TRANSPORTING STUDENTS BY PRIVATE VEHICLE

8660 - **TRANSPORTING STUDENTS BY PRIVATE VEHICLE**

These guidelines are to be followed whenever a staff member will be transporting students by a private vehicle whether it be his/her vehicle or some other person's. This guideline does not apply if the vehicle is a bus or van chartered from a licensed operator. In such cases, the Transportation Department shall be responsible for arranging for the chartered vehicle.

A. Determine that transportation by District vehicle is either not available or is not feasible.

B. Make sure that the intended private vehicle is in proper working condition, seat belts are available for each passenger, and the vehicle is insured for liability as required in Policy 8660.

C. Any students under the age of twelve (12) who are transported in a private vehicle are to be seated in the rear seat(s) of the vehicle.

D. If the trip is out-of-town and the transportation is approved, arrange for a copy of each student's Emergency Medical Authorization Form, which is to be kept in the vehicle during the entire trip.

E. Provide the school office with a list of names of the students who will be riding in the vehicle.

F. Upon return of the vehicle to the school, make sure each student has proper transportation home and remain at the school, until all students have left school property.

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ag8700

EMPLOYEE LACTATION ACCOMMODATIONS

8700 - **EMPLOYEE LACTATION ACCOMMODATIONS**

The Principal shall make necessary arrangements to provide the following:

A. an appropriate location for expressing milk that is private and sanitary;

The location must be shielded from view and not accessible during usage by any other person. The location provided may not be a bathroom. Minimally, the lactation space will include a chair, a table or shelf for the breast pump/supplies, waste basket, electrical outlet, and proximity to clean water. A sign will be posted outside the door with a well communicated policy to help prevent others from entering the space.

B. an appropriate location to safely store expressed milk while at work, such as in an insulated food container, personal cooler, or refrigerator;

C. a reasonable amount of time to complete the activity based on an established schedule of frequency the staff member requires;

The staff member is responsible for providing a schedule of frequency and for completing the process efficiently. The Principalis responsible for ensuring the lactating employee's duties are covered during scheduled lactation breaks.

D. Additional reasonable accommodations relating to lactation, as needed.

No staff member who requires break time to express milk consistent with this guideline shall be subjected to retaliation or any form of adverse treatment for doing so.

Any staff member who feels they have been denied adequate protections or feels they have been retaliated against or otherwise treated unfairly as a result of availing themselves of the rights described in this policy shall report such concerns to the District Administrator. Any such report shall specify the alleged deficiency and desired resolution so that the District Administrator may provide an appropriate resolution, within ten (10) calendar days of the report.

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INSURANCE

8710 - **INSURANCE**

Insurance shall be placed with companies licensed by the State of Wisconsin. Insurance is to be placed through a qualified agent who shall be the agent of record on all policies, except that policies relating to annuities, group life, and accident and health may be placed through qualified agent(s), a direct-writing carrier, or a third party administrator.

Each agent of record shall provide the following services, as appropriate to the type of insurance represented:

A. advice with respect to all insurance matters to the end that the District has adequate but not excessive insurance coverage at the lowest possible cost;

B. prompt processing of claims.

Qualifications of Agent(s)

The agent(s) shall be duly licensed by the State.

In all cases where a person has an accident claim against the District, the claimant is to be referred to the District Administrator who will, in turn, take appropriate action with the insurance company.

No principal or other employee is to offer aid or advice on how to proceed with such claims. The District Administrator will instruct people on the submission of bills and on means of pursuing the claim.

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ag8800

RELIGIOUS ACTIVITIES/CEREMONIES

8800A - **RELIGIOUS ACTIVITIES/CEREMONIES**

A great deal of professional judgment is needed to ensure that District policy complies with constitutional and legal safeguards for the practice of religion. A major guideline to follow is a four-part test. Each activity which may appear to be of a religious nature or use materials, rituals, or symbols which may be otherwise associated with a religion must meet all four (4) of the following conditions:

A. Does it serve the educational purpose and goals of the District?

B. Is the purpose of the activity secular?

C. Will its effect neither advance nor inhibit a religion?

D. Will it avoid excessive entanglements between the school and a religion?

This guideline applies to any and all activities and programs at all levels, particularly those that take place at traditional holiday seasons such as Christmas and Easter.

Prior to planning or conducting an activity, it would be well to review the District's two (2) policies dealing with religious matters -- Policy 2270 and Policy 8800. If a teacher has any question about the propriety of the activity, s/he should consult with the principal prior to making a decision.

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ag8800B

RELIGIOUS EXPRESSION IN THE DISTRICT

8800B - **RELIGIOUS EXPRESSION IN THE DISTRICT**

The following guidelines apply to religious practices in the District in accordance with the "Statement of Principles" issued by the U.S. Department of Education.

Student Prayer and Religious Instruction

The Establishment Clause of the First Amendment does not prohibit purely private religious speech by students. Students have the same right to engage in individual or group prayer and religious discussion during the school day as they do to engage in other comparable activity. For example, students may read their Bibles or other scriptures, say grace before meals, and pray before tests to the same extent they may engage in comparable non-disruptive activities. Local school authorities possess substantial discretion to impose rules of order and other pedagogical restrictions on student activities, but they may not structure or administer such rules to discriminate against religious activity or speech.

Generally, students may pray in a non-disruptive manner when not engaged in school activities or instructions and subject to the rules that normally pertain in the applicable setting. Specifically, students in informal settings, such as cafeterias or hallways, may pray and discuss their religious views with each other, subject to the same rules of order as apply to other student activities and speech. Students may also speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics. School officials, however, should intercede to stop student speech that constitutes harassment aimed at a student group or a group of students.

Students may also participate in before or after school events with religious content, such as "see you at the pole" gatherings, on the same terms as they may participate in other noncurriculum activities on school premises. School officials may neither discourage nor encourage participation in such an event.

The right to engage in voluntary prayer or religious discussion free from discrimination does not include the right to have a captive audience listen or to compel other students to participate. Teachers and school administrators should ensure that no student is in any way coerced to participate in religious activity.

Graduation Prayer and Baccalaureates: Under current Supreme Court decisions, school officials may not mandate or organize prayer at graduation nor organize religious baccalaureate ceremonies. If a school generally opens its facilities to private groups, it must make its facilities available on the same terms to organizers of privately sponsored religious baccalaureate services. A school may not extend preferential treatment to baccalaureate ceremonies and may in some instances be obliged to disclaim official endorsement of such ceremonies.

Official Neutrality Regarding Religious Activity: Teachers and school administrators, when acting in those capacities, are representatives of the State and are prohibited from endorsing particular religious beliefs. Teachers and administrators also are prohibited from discouraging activity because of its religious content and from soliciting or encouraging anti religious activity.

Teaching About Religion: Public schools may not provide religious instruction, but they may teach about religion, including the Bible or other scripture: the history of religion, comparative religion, the Bible (or other scripture) as literature, and the role of religion in the history of the United States and other countries all are permissible public school subjects.

Similarly, it is permissible to consider religious influences on art, music, literature, and social studies. Although public schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays, schools may not observe holidays as religious events or promote such observance by students.

Student Assignments: Students may express their beliefs about religion in the form of homework, artwork, and other written and oral assignments free of discrimination based on the religious content of their submissions. Such home and classroom work should be judged by ordinary academic standards of substance and relevance, and against other legitimate pedagogical concerns identified by the school.

Religious Literature: Students have a right to distribute religious literature to their schoolmates on the same terms as they are permitted to distribute other literature that is unrelated to school curriculum or activities. Schools may impose the same reasonable time, place, and manner or other constitutional restrictions on distribution of religious literature as they do on nonschool literature generally, but they may not single out religious literature for special regulation.

Religious Excusals: Subject to applicable State laws, schools enjoy substantial discretion to excuse individual students from lessons that are objectionable to the student or the students' parents on religious or other conscientious grounds. School officials may neither encourage nor discourage students from availing themselves of an excusal option.

Released Time: Subject to applicable State laws, schools have the discretion to dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation or penalize those who do not attend. Schools may not allow religious instruction by outsiders on school premises during the school day.

Teaching Values: Although schools must be neutral with respect to religion, they may play an active role with respect to teaching civic values and virtue, and the moral code that holds us together as a community. The fact that some of these values are held also by religions does not make it unlawful to teach them in school.

Student Attire: Students may display religious messages on items of clothing to the same extent they are permitted to display other comparable messages. Religious messages may not be singled out for suppression, but rather are subject to the same rules as generally apply to comparable messages, subject to accommodation for religiously required attire, such as yarmulkes or head scarves. (see Policy 5511 - Dress and Appearance)

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ag8802

CARE, CUSTODY, AND DISPLAY OF THE UNITED STATES FLAG

8802 - **CARE, CUSTODY, AND DISPLAY OF THE UNITED STATES FLAG**

The following rules and customs will be observed concerning the care, custody, and display of the flag of the United States of America:

A. The flag should be displayed in or near every school building in the District during each day school is in session.

B. The flag should be displayed every day in or near the School District's administration or central office.

C. In accordance with the U.S. Flag Code requirements, the flag of the United States shall be raised above each school and/or at other appropriate places during all school sessions.

D. The flag should **not**be displayed on days when the weather is inclement, except when an all-weather flag is displayed.

E. When the flag is carried in a procession with other flags, it should be on the flag's own right. If it is a line of flags, it should be in front of the center of the line.

F. The flag should **not**be draped over the hood, top, sides, or back of a vehicle.

G. When the flag is displayed with another flag against the wall from crossed staffs, it should be on the flag's own right and its staff should be in front of the staff of the other flag.

H. When the flag is displayed from a staff projecting horizontally or at an angle from the windowsill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff.

I. When the flag is displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right.

J. When the flag is used on a speaker's platform, it should be displayed flat on the wall and above and behind the speaker.

K. When the flag is displayed from a staff in the auditorium, the staff should be displayed in the position of honor at the speaker's right as the speaker faces the audience. Any other flag should be displayed to the left of the speaker.

L. The flag shall be flown at half-staff as follows:

From the day of death and ---

1. for thirty (30) days for the President or a former President
2. for ten (10) days for the Vice President, the Chief Justice or a retired Chief Justice of the United States, and the Speaker of the House of Representatives
3. until interment for an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, and the Governor of a State
4. on the day of death and the following day for a member of Congress
5. by order of the President
6. by order of the Governor of Wisconsin

On Memorial Day until noon, and then it is to be raised to the top of the staff.

When a flag is flown at half-staff, it is to be positioned at one-half the distance between the top and bottom of the staff.

M. The flag should **not**be dipped to any person or thing.

N. The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.

O. The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.

P. The flag should always be carried aloft and free.

Q. The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.

R. The flag should never be used as a covering for a ceiling.

S. The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.

T. The flag, when it is in such a condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

U. The flag should be folded as follows when being stored:

1. Straighten out the flag to full length and fold lengthwise once.
2. Fold it lengthwise a second time to meet the open edge, making sure that the union of stars on the blue field remains outward in full view.
3. A triangular fold is then started by bringing the striped corner of the folded edge to the open edge.
4. The outer point is then turned inward parallel with the open edge to form a second triangle.
5. This diagonal or triangular folding is continued toward the blue union until the end is reached with only the blue showing and the form being that of a cocked hat.

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ag8913

SECTION 504/ADA - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

8913 - **SECTION 504/ADA - PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board prohibits discrimination against any employee or applicant based on a disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability against qualified individuals with disabilities in every aspect of employment. Specifically, the Board does not discriminate on the basis of disability against a qualified individual in regard to:

A. recruitment, advertising, and job application procedures;

B. hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;

C. rates of pay or any other form of compensation and changes in compensation;

D. job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;

E. leaves of absence, sick leave, or any other leave;

F. fringe benefits available by virtue of employment, whether or not administered by the District;

G. selection and financial support for training, including: apprenticeships, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training;

H. activities sponsored by the Board, including social and recreational programs; and

I. any other term, condition, or privilege of employment.

The District will provide a reasonable accommodation to a qualified applicant and employee who has an actual disability or who has a record of a disability that is needed for the employee/applicant to perform the essential functions of the position, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

An individual with a disability is anyone who:

A. has a physical or mental impairment that substantially limits one or more major life activities ("actual disability");

B. has a record of having (i.e., has a history of, or has been misclassified as having) a physical or mental impairment that substantially limits one or more major life activities; or

C. is regarded as having a physical or mental impairment that substantially limits one or more major life activities (i.e., has a physical or mental impairment that does not substantially limit major life activities but is treated by the District as constituting such a limitation, or has a physical or mental impairment that substantially limits major life activities only as a result of the attitude of others toward such impairment, or has none of the physical or mental impairments recognized by Section 504 but is treated as having such an impairment).

Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

Physical or mental impairment means:

A. any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

1. neurological;
2. musculoskeletal;
3. special sense organs;
4. respiratory, including speech organs;
5. cardiovascular;
6. reproductive;
7. digestive;
8. genitourinary;
9. hemic and lymphatic;
10. skin;
11. immune;
12. circulatory;
13. endocrine;

B. any mental or psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

While the determination of whether an impairment substantially limits a major life activity is an individualized one that is case specific, given the inherent nature of the following impairments, as a practical matter, they almost always will be found to impose a substantial limitation, at a minimum, on the major life activity indicated: deafness substantially limits hearing; blindness substantially limits seeing; an intellectual disability substantially limits brain function; partially or completely missing limbs or mobility impairments requiring the use of a wheelchair substantially limit musculoskeletal function; autism substantially limits brain function; cancer substantially limits normal cell growth; cerebral palsy substantially limits brain function; diabetes substantially limits endocrine function; epilepsy substantially limits neurological function; Human Immunodeficiency Virus (HIV) infection substantially limits immune functions; multiple sclerosis substantially limits neurological function; muscular dystrophy substantially limits neurological function; and major depressive disorder, bipolar disorder, post-traumatic stress disorder, obsessive-compulsive disorder, and schizophrenia substantially limit brain function.

Physical or mental impairments that are episodic in nature or in remission may constitute a disability for the purposes of Section 504/ADA if the impairment would substantially limit a major life activity when active, such as asthma, allergies, or cancer.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aids or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

Individual with a disability does not include the following (i.e., Section 504 and/or the ADA specifically **excludes**):

A. individuals who currently are engaging in the use of illegal drugs, when the District acts on the basis of such use;

B. with respect to employment, any individual who is an alcoholic whose current use of alcohol prevents such individual from performing the duties of the job in question or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others;

C. with respect to employment, an individual who currently has a contagious disease or infection and who, by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the contagious disease or infection, is unable to perform the duties of the job;

D. an individual on the basis of homosexuality or bisexuality; and

E. an individual on the basis of:

1. transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairment, or other sexual behavior disorders;

2. compulsive gambling, kleptomania, or pyromania; or

3. psychoactive substance use disorders resulting from current use of illegal drugs.

Individual with a disability includes an individual who:

A. has completed a supervised drug rehabilitation program successfully and is no longer engaging in the illegal use of drugs, or otherwise has been rehabilitated successfully and is no longer engaging in such use;

B. is participating in a supervised rehabilitation program and is no longer engaging in such use; or

C. is erroneously regarded as engaging in the use of illegal drugs, but is not engaging in such use.

Under Wisconsin law, an "individual with a disability" means an individual who has a real or perceived physical or mental impairment "which makes achievement unusually difficult or limits the capacity to work." This definition has generally been interpreted as a broader definition than that which exists under Federal law discussed above.

Notice

Pursuant to policy, the identity of the District's Compliance Officers (COs) will be published on the District's website and posted throughout the District and included in all recruitment statements or general information publications.

Recruitment materials, job announcements and all other materials/publications published by the Board must contain the following statement:

The Board does not discriminate against individuals with disabilities for employment or the provision of services.

The requirement regarding recruitment materials may be met by including an insert in existing publications or revising and reprinting publications.

Equal Employment Opportunity Statement

The School District of Jefferson School Board does not discriminate on the basis of race, color, sex, (including gender status, change of sex, sexual orientation, or gender identity) religion, age, pregnancy, disability, national origin, ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer-sponsored meeting or to participate in any communication with the employer about religious matters or political matters,or any other characteristic protected by law in its employment practices.

The Board also will include a notice of reasonable accommodation requirements on District employment application forms and post notices that employee reasonable accommodation Request Forms may be obtained from the District's Section 504/ADA Coordinator(s) (hereinafter referred to as the Compliance Officer(s) or CO(s)).

Decision-Making Process for Determining/Identifying Reasonable Accommodations and Undue Hardship

In determining the appropriate accommodation in the employment situation, the District will take into account two (2) factors:

A. the specific abilities and functional limitations of the particular applicant or employee with a disability; and

B. the specific functional requirements of the particular job.

A reasonable accommodation is "any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities." Many times a reasonable accommodation will be obvious and made without difficulty and at little or no cost. The CO will first inquire of the individual with the disability as to any possible suggestions s/he may have for a simple change or adjustment that will serve as an effective accommodation. The District recognizes that employees with disabilities can be useful sources of information on what type of accommodation they need, where to obtain information on appropriate accommodations, and where to purchase accommodations.

If, however, the identification of a reasonable accommodation proves difficult, the District will utilize an informal, interactive process whereby it and the individual will work together to identify the appropriate accommodation. The interactive process will include any and/or all of the following steps, as appropriate:

A. examination of the particular job involved and determination of its purpose and essential functions;

   The District will conduct an individual assessment of the particular job at issue in order to analyze the actual job duties ("essential functions") and determine the true purpose or object of the job. Preferably, a written job description already will be in place that lists the essential functions of the job.

B. the District will consult with the individual with a disability to find out the individual's specific physical or mental abilities and limitations as they relate to the essential job functions;

   This will help the parties identify the barriers to job performance and assess how these barriers could potentially be overcome with an accommodation.

C. in consultation with the individual, the District will identify potential accommodations and assess how effective each would be in enabling the individual to perform essential job functions;

D. if the parties still are not able to identify an appropriate accommodation, the District will seek technical assistance;

E. if there are several effective accommodations that would provide an equal employment opportunity, the District will select the accommodation that best serves the needs of the individual and the District. While the District will give the individual with a disability's preference first consideration, the District may choose among effective accommodations and select the accommodation that is less expensive or easier to provide. The District may consider the cost, efficiency and availability of the alternative accommodations in selecting an effective accommodation. The District does not have the obligation to provide the "best" accommodation possible, so long as it provides an accommodation that is sufficient to meet the job-related needs of the individual being accommodated.

The District will not provide an accommodation without first checking with the employee since the employee may not need or want an accommodation, or the unrequested accommodation may not meet the employee's functional limitations. The District will respect an individual with a disability's right not to accept an accommodation if the individual has not requested it and does not feel one is necessary. However, if this results in the individual failing to perform essential functions, the individual may be considered unqualified and either may be refused employment or discharged.

The District may decline to provide desired accommodations if it determines such accommodations will result in an undue hardship. An undue hardship entails a significant difficulty or expense in, or resulting from, the provision of the accommodation. Such hardship is not limited to financial difficulty but rather encompasses any accommodation that would be unduly costly, extensive, substantial or disruptive, or that would fundamentally alter the nature or operation of the program. If the cost of an accommodation would impose an undue hardship, the District will give the individual with the disability the option of paying that portion of the cost which would constitute an undue hardship or providing the accommodation. Further, the District will not consider employee morale or the attitudes of others when determining undue hardship.

Decisions not to provide a reasonable accommodation will be in writing and accompanied by an explanation of the decision.

Reasonable accommodations may include:

A. making facilities used by employees readily accessible to and usable by individuals with disabilities;

B. job restructuring, part-time or modified work schedule, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions;

C. making modifications to existing leave policies and providing leave when needed for a disability, even where an employer does not offer leave to other employees;

D. reassignment to a new job because the disability prevents the employee from performing one (1) or more essential functions of the current job, even with a reasonable accommodation, or because any accommodation in the current job would result in undue hardship. If reassignment is required, the Board will place the employee in a vacant position for which the employee is qualified, without requiring the employee to compete with other applicants for open positions, except reassignment does not include promotion, and generally does not involve placing an employee in a vacant position when another employee is entitled to the position under a uniformly-applied seniority system, if any.

Factors to be considered when determining whether an accommodation would impose an undue hardship on the operation of the District's program or activity include:

A. the overall size of the District's program or activity with respect to number of employees, number and type of facilities, and size of budget;

B. the type of the District's operation, including the composition and structure of the District's workforce; and

C. the nature and cost of the accommodation needed.

Accommodation obligations under the Wisconsin Fair Employment Act may be broader than that required under the ADA, as Wisconsin does not employ the “essential functions of the job” analysis as is used under Federal law.

Employment Criteria

The District will not use qualification standards, employment tests, or other selection criteria that screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, unless the standard, test, or other selection criteria, as used by the Board, is shown to be job-related for the position in question and consistent with business necessity.

The District will select and administer tests concerning employment so that when administered to an applicant or employee who has a disability that impairs sensory, manual or speaking skills, the test results accurately reflect the applicant's or employee's job skills, aptitude, or whatever other factors the test purports to measure, rather than reflecting the applicant's or employee's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

Pre-employment Inquiries

Except as authorized by law, the District will not conduct a pre-employment medical examination or make a pre-employment inquiry of an applicant as to whether the applicant is an individual with a disability or as to the nature or severity of a disability. The District will, however, make a pre-employment inquiry into an applicant's ability to perform job-related functions; this includes requesting the applicant to describe or demonstrate how the applicant would perform the functions.

The District may give a physical agility test at any point in the application or employment process since such tests are not medical exams. When the District decides to give such a test it must give the test to all similarly situated applicants or employees regardless of disability.

Some examples of alternative test formats and reasonable accommodations are:

A. allowing people with certain learning or dexterity disabilities to take extra time on a test;

B. assuring the test site is accessible to a person with a mobility impairment;

C. allowing a person with a mental disability who cannot perform well with distractions to take a test in a separate room, if a group test setting is not relevant to the job; and

D. providing Braille, large print, a reader, or a computer for people with vision impairments.

If the District conditions an offer of employment on the results of a medical examination conducted prior to the employee's entrance on duty, the District will:

A. subject all entering employees in the same job classification to such an examination regardless of disability; and

B. use the results of the examination only as authorized by law.

The successful candidate who is required to submit to a medical examination, as well as the medical provider that is designated by the District to conduct the examination, will be directed not to collect or provide any genetic information, including the candidate's medical history, in the report of the medical examination.

Information obtained as to the medical condition of the applicant, including any inadvertently provided genetic information, will be collected and maintained on separate forms that shall be accorded confidentiality as medical records, except that:

A. supervisors and managers may be informed regarding restrictions on the work or duties of individuals with disabilities and necessary accommodations;

B. first aid and safety personnel may be informed when appropriate, if the condition might require emergency treatment; and

C. government officials investigating compliance with Section 504, the ADA and/or the Genetic Information Nondiscrimination Act ("GINA") shall be provided relevant information upon request.

Interviews

All of the topics labeled off-limits with respect to job applications likewise are prohibited as subjects of inquiry during job interviews. The District, however, may ask questions that relate to an applicant's ability to perform job-related functions so long as they do not phrase the questions in terms of disability. The interviewer may ask about an applicant's ability to perform both essential and marginal job functions. In addition, the interviewer may describe or demonstrate job function(s) and inquire whether the applicant can perform that function(s) with or without reasonable accommodation. Along the same lines, the interviewer may ask the applicant to describe or demonstrate how, with or without reasonable accommodation, the applicant will perform the job-related functions. Any questions concerning the need for reasonable accommodation always should be linked with performance of a specific job function. The interviewer never should ask an open-ended question such as, "Will you need a reasonable accommodation?"

Interviews should thus concentrate on how applicants will complete tasks that are essential functions, rather than on eliciting information about the applicant's physical or mental condition. Similarly, the District may inquire as to an applicant's ability to perform a job effectively and safely.

According to the EEOC, the following list provides examples of questions that cannot be asked on a job application or during an interview.

A. Have you ever had or been treated for any of the following conditions or diseases?

B. Please list any conditions or diseases for which you have been treated in the past three (3) years.

C. Have you ever been hospitalized? If so, for what condition?

D. Have you ever been treated by a psychiatrist or psychologist? If so, for what condition?

E. Have you ever been treated for any mental condition?

F. Is there any health-related reason you may not be able to perform the job for which you are applying?

G. Have you had a major illness in the last five (5) years?

H. How many days were you absent from work because of illness last year?

I. Do you have any physical defects that preclude you from performing certain kinds of work? If yes, describe such defects and specific work limitations?

J. Do you have any disabilities or impairments that may affect your performance in the position for which you are applying?

K. Are you taking prescribed drugs?

L. Have you ever been treated for drug addiction or alcoholism?

M. Have you ever filed for workers' compensation insurance?

Interviewers should not ask a candidate's reference any question about an applicant that interviewers could not ask the applicant directly (i.e., previous employers cannot be asked about a former employee's disabilities, illness or workers' compensation history/claims).

The following list provides some pre-employment questions that can be asked.

A. Can you meet the requirements of our attendance policy?

B. Can you perform the tasks of this position with or without an accommodation?

C. Describe or demonstrate how you would perform this function, with or without an accommodation? Such a question can be asked of applicants who have a known disability that might prevent them from performing a job function. If the disability would not interfere with a job function, however, the person could be asked to demonstrate job performance only if all other candidates must do so.

If an applicant indicates the applicant has performed a particular function with an accommodation, the potential employer may inquire about it.

Investigation and Complaint Procedure

Any employee or applicant who believes they have been subjected to discrimination, retaliation, or denied reasonable accommodation may seek resolution of their complaint through the procedures described in Policy 8913 – Section 504/ADA Prohibition Against Disability Discrimination In Employment. The complaint procedure involves an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

Privacy/Confidentiality

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants will be advised that their identities may become known to the Respondent(s) through the investigation process.

During the course of an investigation, the CO will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained in accordance with the Board's records retention policy.

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ag9120A

PUBLIC RELATIONS OBJECTIVES

9120A - **PUBLIC RELATIONS OBJECTIVES**

The purpose of the school-community relations program is to establish and maintain in the public mind both respect for the school system and confidence that it is providing the best possible education for the District's students in terms of intellectual, emotional, moral, social, and physical development.

To this end, parents and other District residents are to be kept informed regarding Federal/State regulations and District policies and guidelines.

The District Administrator shall be responsible for the District's public relations program which shall be designed to accomplish the following objectives to:

A. Explain in an understandable, noncondescending manner, the programs, achievements, and needs of the schools to:

1. parents,
2. local officials,
3. community leaders,
4. local business and industry,
5. community organizations,
6. special interest groups,
7. the community as a whole,
8. State and Federal agencies.

B. Obtain reliable, useful information regarding:

1. what residents expect from their schools;
2. what residents think their schools are accomplishing;
3. what residents would like to know about their schools;
4. what residents would like their schools to be doing differently.

C. Anticipate potential problems caused by misunderstanding or lack of information and take measures to eliminate them before they happen.

D. Operate meetings in accordance with law and as speedily and efficiently as circumstances permit.

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ag9120B

PHOTOGRAPHS/PICTURES

9120B - **PHOTOGRAPHS/PICTURES**

The District has a need for photographs for use in personnel records, student records, school newsletters, general public information, and the like.

This guideline shall, at all times, in the case of student photographs, be administered consistent with the District's student records policy concerning the designation of directory data and with respect to student or parental opt out procedures. See Board Policy 8330 - Student Records.

Whenever possible, a recent photograph should be obtained from each staff member and from each new staff member, upon employment. The photo shall be kept in the staff member's personnel file for use primarily in publicity about the staff member and/or the District.

Commercial use of personal photographs shall be prohibited without specific approval of the parent and/or staff member. Group photographs of a general nature may be used for public relations and media press releases; however, individual photographs require a written approval from the parent/staff member prior to use. (See Form 7540 F4)

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NEWS MEDIA RELATIONS

9120C - **NEWS MEDIA RELATIONS**

The District Administrator will function as the District's communication representative with the news media and the principal will serve that function at the school level. In order to maintain a progressive and coordinated program of public relations for the District, it is essential that:

A. staff members not give school information or an interview requested by representatives of the news media without prior approval of the principal who will either set up an appointment for this purpose which will not interfere with the staff member's daily activities, or speak to the media representative about the matter personally;

B. anyone given permission to photograph a nonpublic school event or activity must submit the photographs to principal for approval prior to their use in order to avoid possible invasion of privacy problems;

C. in cases where there is doubt with regard to taste or privacy, but where it is felt that the publishing of the photograph serves a purpose which is in the best interests of the District, the principal will not authorize the use of the photograph without first obtaining a release from the individual(s) concerned or their parent or guardian;

D. students are not permitted to provide information about school activities or an interview to representatives of the news media without prior approval of the principal who is to be present at all such meetings with news media representatives.

The District and each school's principal shall:

A. be readily available to media representatives;

B. provide media representatives upon their request with all facts that give a true picture to the best of his/her knowledge, requesting, at the same time, that they not publish or broadcast any facts which are injurious to District personnel or students, or which would serve no constructive purpose;

C. keep media representatives fully informed with regard to the school system in all aspects, activities, and changes, so that any reporting will be done on the basis of a complete and valid overview;

D. submit, suggest or request feature stories or articles to media representatives which are of interest or importance;

E. provide an agenda and other "background" material to media representatives who attend meetings of the Board;

F. assist various school-related groups in their relations with the news media;

G. protect school personnel from any unnecessary demands on their time by news media representatives.

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ag9130

COMPLAINT REVIEW COMMITTEE PROCEDURES

9130 - **COMPLAINT REVIEW COMMITTEE PROCEDURES**

The following procedures should be used by committees formed to review complaints concerning instructional materials.

A. **Conduct Meetings Consistent with Wisconsin's Open Meetings Law**

The District office shall assist the committee in preparing and posting meeting notices and by providing sufficient space for the meeting that will accommodate interested members of the public who wish to attend.

Robert's Rules of Ordershall be followed for conducting meetings.

A chairperson and a secretary will be selected prior to the initial meeting.

B. **First Meeting:**

1. Copies of the petitioner's complaint are distributed.
2. Copies of the material being challenged are distributed.
3. Relevant materials concerning the issue are made available.
4. The petitioner may make an oral presentation of not more than fifteen (15) minutes.
5. District staff may make an oral presentation of not more than fifteen (15) minutes.
6. The chairperson directs each committee member to review the complaint carefully and be prepared to vote on the issue at the second meeting.

C. **Second Meeting:**

1. Committee discussion, led by the chairperson.
2. Petitioner may be present to observe, but may not participate in the deliberations.
3. Vote of a simple majority of those present entitled to vote will determine the resolution of the complaint.
4. Only members who have read or viewed the material in its entirety may vote.

The vote will then be forwarded to the District Administrator for his/her review and decision.

Minutes of each meeting will be kept by the secretary and distributed to the petitioner, the committee, and the District Administrator.

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ag9150

SCHOOL VISITORS

9150 - **SCHOOL VISITORS**

In order to protect the educational program of the schools from undue disturbance, each principal shall establish guidelines and procedures for visitors which shall include the following:

A. Persons wishing to visit one or more schools are to make arrangement in advance through the school office of each school to be visited.

B. Every visitor to a school must register at the school office. Sign-in lists showing name, time, person visiting, and time departing shall be maintained by the office. Any person who does not register with the school office is on school property without authorization and should be asked to identify themselves properly and obtain permission or to leave the school grounds. If the visitor refuses to leave the school grounds or creates any disturbance, the building principal should request aid from the local law enforcement.

C. No visitor may see a student in school unless it is with the specific approval of the building principal. If an emergency situation requires that a student be called to the office to meet with a visitor, a member of the administrative staff must be present during the conference. A student is never to be permitted to leave the school with anyone who is not clearly identified as the student's parent or an appropriately authorized person.

D. Students may not bring guests to school unless permission to do so has been granted by the building principal.

E. Parents, other than those who have been asked by a teacher to be in the classroom, who wish to observe learning activities taking place in their child's classroom are to confer, in advance, with the principal and the teacher and state the purpose of the visitation.

   It is important that each parent understands that because classroom visitations can be distractive to the students, the following guidelines have been established:

   1. Visitations will not be allowed during examinations and independent study periods.

   2. A visitation should be no longer than one (1) class period.

   3. The number of visitors at any one (1) time should not exceed two (2) parents.

   4. The frequency of visits for any student's parents should be no more than once every two (2) weeks and the aggregate number of nonstaff visits per week should not exceed three (3).

F. Parents are to be silent observers and are not to create any type of disturbance or disruption to the learning process.

G. Copies of instructional materials being used by the students or teacher may not always be immediately available during the visitation.

H. Any comments made by individual students are to be maintained in confidence by the visitor to the activity.

I. Use of audio or visual equipment to record classroom activities must be approved by the principal and the teacher. No visitor shall be allowed to videotape students in the classroom, without the prior consent of the principal, as it may violate the privacy rights of students unrelated to the visitor. Recording of other school activities to which the public is invited will be in accordance with AG 9160 - Attendance at Public Events.

J. If the nature and instructional purpose of any activity calls for students to be segregated by gender for purposes of privacy, only visitors of the same gender may observe those groups in the privacy areas.

K. Any comments or concerns are to be discussed with the teacher before or after the school day when students are not present.

L. If a parent or other visitor wishes to record a conversation with a teacher or the principal, the parents should request permission from the teacher or principal although the person is not obligated to do so. If the teacher or principal wishes to record a conversation with a parent or other visitor, the teacher or principal is to inform that person that the conversation is being recorded before the conversation begins.

A copy of these guidelines (Form 9150 F1 - Visits to the School) is to be given to and signed by each nonstaff visitor to a classroom as an indication that the visitor understands the guideline.

Visitors are to be encouraged to meet with the principal and teacher during noninstructional hours to discuss the observation and to obtain answers to their questions. If a parent has a concern about what may be transpiring in their child's classroom, the parent should follow the Board's Policy 9130 - Public Requests, Suggestions, or Complaints which states that the parent is to address the matter first with the teacher and, if not rectified, to then meet with the principal.

M. Except as set forth in District policy or in the case of "service animals" required for use by a person with a disability, no other animals may be on school premises at any time.

N. No staff member is to transact business with a visitor who: has not duly registered at the school office and received authorization to be present for the purpose of conducting business.

If a person with disabilities visits a school requests accommodation, and has not submitted the Request for Accommodation Form 9160A F1, in advance, the principal should ask the person to allow the school adequate time to arrange for the accommodation, providing such accommodation is reasonable (see AG 9160A - Accessibility of District Facilities).

Each principal shall post in a conspicuous place at each entrance, the guidelines and procedures to be followed by visitors.

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ag9160

PUBLIC ATTENDANCE AT SCHOOL EVENTS

9160 - **PUBLIC ATTENDANCE AT SCHOOL EVENTS**

The following regulations are to be observed with respect to the conduct of school events:

A. all laws regarding public assemblies must be strictly complied with. Use of tobacco or other nicotine products that produce smoke or vapor (e.g., vape devices) in any place of public assembly in any school building is absolutely prohibited. The sale, possession, or consumption of any form of alcoholic beverages or prohibited drugs in or on any part of the school buildings or grounds is absolutely prohibited.

B. wagering on any aspect of an athletic event will not be tolerated but participation in raffles and other such forms of fund-raising for school-related events is permissible if the event is authorized by the District Administrator in accordance with any applicable State regulations,

C. senior citizens, residents of the District sixty-five (65) years of age or older and retired, shall be admitted without charge to certain school events;

D. passes to school events will be available to each Board member and a guest, municipal officials and all ex-Board members;

E. armed services personnel in uniform shall be admitted free to all school events;

F. the Board will honor athletic passes for all districts which are members of conferences in which teams of this District compete and which honor the passes of this District.

Use of Recording Devices

Anyone attending a school event who wishes to record the activity on a visual recording device shall be asked to abide by the following rules:

A. the recorder must operate the device within the area designated by the Principal or director of the activity;

B. the camera must not block the view of any other attendees or interfere with others who seek to record the activity;

C. those who record or assist a recorder must not block any passageways nor interfere with any other attendee's participation or observation of the activity;

D. the recorder must not ask other attendees to be quiet or to change their behavior;

E. the recorder must agree to abide by all District safety rules, which are available from the Principal or director of the activity.

Where the District does not possess the appropriate license or permission to allow the recording of a copyrighted work or performance, notice will be given, when possible, prior to the exhibit or performance. Any such announcements shall be made at the beginning of the exhibit or performance.

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ag9190

CUSTOMER SERVICE

9190 - **CUSTOMER SERVICE**

The following guidelines should be followed whenever students are involved in vocational programs which involve providing services to people in the community:

General Provisions

A. The customer will be given an estimate of the costs, in advance of the work, except for standardized cost services.

B. A signed Customer Service Agreement and/or work order must be on file and if practicable, a copy of the agreement shall remain with the job.

C. The instructor will note pertinent information about the service item upon receipt of the order.

D. No item will be released to the customer before the total invoice is paid in full. Arrangements should be made to have work picked up after notification of project completion.

E. The Director of Business Services must approve the scheduling of all customer service work.

Fee Schedule

A. All parts and materials furnished by the school will be invoiced at current list price plus State sales tax.

B. Customer service fees will be determined by the Director of Business Services.

C. A fee may be added when special equipment is needed to complete the order properly.

D. The instructors may quote a job at a special rate if it is determined that the job is an unusually good training experience or requires additional time in the lab. The adjusted rate shall be noted on the Work Order.

E. The normal customer service fee may be waived with a donation of materials and/or equipment of a comparable value, with the approval of the Director of Business Services or District Administrator.

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ag9211

DISTRICT-SUPPORT ORGANIZATIONS

9211 - **DISTRICT-SUPPORT ORGANIZATIONS**

In accordance with Board policy, all District-support organizations, including parent associations, booster clubs, and the like, are to abide by the following guidelines:

A. Bylaws of the organization clearly state:

1. the purpose of the organization must be to benefit the students of the District;
2. the name of the organization;
3. the procedure for the election of officers and the length of terms;
4. provisions for student and staff involvement which are to include that a District administrator or faculty member is included on the organization's advisory board and that any student or staff involvement in the conduct of the organization's activities is subject to the approval of the District Administrator.

B. Each organization, by no later than September 30 of each year, submit its plan for any and all fund-raising activities to include the following:

1. the purpose of each fund-raising activity
2. the fund-raising procedure
3. the bookkeeping procedure that will be used
4. designation of a fiscal officer for the organization who will be responsible for the accounting of funds
5. assurance that none of the proceeds from a fund-raiser are commingled with a student activity account
6. agreement that none of the activities involve the use of public funds
7. a guarantee that funds will be used in ways that are consistent with the purpose of the organization and that collected funds will be spent on student activities connected with the District
8. agreement that any purchases made by the organization are not represented as District expenditures and do not use identification numbers of the District such as tax I.D. numbers, purchase order numbers, sales tax exemption forms, and the like
9. assurance any fundraisers that involve the sale to students of food items and/or beverages that will be consumed on campus, the food and/or beverages items to be sold comply with the current USDA Dietary Guidelines for Americans and Smart Snack Rules

   Further, if approved, assurance that fundraisers that involve the sale to students of food items or beverages to be consumed on campus can only be conducted from thirty (30) minutes following the close of the last lunch period until thirty (30) minutes after the end of the school day (not in direct competition with the sale of reimbursable meals).

C. Each organization agrees that any donations made to the District shall be done in accordance with Board Policy 7230 and the accompanying guidelines.

D. Each organization agrees to abide by the policies and guidelines established for use of District facilities and grounds.

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ag9270

HOME-BASED PRIVATE EDUCATION STUDENTS

9270 - **HOME-BASED PRIVATE EDUCATION STUDENTS**

The District has established the following requirements and limitations to home-based private education:

Participation in a District School

A student receiving home-based private education may attend up to two (2) courses per semester in the public school classroom provided that the student meets the minimum standards for enrollment in each course as established by the District. Such student may attend no more than two (2) courses per semester, which shall include any courses being taken by the student in another public school district such that the aggregate number of courses taken in a public school district in any semester does not exceed two (2).

Participation in Extra-curricular Activities

A student receiving home-based private education may participate in interscholastic athletics in the District, including WIAA sanctioned interscholastic athletics, on the same basis and to the same extent that the District permits students enrolled in the District to participate. Upon request, the home-based private education program in which the student is enrolled shall provide the District with a written statement that the student meets the Board's requirements for participation in interscholastic athletics based on age and academic and disciplinary records. No person may provide a false statement.

The District may charge a student who participates in interscholastic athletics or extracurricular activities participation fees, including fees for uniforms, equipment, and musical instruments, on the same basis and to the same extent that it charges these fees to a student who is enrolled in the District.

Academic Assessment

The District strongly recommends that the parent maintain a record of the program of instruction including any assessments of student learning. This documentation will be important if the child enrolls in a District school. Such a record could include:

A. resources and books used in the course;

B. the number of hours devoted to each course of study (800 hours minimum);

C. courses of study completed;

D. a portfolio of work done;

E. examples of tests and test scores;

F. standardized test scores demonstrating the student's ability.

The District shall not administer statewide examinations/assessments to students receiving a home-based private education, including those enrolled in the District for two (2) or fewer classes per day. The District shall not pay for any standardized testing of students not enrolled in the School District.

The District may permit the home-based private education student to take local District achievement/ability tests normally given at each grade by the District. This may be done on a fee basis, as determined at the time of the parent request. It is the parent's responsibility to make the appropriate arrangements with the school principal.

Enrollment in a District School

If a parent wishes to have his/her child enroll or re-enroll in a District school, s/he must follow normal enrollment guidelines. The conditions and assessment procedures described in AG 5463 - Student Transfer from a Nonpublic School will apply.

In grades 9-12, if the student wishes to enroll, the parent should provide an academic assessment report for each class taken during the child's home-based private education. In addition, the school will need the grades from the last public or private school attended prior to home-based private education. Athletic eligibility will be determined by WIAA guidelines and District athletic policy.

Students are encouraged to enroll at the beginning of a semester.

Course Grades, Credits, and Honors

All home-based private education courses will be given a grade of P/F (Pass/Fail) and transcripts will denote home-based private education with P/F grades and "credits" assigned by the parents.

Recognition of credits or course-work shall be granted when the proper assurance and the student's transcript has been received. The District reserves the right to assess such transfer students in order to determine proper placement and to be assured the student can demonstrate the learnings which are prerequisite to a placement. Although credits from home-based private education courses may be granted and placed on a student's transcript, no grades will be entered on the transcript or considered for class ranking. Only grades awarded for courses taken at the District or at a school whose curriculum meets the requirements stated in 118.165(1) shall be considered in class ranking and for entering on the transcript.

The student's grade-point average will be established only after s/he has completed two (2) consecutive semesters of attendance at the high school. To be eligible for awards such as Valedictorian or Salutatorian, National Honor Society, etc., the student must be enrolled for two (2) consecutive semesters prior to the second semester of the senior year. Academic Excellence Scholarships shall be awarded in accordance with Policy 5451.01 and Policy 5451.02.

If the student wishes to graduate from a District high school, s/he must meet the requirements specified in Board Policy 5460 and the graduation requirements of the high school.

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RELATIONS WITH EDUCATIONAL RESEARCHERS

9500 - **RELATIONS WITH EDUCATIONAL RESEARCHERS**

Criteria which the District Administrator shall use in the approval of research projects conducted in the District include, but are not limited to, the following:

A. The research project proposal must be presented in written form to the appropriate building principal(s) and describe in detail the researcher's identity, the plans for administration of the project within the school (including a reasonable time line for project completion), the purpose of the project, activities involved, data collection techniques, protection of privacy rights, extent of school program interruption, and any proposed uses of the information gained by the project.

B. Objectives of the research must be clearly stated and the design likely to produce valid and reliable results to be made available to the District.

C. The research should be able to be shown to contribute directly or indirectly to the improvement of the education or the general welfare of children.

D. Any data to be derived from school records, interviews, or questionnaires with the potential for invasion of the privacy of students or their families must have advance written authorization of parents even though the data is to be collected and reported under conditions of anonymity. (See Policy 2416 and AG 2416). Copies of such authorizations are to be filed with the appropriate principal before any such data is accessed.

E. Research proposal significance should justify the time and effort proposed for involvement of District students and staff members.

F. Normal instructional activities are generally not to be interrupted without clear evidence of direct improvement to the educational program of the District.

G. Projects involving student researchers must have prior written approval by a faculty member of the institution in which the student is enrolled. This faculty member must accept in writing direct responsibility related to the student's research.

H. There shall be no change in the curriculum, scope, and sequence in any grade or class as a result of the project.

I. No control or experimental group shall be denied the benefit of the best teaching methods in use in the District nor shall the amount of class time devoted to experimental procedures interfere with the regular allotment of time for the educational program.

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ag9700A

DISTRIBUTION OF MATERIALS TO STUDENTS

9700A - **DISTRIBUTION OF MATERIALS TO STUDENTS**

Procedures

Any person or organization wishing to distribute material on school property must first submit for approval a copy of the material to the Building Principal or his/her designee ten (10) day(s) in advance of desired distribution, together with the following information:

A. name of the person or organization

B. date(s) and time(s) of day of intended distribution

C. location where material will be distributed

D. the grade(s) of students to whom the distribution is intended

E. manner in which the material will be distributed

The Building Principal may either approve the distribution of the material or deny it by indicating how it violates Board Policy 5722, Policy 8800, and Policy 9700, any of the criteria listed below, or a restriction regarding time, place, and manner. If permission to distribute the material is denied, the person or organization shall have the opportunity to make necessary revisions and/or deletions and resubmit to the District Administrator for approval.

Criteria

The distribution may be authorized if the material is:

A. related to a current course of study offered by the school;

B. ties in with a District-sponsored activity and will be distributed only to students participating in that activity;

C. unrelated to a District activity but is related to an activity for students that is conducted by an approved outside organization and is to be distributed only to students who are participating in that activity;

D. unrelated to any type of student activity but presents information that will be beneficial to the students receiving the material and distribution by other means is either not possible or is not feasible.

Permission to distribute or display material does not imply agreement of its contents by either the administration of the school, the District Administrator, or the Board.

Time, Place, and Manner of Distribution

The distribution of written material shall be limited to a reasonable time, place, and manner as determined by the principal who shall ensure that:

A. no material is distributed or displayed during a time or at a place of a school activity if it is likely to cause a substantial disruption of that activity or of other activities;

B. no material is distributed or displayed if it blocks the safe flow of traffic within corridors and entrance ways of the school.

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CRITERIA FOR COMMERCIAL MESSAGES

9700B - **CRITERIA FOR COMMERCIAL MESSAGES**

Any organization that seeks to provide materials or equipment to the District which contains, or has associated with it messages which are designed to sell a product or service must submit the request to the District Administrator before the item(s) is used by the District.

Furthermore, any commercial organization that contracts with a school group or school-affiliated organization to purchase space for the purpose of advertising a product or service must submit the request to the District Administrator before finalizing the advertisement.

The determination as to the appropriateness of the commercial message will be based on the following criteria:

A. The message does not relate to a product which is inappropriate for or illegal to minors.

B. The message does not relate to a product or service that the Board determines may be considered educationally controversial or objectionable to the District's community.

C. The message can be presented without loss of instructional time.

D. The message consists of no more than the name of the product (service) and/or the name of the sponsoring organization.

E. The primary intent of the sponsor is to provide the District with an item that is beneficial to the District rather than to provide a means for the sponsor to sell a product or service.

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GUIDELINES FOR NON-PROFITS FOR DISTRIBUTION OF INFORMATION IN SCHOOLS

9700C - **GUIDELINES FOR NON-PROFITS FOR DISTRIBUTION OF INFORMATION IN SCHOOLS**

At present, the School District of Jefferson offers non-profit organizations the opportunity to provide students and parents information about activities that fit with the District's mission, vision, and beliefs. Information regarding community activities/programs that are for public school-age students will be shared with students/families if (1) the information meets the criteria set forth below; and (2) the person requesting to share the information through the schools follows the procedure for the distribution of the material.

Requests for the distribution of non-school-sponsored materials shall be submitted to the Building Principal or District Administrator who shall determine if the information should be shared based upon the following criteria:

A. The program/activity must serve K-12 public school-age children;

B. The program/activity does not violate the law;

C. The program/activity must be considered appropriate as determined by the District Administrator;

D. The materials requested to be shared are not being provided for the purpose of recruiting current School District of Jefferson students to attend a non-SDOJ school/educational program/activity that occurs during regular school hours during the school year; and

E. Community programs/activities do not include, for example, any activity, product, or service that is generally open to the public at large as an income-generating or for-profit business activity and that is generally not specific to public school-age students, including those being offered at special rates or discounts to attract school-age customers/consumers and their families (e.g., restaurants, hotels, entertainment venues, etc.).

DISCLAIMERS

Organizations are required to include a disclaimer on all material, i.e., flyers, brochures, and promotional materials. One of two versions should be used:

Disclaimer #1 is to be printed on or stapled to any materials that are distributed by organizations, businesses, etc. outside of our school district.

> *This is not a school-sponsored activity and the School District of Jefferson does not provide support or endorsement of this program/activity. It has neither reviewed nor approved the program, personnel, or activities announced in this brochure/flyer. Permission to distribute this material must not be considered a recommendation or endorsement by the School District.*

Disclaimer #2 is to be printed on or stapled to any materials that are distributed by organizations identified as supporting students and families of our district, such as PATHS/PTO's, Jefferson Park and Rec. Dept., Jefferson Youth Sports, FFA Alumni, etc.

> *This activity is organized and solely sponsored by a recognized parent or community organization in support of the School District of Jefferson and not by the school district itself. It is recognized that the intent of the activity is to ultimately support students and families served by the School District of Jefferson. Permission to distribute this material has been given by the district.*

PROCEDURES FOR REQUESTS

Information (flyers, brochures, etc.) from non-profit outside organizations is allowed to be distributed/posted only after approval from the Building Principal or District Administrator. The following procedures should be used:

A. District staff are not to distribute material without the completed approval/notification process.

B. The requesting non-profit organization contacts the Building Principal or District Office and provides an electronic copy of the informational piece to the office for approval.

1. The appropriate School District of Jefferson disclaimer must be included on each piece.

2. Flyers will be accepted up to two (2) months prior to the first date or deadline.

3. If an electronic copy is unavailable, a copy may be mailed to or dropped off at the appropriate office (see below).

C. A copy of the information translated into Spanish is recommended.

D. The administrator giving approval will keep a copy on file and inform the requesting organization of such approval.

E. The District may SHARE content on social media platforms from the non-profit's original post into District social media page(s).

A disclaimer must be included in the text while being shared

Electronic Distribution:

Electronic flyers can be shared in the following ways:

A. Posted on the District's Community Communication web page

B. Emailed to families via building/ district digital newsletters

C. If requested and available on the non-profit's social media pages the District may SHARE the approved content on District social media platforms from the non-profit's original post to District social media page(s).

A disclaimer will be include in the text while being shared

Print Distribution:

Print flyers can be shared in the following ways:

A. A hard copy flyer may be posted in the requested school building(s).

B. The requesting organization may make additional copies available at the school building(s) for families to pick up from the office.

Copies will not be sent or mailed home with each student, unless extenuating circumstances are warranted and approved by the Building Principal.

CONTACTS

District Office 206 South Taft Ave. Jefferson WI 53549 920-675-1000	Jefferson High School 700 West Milwaukee St. Jefferson WI 53549 920-675-1100	Jefferson Middle School 501 South Taft Ave. Jefferson WI 53549 920-675-1300
East Elementary 120 S Sanborn Ave Jefferson WI 53549 920-675-1400	Sullivan Elementary 618 Bakertown Rd, Sullivan, WI 53178 920-675-1500	West Elementary 900 West Milwaukee St. Jefferson WI 53549 920-675-1200

ag9700D

SPONSORSHIP GUIDE

9700D - **SPONSORSHIP GUIDE**

PURPOSE

The purpose of this guide is to provide information regarding the sponsorship opportunities within the School District of Jefferson and the process by which interested parties can take advantage of those opportunities. These sponsorship opportunities are a way for businesses to gain exposure in the community, for individuals to dedicate a specific facility that holds a special place for them, or even for an organization to assist the district in achieving its academic goals. There are many varied and valuable opportunities contained within this guide; however, these are not the only opportunities available. If you have a sponsorship idea outside of this guide, please submit a proposal to the Director of Business Services (contact information below).

CONTACT

For more information, or if you have questions regarding sponsorships in the School District of Jefferson, please contact:

Ryan Bandt, Director of Business Services
School District of Jefferson, 206 S. Taft Avenue, Jefferson, WI 53549
Phone: 920.675.1044 • E-mail: bandtr@sdoj.org

PUBLIC RECORDS

Please note that all documents, e-mail correspondence, etc., related to any sponsorship proposal or agreement are public records and available to anyone who may inquire under the State of Wisconsin Open Records Law. The District will maintain an updated listing of all currently sponsored areas and share a Sponsorship report to the Board annually.

PROCESS

1. The prospective sponsor shall contact the Director of Business Services regarding the interested sponsorship (contact information above). A copy of the advertisement, logo, or sample marketing materials must be submitted for consideration. The funds with the prospective sponsor's selected package will be designated as "Unreserved" unless mutually agreed upon by both parties.
    a. Reserved: The prospective sponsor desires that the sponsorship funds be used only for the program or facility associated with the sponsorship (e.g., Funds from sponsorship on a softball scoreboard would benefit the softball facility and scoreboard maintenance).
    b. Unreserved: The prospective sponsor does not desire to designate how the funds from the sponsorship will be used. These funds would then be distributed for projects or programs throughout the district.
2. Theprospective sponsor shall meet with the Director of Business Services or their designee, along with other pertinent District staff, prior to better understand the sponsor's proposal and intentions.
3. The Advisory Committee will meet as needed to approve or deny the requested sponsorship and attached materials. Agreements totaling more than $20,000 will be forwarded to the School Board for approval upon the recommendation of the Advisory Committee. Should the Advisory Committee be unable to render a decision or there are unique considerations, the District Administrator shall be consulted for his/her opinion on how the proposal shall be handled. Should multiple prospective sponsors select the same sponsorship opportunity, the Committee may consider the applications on a first-come, first-served basis if all other factors are equal.
4. Once the agreement has been reviewed and accepted, the sponsor will be contacted to execute the agreement, pay all deposits or fees due, and provide any other materials or information the District may need to implement the sponsorship.
5. Once the agreement has been executed and all fees have been received, the District will begin the process of implementing the agreed-upon sponsorship.
6. Sponsors with logo/branding changes are required to cover the cost of updating sponsorship materials.

ADVISORY COMMITTEE MEMBERSHIP

The Advisory Committee shall comprise the Director of Business Services, the Building Administrator (of the applicable building), and the District Administrator or designee. The Athletic Director shall be a member of all athletic sponsorships. The Director of Curriculum & Instruction shall participate in the Academic and Arts sponsorships.
The committee may also include other stakeholders such as advisors, staff members, Board members (up to 2), Chamber of Commerce members, booster club members, etc.

DEFINITION OF TERMS

DONATIONS -See Grants and Gifts below.
FUNDRAISING – PARENTS/GUARDIANS
There is no specific School Board policy about parent-operated fundraisers. If parents, an outside group, or an organization is planning to do a fundraiser specifically to help a school, the fundraiser must be approved by the school administration in

advance of the activity.

FUNDRAISING - STUDENTS(Board Policy 5830 - STUDENT FUND-RAISING)

Student fundraisers are specific to fundraisers endorsed by the school through a school club or organization. The monies collected and profits are for a particular club or organization.

GRANTS AND GIFTS FROM PRIVATE SOURCES (Reference Board Policies 7230 - GIFTS, GRANTS, AND BEQUESTS & 9700.01 - ADVERTISING AND COMMERCIAL ACTIVITIES)

A donation, grant, or gift is different than a sponsorship. It must be understood that the School Board has the right to accept or deny a gift or a grant. The donor (whether through a donation or a gift) may be recognized by the School Board if a donation form is filled out. The donor (whether through a donation, gift, or grant) does not benefit through advertisement at school or a school-related event.

SPONSORSHIPS (Refer to Board Policy 9700.02 - SPONSORSHIP POLICY)

Sponsorship is defined as a person, company, business, corporation, or other entity providing money to support the District, its school, school activities, etc., in return for the sponsor receiving an acknowledgment by the District or school. Sponsorship offers an opportunity for the sponsor to receive recognition; however, the sponsor is not required to advertise. Sponsorship is limited to a time frame as outlined in the agreement.

SPONSHIPSHIP - LIMITED-TERM NAMING RIGHTS

Limited-term naming rights are different than commemorations (Reference Board Policy 7250). While sponsors may have an area named after them for a period of time as an acknowledgment of a sponsor's contribution, permanent naming rights requests will not be accepted under these guidelines. For example, the "Fischer" Field baseball diamond is a permanent commemorated title. If a party chooses to sponsor the baseball complex for a period of time, the field would be referred to as "Fischer Field at the SPONSOR NAME Baseball Complex."

STUDENT BODY ACTIVITY ACCOUNT MANAGEMENT(Board Policy 6611 - DISTRICT-SUPPORTED/SPONSORED STUDENT ACTIVITY ACCOUNTS)

Monies raised by student fundraisers and monies deposited into a student activity account are governed through this particular board policy. Student activity accounts are specific to clubs, organizations, or specific sports teams.

SIGNAGE GUIDELINES

WHAT WILL NOT BE ALLOWED

Examples of inappropriate signage include, but are not limited to, a description of services or products, business contact information, and advertising language such as coupons, special offers, or slogans.

Jill's Jewelry
"The best gems in town!"
310-555-4444 • 123 Sunshine Lane
Jillsjewelry@emailme.com

Captain Can
For all your marketing and printing needs!
Mention this banner for 25% off captaincan@emailme.com

WHAT WILL BE ALLOWED

Examples of appropriate signage that do not include advertising information and only serve to recognize and thank the sponsor are as follows:

Bright One's Elementary School
Thanks Our Back to School Night Supporters!
Captain Can and Jill's Jewelry

Thank you-
Jill's Jewelry
For your support!
Bright One's Elementary School

SPONSORSHIP OPPORTUNITIES:

ACADEMIC SPONSORSHIP OPPORTUNITIES

Academic Sponsorship opportunities allow an area to be referred to using the sponsor's name for the sponsorship term. Example: The Jefferson High School "Sponsor" Construction Lab.

- Each area will allow a plaque/signage indicating the sponsor as outlined in the agreement in each of the areas being sponsored (Classroom, Lab, Pod, Library, etc.) for the term of the agreement. (Sponsors with logo/branding changes are required to cover the cost of updating sponsorship materials.)
- Website/ social media presence on appropriate channels may also be included.
- Any announcements regarding an event at the venue would utilize the sponsor's name.

In instances with multiple spaces or buildings, the sponsor will select the area or building to sponsor.

AREA/ITEM & BENEFITS	AMOUNT	TERM
ACADEMIC CLASSROOM AREA (8) ◦ JHS Business Classrooms (including the school store)sponsored by _____ ◦ JHS English Classrooms sponsored by _____ ◦ JHS F.A.C.S.E. Classroom & Food Lab sponsored by _____ ◦ JHS Math Classrooms sponsored by _____ ◦ JHS Science Classrooms & Labs sponsored by _____ ◦ JHS Social Studies Classrooms sponsored by _____ ◦ JHS Special Education Classrooms sponsored by _____ ◦ JHS/ JMS World Languages & ELL Classrooms sponsored by _____ ◦ JMS Tech Ed Shop sponsored by _____	$5,000	Five-year agreement ($1,000/ year)
JHS TECHNOLOGY EDUCATION/AGRICULTURE AREA (7) ◦ JHS _____ Agriculture Area (Classroom, Shop, Headhouse) ◦ JHS _____ Agriculture Land Lab Fields ◦ JHS _____ Automotive Area (Classroom & Shop) ◦ JHS _____ Engineering Lab ◦ JHS _____ Food Processing Area (Foods Lab & Test Kitchen) ◦ JHS _____ Metals Fabrication Lab (Classroom & Shop) ◦ JHS _____ Woods CNC (Classroom & Shop) ◦ JHS _____ Construction Lab (2024 addition)	$20,000	Ten-year agreement ($2,000/ year) five-year signage renewal up-keep fees
MIDDLE SCHOOL ACADEMIC "POD" (3) ◦ JMS _ th grade POD sponsored by _____	$5,000	Five-year agreement ($1000/ year)
ELEMENTARY/MIDDLE SCHOOL CLASSROOM ◦ Classroom sponsored by "sponsor" for the ## - ## School year	$500	One-year agreement
LIBRARY MEDIA CENTER (5) ◦ JHS Library sponsored by _____ ◦ JMS Library sponsored by _____ ◦ East Library sponsored by _____ ◦ West Library sponsored by _____ ◦ Sullivan Library sponsored by _____	$10,000	Five-year agreement ($2,000/ year)

OTHER ACADEMIC OPPORTUNITIES:

- Purchasing a classroom set of Chromebooks or other technology labeled indicating the sponsor (at cost)
  - Devices purchased are jointly selected by the sponsor, teacher, and/or building administration
- Upgrade a classroom or grade level's classroom library with books labeled indicating the sponsor (at cost)
  - Items purchased are jointly selected by the sponsor, teacher, and/or building administration
- The District is open to other ideas sponsors may present. Fees negotiable

ATHLETIC SPONSORSHIP OPPORTUNITIES

Athletic Sponsorship opportunities allow an area to be referred to using the sponsor's name for the sponsorship term. Example: The Jefferson High School "Sponsor" Stadium.

- Each area will allow a plaque/signage indicating the sponsor as outlined in the agreement in each of the venues being sponsoredfor the term of the agreement. (Sponsors with logo/branding changes are required to cover the cost of updating sponsorship materials)

ATHLETIC VENUES
BENEFITS ◦ Ten-year agreement (unless otherwise noted) with five-year signage renewal up-keep fees ◦ Venue named after the sponsor. (i.e., US Bank Gymnasium)

- Signage indicating the sponsor as outlined in the agreement.
- Sponsor logo and name signage on scoreboards facing crowds
- Gym #1 includes one of the main advertisement spots on the scorers' table
- Advertising copy in appropriate programs for events using this venue. (JHS)
- Public address announcements at all district events using this venue.
- Website and social media presence on School athletics channels with logo, link, and/or information posted regarding specific program

AREA/ ITEM	AMOUNT		
OUTDOOR STADIUM Football, Track, and Soccer • JHS _____ Stadium	$80,000 ($8,000/ Year)		
GYMNASIUMS High School (3), Middle School (1), Elementary (3) • School _____ Gymnasium	Gym #1 $50,000	Gym #2 $30,000	Gym#3 $10,000
	JMS Gym $10,000	Elementary (3) $5,000	
BASEBALL COMPLEX Both Fischer Field and JHS Diamond included • School _____ Baseball Complex	$50,000 ($5,000/ Year)		
POOL VENUE • JHS _____ Aquatic Center	$35,000 ($5,000/ Year for 7 years)		
HIGH SCHOOL WEIGHT ROOM Weight Room & Aerobics Room • JHS _____ Strength & Conditioning Center	$35,000 ($3,500/ Year)		

ADVERTISEMENTS		
• Public address announcements at all district events using this venue. • With the exception of scrolling scorers' table advertisements, signs remain up year-round.		
AREA/ ITEM & BENEFITS	AMOUNT	TERM
HIGH SCHOOL GYMNASIUM #1 SCORERS' TABLE • Includes one of the main advertisement spots on the scorers' table	$5,000	Five-year agreement ($1000/ year)
HIGH SCHOOL GYMNASIUM #1 SCORERS' TABLE SCROLLING ADVERTISEMENT Boys or Girls Basketball $220, Volleyball $150, Wrestling $110, All-events: $625 (volleyball, boys & girls basketball, & wrestling)	Based on Season	Per Season
OUTDOOR STADIUM FIELD SCOREBOARD ADVERTISEMENT • Advertising Board • Visible during Football, Track, and Soccer seasons	$6,000	Six-year ($1000/ year)
OUTDOOR STADIUM SCREEN END ZONE ADVERTISEMENT • Fifty-foot meshed screened advertisement • Visible during Football, Track, and Soccer seasons	$6,000	Six-year agreement ($1000/ year)
OUTDOOR STADIUM CORNER FENCE ADVERTISEMENT • Sixteen-foot meshed screened advertisement • Visible during Football, Track, and Soccer seasons	$3,600	Four-year agreement ($900/ year)
TENNIS WINDSCREEN • Company name or approved product name screen printed on the windscreen that will be placed along the interior fencing of the venue	$3,600	Four-year agreement ($900/ year)

FISCHER FIELD WINDSCREEN ADVERTISEMENT ◦ 90" X 108" inch meshed screened advertisement	$3,600	Four-year agreement ($900/ year)
FISCHER FIELD RIGHT FIELD SCOREBOARD ◦ Advertising Board – 2' x 16'	$1,200	Three-year agreement ($400/ year)

OTHER SPONSORSHIP OPPORTUNITIES

Sponsorship opportunities allow an area to be referred to using the sponsor's name for the sponsorship term. Example: The Jefferson High School "Sponsor" Commons.

- Each area will allow a plaque/signage indicating the sponsor as outlined in the agreement in each of the areas being sponsored (Commons, playground etc.) for the term of the agreement. (Sponsors with logo/branding changes are required to cover the cost of updating sponsorship materials)
- Website/ social media presence on appropriate channels may also be included.
- Any announcements regarding an event at the venue would utilize the sponsor's name.

In instances with multiple spaces or buildings, the sponsor will select the area or building to sponsor.

AREA/ ITEM & BENEFITS	AMOUNT	TERM
HIGH SCHOOL COMMONS	$10,000	Five-year agreement ($2,000/ year)
MIDDLE OR ELEMENTARY SCHOOL CAFETERIA	$5,000	Five-year agreement ($1,000/ year)
ELEMENTARY OR MIDDLE SCHOOL PLAYGROUND	$5,000	Five-year agreement ($1,000/ year)
CONFERENCE ROOMS	$2,500	Five-year agreement ($500/ year)
CHARGING STATIONS ◦ Logo on the charging station ◦ Annual fee to cover the cost of replaceable charging cords	1st year actual cost of station + Annual Fee	Four-year agreement ($100/ year Fee)
ATM SPONSOR (Applicable to financial institutions only) ◦ Eliminate service charges for customers of that financial institution ◦ Logo on LED topper and displayed on screen ◦ Service charges collected by the District will be used for student scholarships	$1,500	One-Year agreement

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ag9700

FUND-RAISING BY CHARITABLE ORGANIZATIONS

9700 - **FUND-RAISING BY CHARITABLE ORGANIZATIONS**

Charitable organizations are defined as any benevolent, philanthropic, patriotic, not-for-profit or charitable group, association, corporation, or organization proposed to be such, which solicits and collects funds for charitable purposes.

No charitable organization may use the name, logo, mascot or any other name which would associate an activity with the District without the specific written permission of the District Administrator. Additionally, no charitable organization may use any assets of the District, including but not limited to facilities, technology, or communication networks without the specific written permission of the District Administrator.

The following criteria will be used in order to ensure equitable consideration of all requests by charitable organizations or groups to solicit funds on District premises. In this context, fund-raising shall also include solicitation of clothing, foodstuffs, or other products.

A. The purpose of the fund-raising is to help alleviate an economic, health, cultural, educational, or social need in the school community area.

B. The organization and/or the disbursement of funds are managed by residents of the District.

C. The funds are not used for religious or political purposes.

D. The organization has a definite plan for the collection and distribution of funds.

The Director of Business Services shall develop a procedure which each approved organization is to follow to solicit and collect funds within the building or on the premises. The procedure is to ensure that:

A. students are not involved in the solicitationand/or collection of funds;

B. there is no disruption of the school program;

C. no funds are left in the building in an unsecured area.

Each requesting organization shall complete an application form provided by the District which shall include:

A. the names and addresses of the organization and the persons involved;

B. the dates and times of solicitation;

C. where solicitation will take place;

D. proof that the organization is charitable;

E. proof of compliance with the percentage limitation for administrative and solicitation expenses.

These guidelines shall apply to all fund-raising activities other than approved student fund-raising activities and those approved for District-related organizations.

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