

**School District of River Falls
Ad-Hoc Policy Committee**

January 5, 2026 - 6:00 PM

District Office

852 E Division Street

River Falls, Wisconsin 54022

Personnel Committee members: Stacy Johnson Myers (Chair), Alison Page, & Alan Tuchtenhagen

A quorum of the Board may be present for information-gathering purposes only.

Agendas can be viewed at <https://www.rfsd.k12.wi.us/district/school-board.cfm> or at
<https://meetings.boardbook.org/Public/Organization/1447>

1. CALL TO ORDER - 6:00 PM

2. MANNER OF PUBLIC NOTIFICATION OF MEETING

3. HEARING OF VISITORS OR DELEGATIONS

4. CONSENT AGENDA - NEOLA POLICY UPDATES: INITIAL READINGS

4

Description: The Policy Committee is conducting the initial readings of the following NEOLA policies as part of the review process. Approval by the Policy Committee will advance these policies to the full School Board for the first reading.

Policies Recommended for Initial Approval:

- Policy 3111 - Creating a Position
- Policy 3112 - School Board-Staff Communications
- Policy 3120.01 - Job Descriptions
- Policy 3120.04 - Employment of Substitutes
- Policy 3120.05 - Employment of Personnel in Community Education Programs
- Policy 3120.10 - Job Sharing
- Policy 3122 - Nondiscrimination and Equal Employment Opportunity
- Policy 3122.01 - Drug-Free Workplace
- Policy 3122.02 - Nondiscrimination Based on Genetic Information of the Employee
- Policy 3124 - Employment Contract
- Policy 3125 - Educator Licensing
- Policy 3130 - Assignment and Transfer
- Policy 3160 - Physical Examination
- Policy 3161 - Unrequested Leaves of Absence/Fitness for Duty
- Policy 3211 - Whistleblower Protection
- Policy 3213 - Student Supervision and Welfare
- Policy 3214 - Staff Gifts
- Policy 3215 - Use of Tobacco and Nicotine By Professional Staff
- Policy 3216 - Professional Staff Dress and Appearance
- Policy 3220 - Staff Evaluation and Educator Effectiveness
- Policy 3230 - Ethics and Conflict of Interest
- Policy 3231 - Outside Activities of Professional Staff
- Policy 3340 - Grievance Procedure
- Policy 3410.01 - Compensation for Part-Time Staff
- Policy 3425 - Benefits
- Policy 3430.01 - FMLA
- Policy 3440 - Job-Related Expenses
- Policy 3531 - Unauthorized Work Stoppage

Recommended Action: Approve the above-listed NEOLA policies for the initial reading by the Policy Committee and recommend them for the first reading.

5. NEOLA POLICY 3120 - EMPLOYMENT OF PROFESSIONAL STAFF 69

Description: This review constitutes the initial reading by the Policy Committee. Approval will forward the policy to the full School Board for the first reading.

Recommended Action: Approve Neola Policy 3120 - Employment of Professional Staff for the initial reading by the Policy Committee and recommend it for the first reading.

6. NEOLA POLICY 3121 - CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING REQUIREMENTS 73

Description: This review constitutes the initial reading by the Policy Committee. Approval will forward the policy to the full School Board for the first reading.

Recommended Action: Approve Neola Policy 3121 - Criminal History Record Check and Employee Self-Reporting Requirements for the initial reading by the Policy Committee and recommend it for the first reading.

7. NEOLA POLICY 3131 - REDUCTION IN STAFF 75

Description: This review constitutes the initial reading by the Policy Committee. Approval will forward the policy to the full School Board for the first reading.

Recommended Action: Approve Neola Policy 3131 - Reduction in Staff for the initial reading by the Policy Committee and recommend it for the first reading.

8. NEOLA POLICY 3139 - STAFF DISCIPLINE 78

Description: This review constitutes the initial reading by the Policy Committee. Approval will forward the policy to the full School Board for the first reading.

Recommended Action: Approve Neola Policy 3139 - Staff Discipline for the initial reading by the Policy Committee and recommend it for the first reading.

9. NEOLA POLICY 3140 - NON-RENEWAL, RESIGNATION, AND TERMINATION 80

Description: This review constitutes the initial reading by the Policy Committee. Approval will forward the policy to the full School Board for the first reading.

Recommended Action: Approve Neola Policy 3140 - Non-Renewal, Resignation, and Termination for the initial reading by the Policy Committee and recommend it for the first reading.

10. NEOLA POLICY 3217 - WEAPONS PROHIBITED FOR PROFESSIONAL STAFF 83

Description: This review constitutes the initial reading by the Policy Committee. Approval will forward the policy to the full School Board for the first reading.

Recommended Action: Approve Neola Policy 3217 - Weapons Prohibited for Professional Staff for the initial reading by the Policy Committee and recommend it for the first reading.

11. NEOLA POLICY 3310 - EMPLOYEE EXPRESSION IN NON-INSTRUCTIONAL SETTINGS 85

Description: This review constitutes the initial reading by the Policy Committee. Approval will forward the policy to the full School Board for the first reading.

Recommended Action: Approve Neola Policy 3310 - Employee Expression in Non-Instructional Settings for the initial reading by the Policy Committee and recommend it for the first reading.

12. NEOLA POLICY 3362.01 - THREATENING BEHAVIOR TOWARD STAFF MEMBERS 86

Description: This review constitutes the initial reading by the Policy Committee. Approval will forward the policy to the full School Board for the first reading.

Recommended Action: Approve Neola Policy 3362.01 - Threatening Behavior Toward Staff Members for the initial reading by the Policy Committee and recommend it for the first reading.

13. SCHEDULE NEXT POLICY AD-HOC COMMITTEE MEETING

Description: Upcoming committee meeting dates, times, and locations will be reviewed.

Recommended Action: Set the meeting schedule as follows:

Ad-Hoc Policy Committee meeting: Monday, February 2, 2026, 6:00 p.m.
The meeting will be held in the District Office conference room at 852 E. Division Street.

14. ADJOURN



Book Neola Policy Templates for Processing

Section 3000 Professional Staff Templates

Title CREATING A POSITION

Code po3111 11/10 DB

Status

Legal Immigration Reform and Control Act of 1986
8 U.S.C. 1255a

3111 - CREATING A POSITION

The School Board recognizes the need to establish positions which, when filled by competent, qualified professional staff members, will assist the District in achieving the education goals set by the School Board. The District employs only persons authorized to work in the United States.

The **Director of Human Resources and Leadership Development** ~~District Administrator []~~ **[END OF OPTION]** will verify all new full-time and part-time employees' identity and authorization to work in the United States according to Federal law.

The School Board reserves the right to:

- A. ~~[]~~ create new positions;
- B. ~~[]~~ specify the number of persons to be employed with each job category; **and**
- C. ~~[]~~ set the initial salary for a new position not currently covered by an established salary structure, range, or schedule.

~~In the exercise of its authority to create new positions, the School Board will give primary consideration to the:~~

- A. ~~[] number of students enrolled;~~
- B. ~~[] special needs of the community;~~
- C. ~~[] special needs of the students;~~
- D. ~~[] operational services of the District.~~
- E. ~~[] _____.~~

~~???~~ The School Board will, upon the advice of the Superintendent, consider the advisability of creating a new position or of increasing the number of professional staff members in an existing position.



Book Neola Policy Templates for Processing
 Section 3000 Professional Staff Templates
 Title SCHOOL BOARD-STAFF COMMUNICATIONS
 Code po3112 11/10 DB
 Status
 Legal Garcetti v. Ceballos, 547 U.S. 410 (2006)
 Samuelson v. LaPorte Comm. Sch. Dist., 526 F.3d 1046 (7th Cir. 2008)

3112 - **SCHOOL BOARD-STAFF COMMUNICATIONS**

The School Board has a legitimate interest in ~~maintaining order and~~ facilitating the efficient resolution of concerns by directing that employee communications to the School Board move initially through the chain of command to the Superintendent. Employees are expected to follow the established chain of communication as described in this policy. ~~Failure to do so may result in employee discipline.~~

~~[Select this option if the District's policy manual contains an organizational chart.]~~

~~[] The basic lines of communication in the chain of command are shown in Policy _____.~~

A. Staff Communications to the School Board

All communications from staff members related to the performance of their job duties or responsibilities to the School Board or its committees will be submitted through the Superintendent. This procedure is not intended to deny any staff member the right to raise matters of concern regarding the District operations to the School Board through established procedures when no resolution is reached by the administration.

B. School Board Communications to Staff

All official communications, policies, and directives of the School Board of staff interest and concern to the staff will be communicated through the Superintendent, who will also keep staff members fully informed of the School Board's problems, concerns, and actions. (↔) School Board member communications with staff will also be consistent with the expectations in School Board Bylaw 0144.5 - School Board Member Behavior, Communications, and Code of Conduct. **[NOTE: Select this option only if the Board has adopted Policy 0144.5.]**

C. Social Interaction

Both staff and School Board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the District. However, since individual School Board members have no special authority except when they are convened at a legal meeting of the School Board or vested with special authority by School Board action, discussions between staff and School Board members related to the performance of job duties or responsibilities may be inappropriate. ~~violations of the chain of command.~~



Book Neola Policy Templates for Processing
 Section 3000 Professional Staff Templates
 Title JOB DESCRIPTIONS
 Code po3120.01 11/13 DB
 Status
 Legal P.I. 8.01(2)(q)

3120.01 - JOB DESCRIPTIONS

The School Board recognizes that it is essential for District and employee accountability that each staff member be fully aware of the duties and responsibilities of his/her position. Job descriptions document and describe the essential functions for professional staff positions and thereby promote organizational effectiveness and efficiency. Therefore, the Superintendent will maintain a current, comprehensive, and coordinated set of job descriptions for professional staff positions. Job descriptions of licensed personnel, and any revisions thereof, will be approved by the School Board and maintained by the Human Resources Department.

~~[]~~ The job description of the Superintendent will be included in the School Board policy manual.

~~[]~~ All support staff job descriptions will be approved by the _____ and will be maintained _____.

As long as the provisions of the job descriptions are not inconsistent with School Board policies, or with Federal/State law, they will be considered to be an extension of the policy manual and binding upon all employees.

~~[]~~ Each job description will contain the following provision:

~~"The employee will remain free of any alcohol or illegal substance in the workplace in compliance with Policy 3122.01 throughout his/her employment in the District."~~

~~???~~ Employees will be evaluated, at least in part, against their job descriptions.

~~[]~~ Job descriptions will be brief, factual, and, wherever possible, generically descriptive of similar jobs.

~~[]~~ Each job description will include the requirement that the staff member serve as a positive role model for students in how to conduct themselves as citizens and as responsible, intelligent human beings. In particular, each job description will indicate the staff member's responsibility to help instill in students the belief in and practice of ethical principles and democratic values.

~~[]~~ Each job description will include a statement that reserves authority to the Superintendent to assign additional duties and responsibilities as necessary within the scope of the employment position.

~~During the hiring process, the current job description for the position for which the individual(s) is interviewing will be reviewed with the candidate. The emphasis during the review will be placed upon the essential functions of the position.~~

Upon employment by the School Board, the staff member will receive a copy of the current job description for the position for which s/he has been employed. The Director of Human Resources and Leadership Development ~~employee's immediate supervisor~~ will review this job description with the staff member as part of the employment orientation process.

~~[] During the revision of a job description, the District Administrator may seek input from individuals who hold that position; however, their input may or may not be reflected when the revision of said job description is completed.~~

From time-to-time, the School Board recognizes that the Superintendent may find it necessary to revise job descriptions. Revisions and updates will be facilitated by the Human Resources Department.

Following the revision of a job description, staff members who hold the positions for which the essential functions are described in that revised job description will be provided access to the updated version and the opportunity to discuss the revisions therein with their immediate supervisor.

~~The District Administrator will prepare administrative guidelines necessary for the proper implementation of this policy.~~

© Neola 2020



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title EMPLOYMENT OF SUBSTITUTES
Code po3120.04 11/13 DB
Status
Legal 118.19, Wis. Stats.
P.I. 3.03(8), Wis. Adm. Code

3120.04 - EMPLOYMENT OF SUBSTITUTES

The School Board recognizes the need to procure the services of substitutes in order to continue the operation of the schools as a result of the absence of regular personnel. This policy does not apply to regular contracted teachers hired to serve as permanent substitute teachers and whose employment is governed by Policy 3120 - Employment of Professional Staff.

The Superintendent will make appropriate arrangements to assure the availability of substitutes for assignment as services are required to replace temporarily absent regular staff members and to temporarily fill new positions. ~~(→) Substitute personnel hires will be approved by the School Board. [END OF OPTION] (→) The School Board will approve all arrangements for the provision of substitutes. [END OF OPTION]~~ Such assignment of substitutes may be terminated, including permanent removal from the substitute teaching roster, when their services are no longer required or for other reasons as determined by the Superintendent that are not arbitrary, capricious, or discriminatory.

Substitutes must possess appropriate certification to teach as a substitute. The Superintendent may determine what licensure is required and make allowances for the use of alternative forms of certification, emergency certification, and other such options as permitted by law. There must also be verification that a satisfactory background and criminal history check has been conducted by the Department of Public Instruction (DPI), an appropriate State agency, authorized District personnel, or contracted vendor.

~~[] The investigation and interview procedures described in AG 3120A - Selection of Professional Personnel will be used, as applicable to the position. [END OF OPTIONAL PARAGRAPH]~~

~~[] Each principal is to develop procedures that ensure each substitute has completed necessary forms; received appropriate instructions, plans, and other resources needed to function properly in the position and the building. Each principal is expected to regularly observe each substitute in the performance of their responsibilities. The principal will provide general feedback to the substitute and proactively address performance concerns. Each principal will report to the Director of Human Resources and Leadership Development concerns about a substitute employee's performance. (→) and been observed early and regularly (???) in the performance of the substitute's responsibilities [END OF OPTION]. [END OF OPTIONAL PARAGRAPH]~~

In order to retain well-qualified substitutes for service in this District, the School Board will offer compensation at a rate set ~~(→) annually [END OF OPTION]~~ by the School Board.

~~[] A person will be considered a long-term substitute if the person is appropriately certified and the staff member for whom the person has been hired to replace has a leave that extends for more than ~~(→) ten (10)~~ consecutive school days. The long-term substitute position will be terminated by the end of the school year, subject to issuance of reasonable assurances to the substitute teacher regarding intent to provide substitute teaching assignments in the subsequent school year, whether in the same or different assignment. [END OF OPTION]~~

The employment of substitute staff prior to approval by the School Board is authorized when their employment is required to maintain continuity of services in the District. Approval by the School Board will be obtained at the next regular School Board meeting. **[DRAFTING NOTE: include only if the option above is selected and the Board is required to approve substitute hires.]**

A substitute employed for _____ (~~—~~) **ten (10)** consecutive days in the same professional position will be paid a salary not less than the minimum salary on the current salary schedule and granted the privileges provided regular staff.

A substitute will be paid actual hours worked a minimum of _____ (~~—~~) hours once the substitute is called **[END OF OPTIONS]**.

~~The Board will not employ (but may continue to employ) the spouse or child of any Board member.~~

~~The Board will not employ (but may continue to employ) the () children, siblings, spouse, parents, in laws, or bona fide dependents (IRS criteria) of a Board member () children, siblings, spouse, parents, in laws, or bona fide dependents (IRS criteria) of a regular full time support employee **[END OF OPTIONS]**.~~

~~Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which they are supervised directly by a staff member who is related.~~

~~Preference will be given to candidates for substitute employment who are residents of this School District.~~

Prior to the end of the school year, District employed substitutes, who the District intends to employ for the ensuing school year, will receive a letter of reasonable assurance of continued employment.

© Neola 2025



Book Neola Policy Templates for Processing
 Section 3000 Professional Staff Templates
 Title EMPLOYMENT OF PERSONNEL IN COMMUNITY EDUCATION PROGRAMS
 Code po3120.05 11/18 DB
 Status

3120.05 - EMPLOYMENT OF PERSONNEL IN COMMUNITY EDUCATION PROGRAMS

The ~~Board of Education~~ School Board recognizes that the success of the community education programs depends in large measure upon the hiring of qualified and competent personnel. ~~The School Board will hire only those candidates recommended by the Superintendent or Director of Community Education and Communications. The School Board will fix the compensation and set the term of hiring for each person employed in Community Education.~~

Instructor Status Policy:

1. Independent Contractor Status: All individuals hired to teach or instruct in Community Education programs will be classified and hired as independent contractors.
2. Employee Exception: The only exception to the contractor classification is for individuals who are currently employed by the District in a separate, existing capacity; these individuals will be hired as ~~an~~ employees.

~~The Board will fix the compensation and set the term of employment for each person employed in the subject programs established for this District. The Board will employ only those candidates recommended by the District Administrator.~~

A candidate's intentional misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the School Board to constitute grounds for ~~dismissal~~ termination of the contract for independent contractors or dismissal for employees.

~~+~~ No candidate for hiring will receive a recommendation for such hire without having proffered visual evidence of proper certification, if needed, or that the application for such certification is in process.

© Neola 1997



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title JOB SHARING
Code po3120.10 11/13/25 DB
Status

3120.10 - JOB SHARING

The School District of River Falls provides the opportunity for employees to propose job sharing arrangements. Proposals for job sharing positions will be considered on the basis of the value to and impact on students. The District recognizes that proposals can be one method to retain staff members who, for personal or family reasons, have a desire to share job responsibilities.

New Job Sharing Arrangement

1. New job share arrangements will not be considered if there is only one employee interested.
2. Two employees wishing to apply for a new job sharing arrangement will initiate their request to do so with the principal/supervisor of all impacted schools/departments. All initial job share requests must be submitted by March 15.
3. A request for a new job sharing arrangement will include the position to be shared, the rationale for the job-share proposal, the division of responsibilities, and the estimated length of the job share arrangement.
4. The principal/supervisor of the impacted school/department will be responsible for forwarding the recommendation to the superintendent.
5. The approval of a job share arrangement is at the sole discretion of the superintendent or designee.

Continuing Job Sharing Arrangement

1. Job sharing arrangements will be approved on a one-year basis. The principal/supervisor is responsible for evaluating the effectiveness of the arrangement and recommending if the job sharing arrangement should be extended.
2. The principal/supervisor recommendation should be shared with the impacted employees and the superintendent by January 15.
3. If one of the employees involved in the job sharing arrangement resigns, then the District will attempt to find a qualified replacement to preserve the arrangement. However, if a qualified replacement can not be found, then the job sharing arrangement will end, and the entire percentage of the job-share position will revert back to the remaining employee in the job share arrangement.

Aligned to retired RFSD Policy 535.3

@ School District of River Falls 2025

~~The Board recognizes the value to the District to obtain the services of quality staff members who may not be available on a full time basis but wish to offer their knowledge and skills part time through a job sharing process.~~

[OPTIONS—Select at least one]

~~() The District will consider job share requests that are in the District's best interests considering the educational program, and whether the cost (including benefits) of employing two (2) staff members on a part time basis exceeds the cost of employing one full time staff member.~~

~~() Part time positions may be approved in which two (2) currently employed staff members will be allowed to share one (1) full time position.~~

~~(-) The Board authorizes the District Administrator to create a job-sharing program provided it does not impact adversely on the District or any current staff member.~~

© Neola 2020



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po3122 - DL DONE 11/25/25
Status	
Legal	111.31 et seq., Wis. Stats. 111.335(d)(2), Wis. Stats. 118.195, Wis. Stats. 118.20, Wis. Stats. Fourteenth Amendment, U.S. Constitution 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act 29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended 38 U.S.C. 4301 et seq., Uniformed Services Employment and Reemployment Rights Act 42 U.S.C. 2000 et seq., Civil Rights Act of 1964 42 U.S.C. 2000d et seq., Title VI of the Civil Rights of 1964 42 U.S.C. 2000e et seq., Civil Rights Act of 1964 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended 29 C.F.R. Part 1635, The GINA Regulations 34 C.F.R. Part 110, The Age Discrimination Act Regulations

3122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The School Board does not discriminate in the employment of professional staff on the basis of race, color, national origin, age, sex (including gender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), 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 legally protected category in its programs and activities including employment opportunities.

Notice of the School Board's policy on nondiscrimination and the identity of the School District's Compliance Officer(s) (see below) will be published on the District's website, posted throughout the District, and included in the District's recruitment statements or general information publications.

Definitions

Words used in this policy will have those meanings defined herein; words not defined herein will be construed according to their plain and ordinary meanings.

Compliance Officer (CO) an employee designated by the School Board to be responsible for coordinating the District's efforts to comply with state and federal nondiscrimination laws and for receiving formal complaints of pupil discrimination.

Complainant is the individual who alleges, or is alleged, to have been subjected to discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

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).

Military status refers to a person's status in the uniformed services, which includes the performance of duty on a voluntary or involuntary basis, in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty, **Reserve Duty**, and performance of duty or training by a member of Indiana organized militia. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any duty listed above.

Respondent is the individual who has been alleged to have engaged in discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

School District community means students and ~~School Board~~ employees (i.e., administrators, ~~and~~ professional and support staff), as well as School Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the School Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the School Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

District Compliance Officers

The School Board designates the following individuals to serve as the District's Compliance Officers (also known as Civil Rights Coordinators; hereinafter referred to as the COs).

~~[DRAFTING NOTE: Neola suggests the School Board appoint both a male and a female CO in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination/retaliation that pertains to the other CO, as appropriate.]~~

Mark Inouye

Director of Student Services/Title IX Coordinator - Students

715-425-1800

852 E. Division Street
River Falls, WI 54022

mark.inouye@rfsd.k12.wi.us

Nate Schurman

Director of Human Resources/Title IX Coordinator - Staff

715-425-1800

852 E. Division Street
River Falls, WI 54022

nate.schurman@rfsd.k12.wi.us

(Name)

(School District Title)

(Telephone Number)

(Office Address)

(E-mail)

(Name)

(School District Title)

(Telephone Number)

(Office Address)

(E-mail)

The names, titles, and contact information of these individuals will be published annually:

- A. on the School District's website.
- B. () in the staff/employee handbooks.
- C. () in the School District Annual Report to the public.
- D. () on each individual school's website.
- E. () in the School District's calendar.
- F. () _____.

The COs are responsible for coordinating the District's efforts to comply with the applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation, or denial of equal access. The COs will also verify that proper notice of nondiscrimination has been provided for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), the Age Discrimination in Employment Act of 1975, and the Genetic Information Nondiscrimination Act (GINA) to students, their parents, staff members, and the general public. () Any sections of the District's agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the School Board's statement above. In addition, any gender specific terms should be eliminated from such contracts. [END OF OPTION] A copy of each of the Acts and regulations on which this notice is available upon request from the CO.

Reports and Complaints of Discrimination and Retaliation

Employees are required to report incidents of discrimination and/or retaliation to an administrator, supervisor, or other supervisory employees so that the School Board may address the conduct. Any administrator, supervisor, or other supervisory employees who receive such a report will provide it to the CO within two (2) days.

Discrimination against an individual based on their sex (including gender status, sexual orientation, and gender identity) is discrimination in violation of Title VII. Specifically, discrimination on the basis of sex stereotyping/gender-nonconformity constitutes sex discrimination. This is true irrespective of the cause of the person's gender non-conforming behavior. Employment actions based upon an individual's sex could be suspect and potentially impermissible.

COs are required to investigate allegations of conduct involving the discrimination or harassment of an employee or applicant based upon his/her gender status, sexual orientation, and gender identity.

Any questions concerning whether alleged conduct might violate this prohibition should be brought to the CO's attention promptly.

Employees who believe they have been discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint will not adversely affect the Complainant's employment. 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.

The COs will be available during regular school/work hours to discuss concerns related to discrimination/retaliation. COs will accept reports of discrimination/retaliation directly from any member of the School District community or a Third Party, or receive reports that are initially filed with another School Board 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 **Option 1** the CO(s) will designate a specific individual to conduct such a process as identified in a pre-defined list of investigators. **[END OF OPTION 1]** **Option 2** the Superintendent will designate a specific individual to conduct the process necessary for an informal or formal investigation. **[END OF OPTION 2]**

The CO will provide a copy of this policy to the Complainant and the Respondent. All members of the School 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 School Board employee who directly observes discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) days. Additionally, any School Board 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 employee should notify immediately other School Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant within two (2) days to advise the Complainant of the School Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure (See Form 3122 F2)

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to discrimination or retaliation may seek resolution of the complaint through the procedures described below. The 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) days after the conduct occurs. Once the complaint process begins, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of discrimination or retaliation with the United States Department of Education Office for Civil Rights (OCR), the Wisconsin Equal Rights Division, or the Equal Employment Opportunity Commission (EEOC).

Complaint Procedure

A Complainant who alleges discrimination/retaliation may file a complaint, either orally or in writing: 1) with a Principal; 2) the CO; or 3) to the Superintendent or other supervisory employees. Any complaint received regarding the Superintendent or a School Board member will be referred to the School Board's legal counsel, who will assume the role of the CO for such complaints. Additionally, if the complaint is regarding a CO, the complaint will be reported to the Superintendent, who will coordinate with the other appointed/designated CO, or if appropriate, appoint/designate another individual to serve as CO for the complaint regarding a CO.

Due to the sensitivity surrounding complaints of discrimination and 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 while the facts are known and potential witnesses are available. If a Complainant informs a Principal, Superintendent, or other supervisory employees, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of **their understanding of** the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO will ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions are deemed appropriate in consultation with the Superintendent.

Within two (2) days of receiving the complaint, the CO will initiate an investigation to determine whether the Complainant has been subjected to discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including this Policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) days.

~~[] [OPTION 1] Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of harassment based on a protected class or retaliation within fifteen (15) days of receiving the formal complaint. [] [OPTION 2] Investigations will be completed promptly. What constitutes promptness will depend on the complexity of the issues, the number of incidents or factual elements, the number of witnesses and documents to be consulted, and the availability of witnesses and other evidence. The CO will keep the complainant reasonably informed of the investigation's progress. [END OF OPTIONS]~~

The investigation will include:

- A. interview(s) with the Complainant;
- B. interview(s) with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations, as determined by the CO;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations, as determined by the CO.

At the conclusion of the investigation, the CO or designee will prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of discrimination/retaliation as provided in School Board policy and State and Federal law as to whether the Respondent has engaged in harassment/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used.

↔ The CO may consult with the School Board's attorney during the course of the investigatory process and/or before finalizing the report to the Superintendent.

In cases where no District CO is able to investigate a complaint due to concerns regarding conflicts, bias or partiality, or for other reasons that impair the CO's ability to conduct an investigation, the CO may ↔ in consultation with the Superintendent or School Board President, if the matter involves the Superintendent, ~~[END OF OPTION]~~ engage outside

legal counsel to conduct the investigation consistent with this policy.

Absent extenuating circumstances, within five (5) days of receiving the report of the CO or designee, the Superintendent either must issue a written decision regarding whether the charges have been substantiated or request further investigation. A summary of the Superintendent's final written decision will be provided to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days, or as quickly as possible if additional time is necessary due to the availability of necessary witness(es) or documents. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in discrimination/retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate, effective, and tailored to the specific situation.

~~[] The decision of the Superintendent will be final.~~

OR

~~[]~~ A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the School Board within five (5) business days of the party's receipt of the Superintendent's final decision. The written statement of appeal must be submitted to the Superintendent, who will forward the request to the School Board President.

In an attempt to resolve the complaint, the School Board will meet with the concerned parties and their representatives within twenty (20) days of the receipt of such an appeal. A copy of the School Board's disposition of the appeal will be sent to each concerned party within ten (10) days of its decision. The decision of the School Board will be final.

~~[END OF OPTIONS]~~

The School Board reserves the right to investigate and resolve a complaint or report of discrimination/retaliation regardless of whether the Complainant pursues the complaint. The School Board also reserves the right to have the complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the School Board or its designee.

The parties may be represented, at their own cost, at any of the above-described interviews/meetings.

The right of a person to a prompt and equitable resolution of the complaint will not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the OCR, EEOC, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School 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 School 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 will be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Respondents must be provided an opportunity to meaningfully respond to allegations, which may include disclosure of the Complainant's identity.

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 is learned or provided during the course of the investigation.

Remedial Action and Monitoring

If warranted, appropriate remedial action will be determined and implemented on behalf of the Complainant, including but not limited to counseling services, reinstatement of leave taken due to the discrimination or other appropriate action.

The School Board may appoint an individual, who may be an employee, to follow up with the Complainant to ensure no further discrimination or retaliation has occurred and to take action to address any reported occurrences promptly.

Sanctions and Disciplinary Action

The School Board will vigorously enforce its prohibitions against discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct.

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law.

When imposing discipline, the Superintendent will consider the totality of the circumstances involved in the matter. In those cases where discrimination/retaliation is not substantiated, the School Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other School Board policies and/or the Employee Handbook.

Where the School Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the School Board and/or Superintendent will be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging discrimination/retaliation, or participates as a witness in an investigation is prohibited. Neither the School 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, or because that individual 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 this policy, or because that individual 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 this policy that can result in the 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 above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

Education and Training

In support of this policy, the School Board promotes preventative educational measures to create greater awareness of discriminatory practices. The Superintendent will provide appropriate information to all members of the School District community related to the implementation of this policy and will provide training for District staff where appropriate. All training, as well as all information provided regarding the School Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy will retain all documents, electronically stored information (ESI), and electronic media (as defined in Policy 8315 - **Information Management**) created and received as part of an investigation, which may include, but are not limited to:

- A. all written reports/allegations/complaints/statements;
- B. narratives of all verbal reports, allegations, complaints, and statements collected;
- C. a narrative of all actions taken by District personnel;
- D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the School Board to fulfill its responsibilities;
- E. narratives of, notes from, or audio, video, or digital recordings of witness statements;
- F. all documentary evidence;

- G. e-mails, texts, or social media posts pertaining to the investigation;
- H. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- I. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- J. dated written determinations to the parties;
- K. dated written descriptions of verbal notifications to the parties;
- L. written documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no-contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt; and
- M. 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;
- N. copies of the School 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 School Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);
- O. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- P. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy. **[REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]**

[DRAFTING NOTE: The following options should be selected if the District concludes that the following items are not adequately encompassed in the preceding paragraphs.]

- Q. ~~()~~ documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;
- R. ~~()~~ copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- S. ~~()~~ copies of any notices sent to the Complainant and the Respondent in advance of any interview, meeting, or hearing;
- T. ~~()~~ copies of any notices sent to the Complainant and alleged perpetrator in advance of any interview or hearing;
- U. ~~()~~ copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.

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

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

© Neola 2021 (REPLACES POLICY 511)



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	DRUG-FREE WORKPLACE
Code	po3122.01 11/13 DB
Status	
Legal	Drug-Free Workplace Act of 1988, 41 U.S.C. 8101 et seq.

3122.01 - DRUG-FREE WORKPLACE

The School District of River Falls is committed to maintaining an alcohol and drug-free workplace. Therefore, the following activities and conduct by employees are strictly prohibited:

1. Manufacturing, distributing, dispensing, possession, use or selling of alcohol and controlled or illegal substances at the workplace;
2. Using or possessing drug paraphernalia (e.g., water pipes, pot pipes, roach clips, joint rollers) at the workplace for purposes prohibited by the state controlled substances law;
3. Being under the influence of alcohol and controlled or illegal substances at the workplace;
4. Using prescription medication at the workplace in an unauthorized or illegal manner.

For the purposes of this policy, 'workplace' includes any school building, school-owned vehicle, school property, or school-related activity in which students are under the supervision of employees.

Employees engaged in the performance of a grant received directly from the federal government will notify the Superintendent of any criminal drug statute conviction occurring in the workplace within the time period specified by law. The Superintendent will notify the appropriate federal agency of the conviction.

Adherence to the District's drug-free workplace policy is a condition of employment. Any employee who violates this policy will be subject to disciplinary action, including, but not limited to, referral for a drug or alcohol evaluation, referral to the Employee Assistance Program, reassignment, suspension, or termination. In addition, employees who violate this policy may be referred for prosecution.

If a supervisor reasonably suspects that an employee has violated this policy, the District reserves the right to require an alcohol or drug test. Reasonable suspicion must be based on specific and accurate observations made by a supervisor. Observations include, but are not limited to, appearance, behavior, speech, or body odors of the employee. The test will be conducted in a confidential manner. Refusal to consent to testing may result in disciplinary action.

This policy does not prohibit:

- administering medication to students **in alignment to Policy 5330 - Administration of Medication/Emergency Care.**
- the use of prescription medication by an employee to whom it is prescribed and in the amount prescribed.

The Employee Handbook will include reference to this policy and information related to the dangers of drug and alcohol abuse in the workplace, available drug or alcohol counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed upon employees for drug or alcohol abuse policy violations.

The School Board believes that quality education is not possible in an environment affected by the use of illegal drugs and alcohol, as well as the abuse of prescription drugs. It will seek, therefore, to establish and maintain a drug-free workplace.

@ School District of River Falls 2025

Prohibited Acts

The School Board prohibits any member of the District's staff from any of the following at any time while on or in District property or while performing duties at a District related activity or event:

- A. manufacturing, possessing, using, distributing, dispensing, or being under the influence of any controlled substance or alcohol;
- B. using, distributing, or possessing drug paraphernalia; or
- C. unlawfully possessing, using, distributing, dispensing, or abusing a prescribed or over the counter medication.

Permitted Acts

Staff members who use or possess a prescription drug that has been lawfully prescribed to the staff member according to Wisconsin and Federal law, and take the prescription in accordance with the prescribed dosage, will not be deemed to be in violation of this policy. Staff members who use or possess over the counter medications and take them in accordance with the recommended dosage, will not be deemed to be in violation of this policy. Wherever possible, a staff member should take prescribed and/or over the counter medications at home and not bring them to school. Where that cannot be accomplished, any staff member in possession of prescribed and/or over the counter 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.

~~() Each staff handbook will include () a copy () a summary [END OF OPTIONS] of the standards regarding unlawful possession, use, or distribution of illicit drugs and alcohol by staff; furthermore, staff members will be informed that compliance with this requirement is mandatory. [END OF OPTION] () The use of marijuana and/or products containing tetrahydrocannabinols (THC), other than products expressly excluded from the definition of a schedule drug (hemp derived CBD oil, etc.), is still prohibited under Wisconsin law and School Board policy. Use of such products even in states which have passed state laws permitting usage is still unlawful under Federal law and Wisconsin law and is not an exception to the drug free workplace policy. [END OF OPTION] () CBD products are prohibited on District grounds and at school events. [END OF OPTION]~~

Reasonable Suspicion Testing

Staff members will be required to undergo alcohol and/or drug testing at any time the District has reasonable suspicion to believe that the staff member may have violated this policy.

Disciplinary Action

Any staff member who violates this policy will be subject to disciplinary action, up to and including termination from District employment in accordance with the Employee Handbook and District policies. In addition to disciplinary action, the District may, at its discretion, refer the staff member to drug and alcohol counseling or to employee assistance or rehabilitation programs and/or may refer the matter to law enforcement.

The District Administrator will establish whatever programs and procedures are necessary to meet the Federal certification requirements under the Drug Free Workplace Act of 1988 and will provide these to staff. Nothing in this policy will prohibit the District Administrator from evaluating a staff member's fitness for duty pursuant to Policy 3161 Unrequested Leaves of Absence/Fitness for Duty.

~~() Off Work Conduct~~

~~Disciplinary action may result from conduct related to drug and alcohol usage even on the staff member's personal time if the circumstances create a connection to or nexus with the staff member's role with the District. Disciplinary action may result if a staff member's conduct involves the depiction of the staff member engaging in use of alcohol or drugs on social media or other outlets in a fashion that tends to provoke public scrutiny, damage the staff member's credibility, depict inappropriate involvement of minors, or in some fashion diminish the staff member's ability to safely and effectively perform his/her duties. If the District administration becomes aware of such circumstances, it will investigate the matter even though the events occurred on one's personal time and not on District property or at a District event.~~

Use of Resources for Treatment

The District makes available resources to assist staff members in overcoming substance abuse. However, the decision to seek diagnosis and accept treatment for substance abuse is primarily the individual staff member's responsibility. Any costs associated with treatment in excess of those costs covered by the staff member's medical insurance plan will be borne by the individual.

© Neola 2021



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE
Code po3122.02 - DL DONE 11/25/25
Status
Legal 42 U.S.C. 2000ff et seq.
Title II, The Genetic Information Nondiscrimination Act of 2008
29 C.F.R. Part 1635

3122.02 - NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE

The School Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The School Board also does not limit, segregate, or classify applicants or employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of the person as an employee, based on genetic information. Harassment of a person because of genetic information also is prohibited. Likewise, retaliation against a person for identifying, objecting to, or filing a complaint concerning a violation of this policy is prohibited.

The identity of the Compliance Officer (see Policy 3122 - Nondiscrimination and Equal Employment Opportunity) shall be posted throughout the District and published in any District statement regarding the prohibition of discrimination on the basis of genetic information in all aspects of employment, in any staff handbooks, and in general information publications of the District as required by Federal and State law and on the District website.

In accordance with Title II of the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff, et seq., and 29 C.F.R. Part 1635 ("GINA"), the School Board shall not request, require or purchase genetic information of employees, their family members or applicants for employment. Further, in compliance with GINA, applicants and employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be provided as part of the certification process for FMLA leave, or when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the District's application for employment process. Employees and applicants for employment shall not be penalized for providing genetic information in good faith in response to a request from a School Board employee or agent, unless that applicant or employee refuses to delete the information at the request of the employee or agent of the School Board.

~~[] The School Board recognizes that genetic information may be acquired through commercially and publicly available media including newspapers, books, magazines, periodicals, television shows or the Internet. The School Board prohibits its employees and agents including commercial background investigation agents from searching these sources with the intent of finding or obtaining genetic information, or accessing sources from which they are likely to acquire genetic information. If genetic information about an employee or applicant is obtained in error, it shall be redacted immediately and not shared beyond the point of first receipt.~~

As used in this policy, "genetic information" means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research

that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

The term "genetic information" does not include information about the sex or age of the individual, the sex or age of family members, or information about the race or ethnicity of the individual or family member that is not derived from a genetic test.

As used in this policy, "genetic test" means an analysis of human DNA, RNA, chromosomes, proteins, or metabolites that detect genotypes, mutations, or chromosomal changes. The term includes any test of a person's DNA/RNA.

If the School Board's employees or agents legally and/or inadvertently receive genetic information about an employee or applicant, it shall be treated as a confidential medical record in accordance with law.

The Compliance Officer (See Policy 3122 - Nondiscrimination and Equal Employment Opportunity) is responsible for overseeing the School Board's compliance with this policy and GINA and proposing revisions and additions to this policy as necessary to ensure the School Board's compliance with GINA. This person shall be responsible for working with the School Board's legal counsel to fully implement the requirements of GINA in all activities of the School District. The Compliance Officer shall also verify that proper notice of nondiscrimination for Title II of GINA is provided to staff members, and that all requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) are accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

Genetic Information Nondiscrimination Act of 2008 (GINA) Disclosure Requirement

The Genetic Information Nondiscrimination Act of 2008 or "GINA" prohibits employers and other entities covered by the law, including the School Board, from requesting or requiring genetic information of an employee or applicant or family member of an employee or applicant, except as specifically allowed by law. To comply with GINA, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. Questions concerning compliance with the requirements of GINA may be directed to the Compliance Officer at 715-425-1800 [phone].

~~[] The School Board offers health services, () including a wellness program. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to his/her health services providers, but only genetic information in aggregate form will be provided to the School Board and no applicant or employee shall be identified or identifiable from the reported information.~~

The grievance procedure for complaints of discrimination in Policy 3122 applies to complaints of discrimination, including harassment, or retaliation prohibited by GINA and may be utilized if a District employee alleges discrimination or harassment on the basis of genetic information or retaliation for identifying, objecting to, or filing a complaint concerning a violation of GINA or this policy.

© Neola 2021 (NEW)



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title EMPLOYMENT CONTRACT
Code po3124 11/13 DB
Status
Legal 118.21, 118.24, Wis. Stats.

3124 - **EMPLOYMENT CONTRACT**

It will be the responsibility of the **Human Resources Department** ~~District Administrator~~ to ensure that all members of the professional staff execute a written employment contract in accordance with the legal requirements related to their position in the District.

~~(→)~~ The ~~District Administrator~~ **Superintendent** is authorized to execute employment contracts for the ~~Board of Education~~ **School Board** upon approval of employment by the **School** Board.

© Neola 2016



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	EDUCATOR LICENSING
Code	po3125 11/18 DB
Status	
Legal	P.I. 34, Wis. Adm. Code

3125 - EDUCATOR LICENSING

The School Board is committed to having a quality teacher in every classroom and a strong leader in every building. The School Board encourages the use of best educational practices to improve instruction and increase student achievement. To this end, the School Board requires that the District seek to hire the most qualified and experienced staff available and that all staff be licensed as required by law.

Attaining and maintaining proper State licensure under P.I. 34, which describes the requirements for attaining and maintaining **an** educator’s licensing for practicing in the State, is primarily the licensee’s responsibility. However, the School Board recognizes its responsibilities under P.I. 34 and supports efforts that promote the effectiveness of staff through career-long preparation and learning and performance-based assessment.

Any **new** teacher employed by the District ~~shall be provided~~ while holding a Tier II Provisional license, and who has ~~fewer than three (3) years of full time teaching experience,~~ will be provided all of the following:

- A. Ongoing orientation and support, which is collaboratively developed by teachers, administrators, and other School District stakeholders.
- B. **A district-trained mentor.** ~~A licensed mentor who successfully completed a mentor training program approved by the Wisconsin Department of Public Instruction.~~

~~The District Administrator~~Superintendent () building administrator () ~~District Administrator~~ **[END OF OPTIONS]** is responsible for providing any mentoring, or other support services required for any teacher employed by the District while holding a Tier I license.

© Neola 2020



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title ASSIGNMENT AND TRANSFER
Code po3130 11/18 DB
Status

3130 - ASSIGNMENT AND TRANSFER

The ~~School Board of Education~~ believes that the appropriate placement of qualified and competent staff is essential to the successful functioning of the District.

~~The~~ The Superintendent will be responsible for the proper assignment and transfer of all professional staff members and will attempt to effect the optimum assignment of the professional staff in conformance with any applicable contractual or legal requirements and certification requirements. **The processes used for assignment and transfer of professional staff will be outlined in the Employee Handbook.**

~~S/He The District Administrator s~~ **The Human Resources Department** will establish an audit procedure to ensure that each instructional staff member's teaching certificate is currently in compliance with appropriate State certification criteria and has not been nullified.

© Neola 1995



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	PHYSICAL EXAMINATION
Code	po3160 11/18 DB
Status	
Legal	118.25, Wis. Stats. 118.25(2)(a), Wis. Stats. 121.52(3), Wis. Stats. 29 C.F.R. Part 1630 29 C.F.R. Part 1635 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

3160 - **PHYSICAL EXAMINATION**

Upon initial employment, employees will be required to have a health examination, including tuberculin screening. An employee can submit proof of an examination, chest X-ray, or tuberculin test, which was taken within the 90 days prior to an offer of employment. In the event the employee has a positive reaction to the skin test, a chest x-ray will be done at a facility selected by the School District of River Falls. Anyone who has a known automatic positive reaction to the skin test may have a chest x-ray without first undergoing the skin test.

Freedom from tuberculosis in a communicable form is a condition of employment. Those employees who have having positive reactions to the skin test will be required to undergo a follow-up examination with a physician. A copy of the results of this examination will be kept on file in the school district administrative offices.

An employee may be exempt from the physical examination requirement for religious reasons if an affidavit has been filed with the School Board claiming such exemption. No employee may be discriminated against by reason of the employee filing such an affidavit.

Notwithstanding the filing of an affidavit, if there is reasonable cause to believe that an employee is suffering from an illness detrimental to the health of students, the School Board may require the employee to undergo a health examination sufficient to indicate whether or not the employee is suffering from such an illness.

The cost of the examination, including tuberculin skin test or chest x-ray, will be paid out of District funds for all permanent and substitute employees. The medical examination report will be completed by a facility selected by the District.

Additional physical exams, for certain employee groups based on job expectations, may be required in accordance with state law.

In addition to the aforementioned, school bus drivers will be required to complete a medical examination report as prescribed by state law. Completion of this report is mandatory prior to being tested for a school bus driver's license.

Certificates of examination will be maintained in separate files within the District, along with any restrictions from the employee's physician. They will be treated as confidential medical records and will only be available to those individuals specifically authorized by law.

Adopted in alignment to Retired Policy 523.1

@ School District of River Falls 2025

The School Board requires any candidate who has been offered employment in a position that involves contact with children or the preparation of food for children, as a condition of employment, to submit to an examination, including a tuberculosis screening questionnaire. Additional testing may be required to assure freedom from tuberculosis in communicable form.

~~[] The School Board requires every employee to undergo a physical examination as a condition of ongoing employment every _____ years of employment. **[END OF OPTION]**~~

~~No physical examination may be required of any employee who has filed an affidavit with the _____ requesting such exemption on the basis that the employee relies exclusively on prayer or spiritual healing in accordance with the teaching of a bona fide religious sect, denomination, or organization and that the employee is to the best of his or her knowledge and belief in good health. An employee exempt from the physical examination requirement may still be required to submit to an examination if there is reason to believe the employee may have an illness that is detrimental to the health of students. Such examination will be only to the extent sufficient to determine whether the employee suffers from such illness.~~

~~[] The District Administrator may establish additional physical examination requirements for positions requiring particular demands or as may otherwise be required by law. Any fitness for duty examination will be job related and out of necessity for safe and proper performance of job duties. **[END OF OPTION]**~~

~~Freedom from tuberculosis in a communicable form is a condition of employment.~~

~~[] The School Board will also require the candidate to submit to a test for controlled substances the results of which must indicate there is no evidence of unlawful drug use. Such examinations will be done in accordance with the District Administrator's guidelines and applicable law. **[NOTE: The legality of blanket pre-employment drug testing by a government employer for all positions is uncertain. Courts have concluded that drug tests that are not based on a suspicion of drug use are permissible only where the position involves safety-sensitive employment. Selecting this option should be done with the advice of legal counsel.]**~~

~~Employees will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act in order to allow the report of the medical examination to be released to the School Board/District Administrator and to allow the District Administrator to speak to the health care provider who conducted the medical examination in order to get clarification () (see Form 3160 F2).~~

~~Reports of all such examinations or evaluations will be delivered to the District Administrator, who will protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and School Board Policy 3122.02, the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the School Board to conduct the examination, are directed not to collect genetic information or provide any genetic information, including the candidate's family medical history, in the report of the medical examination.~~

~~Employees will be notified of the results of the medical examination upon receipt. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act, as amended (ADA) and the Genetic Information Nondiscrimination Act (GINA).~~

~~The results of any physical examination conducted in the course of the employment process will be solely for the purpose of determining employment eligibility or as may otherwise be required by law. Consideration of physical information in employment will be consistent with the Americans with Disabilities Act (ADA) as amended and the Wisconsin Fair Employment Act (WFEA).~~

~~The School Board will assume any fees for required examinations.~~

~~© Neola 2021~~



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY
Code	po3161 11/13 DB
Status	
Legal	111.32, et seq., the Wisconsin Fair Employment Act 29 C.F.R. Part 1630 29 C.F.R. Part 1635 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

3161 - UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

It is the policy of the School Board to protect students and employees from the effects of contagious diseases and other circumstances that render professional staff members unable to perform their duties.

The School Board authorizes the Superintendent to place a professional staff member on unrequested leave of absence for physical or mental inability to perform assigned duties in conformance with the law.

The Superintendent 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 professional staff member will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) in order to allow the report of the medical examination to be released to the School Board/Superintendent and to allow the Superintendent to speak to the health care provider who conducted the medical examination in order to get clarification. Refusal to submit to an appropriate examination or to execute the HIPAA release will be grounds for disciplinary action, up to and including termination.

As required by Federal law and regulation and School Board Policy 3122.02 - Nondiscrimination Based on Genetic Information of the Employee, the Superintendent will direct the provider designated by the School Board to conduct the examination not to collect genetic information or provide any genetic information, including the individual's family medical history, in the report of the medical examination.

Pursuant to State law and in accordance with the Americans with Disabilities Act, as amended (ADA) and the Genetic Information Nondiscrimination Act (GINA), the results of any such examination will be treated as a confidential medical record and will be exempt from release, except as provided by law. If the District inadvertently receives genetic information about an individual who is required to submit to an appropriate examination from the medical provider, it will be treated as a confidential medical record as required by the ADA.

If, as a result of such examination, the professional staff member is found to be unable to perform assigned duties, the professional staff member will be placed on leave of absence pending further determination of ability to perform duties, including evaluation of any reasonable accommodations in the event of the existence of a disability.

Should a professional staff member refuse to submit to the examination requested by the Superintendent, such refusal will subject the professional staff member to disciplinary action.

The Superintendent may designate any period of leave under this policy as qualifying leave under State and/or Federal FMLA leave entitlement consistent with Policy 3430.01 - Family & Medical Leave of Absence ("FMLA") as provided by law.

© Neola 2023



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title WHISTLEBLOWER PROTECTION
Code po3211 11/13 DB
Status

3211 - WHISTLEBLOWER PROTECTION

The School Board expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, and School Board policies, ~~and administrative procedures~~. The School Board expects employees to report to their immediate supervisors any violation or suspected violation of any Federal, State or local law, policy, or regulation committed by any employee, or agent of an agency or independent contractor which is doing business with the School Board, which creates and presents a substantial or specific danger to the public's health, safety, or welfare. Additionally, employees are expected to report any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of an agency or independent contractor which is doing business with the School Board.

It is the responsibility of an employee who is aware of conduct on the part of any School Board member or employee that possibly violates Federal or State law, or School Board policy, to call this conduct to the attention of the employee's immediate supervisor. If the employee's immediate supervisor is not responsive or is the employee whose behavior is in question, the employee should report the alleged misconduct to the Superintendent.

After such a report is made, the immediate supervisor will ask that the report be put in writing.

Any employee making such a report will be protected from discipline, retaliation, or reprisal for making such report as long as the employee made such a report based on a reasonable and good faith belief that the report is accurate and not based on the employee's intent to harm, harass, intimidate, or retaliate against another individual.

Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees are subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law that the School Board has the authority to correct, and they do not make a report confirmed in writing to their immediate supervisor.

If the alleged misconduct that is reported involves a School Board member, the employee will report to the Superintendent who is authorized to engage the School Board's legal counsel to manage an investigation concerning the matter. If the report concerns the Superintendent, the employee will make the report to the School Board President, who is authorized to engage the School Board's legal counsel to manage the investigation.

Upon receipt of a report made by a staff member pursuant to this policy, an investigation will be commenced as soon as possible and will be handled expeditiously.

© Neola 2023



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	STUDENT SUPERVISION AND WELFARE
Code	po3213 11/13 DB
Status	
Legal	48.981, 948, 948.095 Wis. Stats.

3213 - STUDENT SUPERVISION AND WELFARE

Professional staff members are frequently confronted with situations which, if handled incorrectly, could result in liability to the District, personal liability to the professional staff member, and/or harm to the welfare of the student(s). It is the intent of the School Board to direct the preparation of guidelines that would minimize that possibility.

A professional staff member, or a person who works or volunteers with children, who is found to have had sexual contact with any student will be referred to the proper authorities and be subject to discipline, up to and including discharge.

This policy should not be construed as affecting any obligations on the part of staff to report suspected child abuse under 48.981, Wis. Stats. and Policy 8462 - Child Abuse and Neglect.

Each District employee will maintain a standard of care for the supervision, control, and protection of students commensurate with their assigned duties and responsibilities, which include, but are not limited to the following standards:

- A. A professional staff member will report immediately any accident or safety hazard about which they are informed or detect to their supervisor as well as to other authorities or District staff members as may be required by established policies and procedures.
- B. A professional staff member will report unsafe, potentially harmful, dangerous, violent, or criminal activities, or threat of these activities, by students to the ~~District Administrator~~ Superintendent, the School Resource Officer (SRO), and/or local public safety agencies and/or school officials in accordance with Policy 8420 - School Safety.
- C. A professional staff member should not volunteer to assume responsibility for duties that they cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- D. A professional staff member will provide proper instruction in the safety matters presented in assigned course guides.
- E. A professional staff member will not send students on any personal errands.
- F. A professional staff member will not associate with students at any time in a manner which gives the appearance of impropriety including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs. Any sexual or other inappropriate conduct with a student by any staff member will subject the offender to potential criminal liability and District discipline, up to and including termination of employment.

This provision should not be construed as precluding a professional staff member from associating with students in private for legitimate or proper reasons or to interfere with familial relationships that may exist between staff and

students.

- G. A professional staff member will not disclose personally identifiable information about a student to third parties unless specifically authorized by law or the student's parent(s) to do so.
- H. A professional staff member will not transport students for school-related activities in a private vehicle without the approval of **the Human Resources Department** ~~their immediate supervisor~~ and consistent with the provisions of Policy 8660 - Transportation by Private Vehicle for District-Sponsored Activities or Trips. This does not apply to any student who is a professional staff member's family member.
- I. A student will not be required to perform work or services that may be detrimental to their health.
- J. Staff members ~~()~~ are discouraged from engaging ~~()~~ ~~will not engage~~ **[END OF OPTIONS]** students in social media and online networking media (see also Policy 7544 - Use of Social Media), except for appropriate academic, extra-curricular, and/or professional uses **only.** ~~consistent with the Employee Handbook, Policy 7540 - Technology, Policy 7540.03 - Student Technology Acceptable Use and Safety, Policy 7540.04 - Staff Technology Acceptable Use and Safety.~~
- K. **In the scope of their professional responsibilities,** ~~Staff~~ staff members are expressly prohibited from posting any picture, video, meme, or other visual depiction, ~~or comment~~ pertaining to any student on personal or unauthorized social networking media or similar forums. This provision of the policy does not apply to pictures and/or videos taken of public events that may involve or incidentally include depictions of students participating in or observing such events where the purpose of the photo or video is to depict the event, not a particular student. This section does not apply to depictions of a professional staff member's own child or other relative.

Since most information concerning a child in school, other than directory information described in Policy 8330 - Student Records, is a confidential student record under Federal and State laws, any staff member who shares confidential information with another person not authorized to receive the information may be subject to discipline and/or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse.

Pursuant to the laws of the State and School Board Policy 8462 - Child Abuse and Neglect, each professional staff member will report to the proper legal authorities immediately, any sign of suspected child abuse, abandonment, or neglect.

© Neola 2024



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title STAFF GIFTS
Code po3214 11/13 DB
Status

3214 - STAFF GIFTS

The School Board generally discourages the presentation of gifts to staff members by students and their parents beyond nominal value to avoid the appearance of favoritism and to avoid the embarrassment of students who are unable or whose parents are unable or unwilling to provide professional staff with gifts.

Professional staff may only accept gifts of nominal value (the amount as defined in Policy 1130/Policy 3230 - Ethics and Conflict of Interest) from students and their parents, or token items often distributed by companies through their public relations or marketing programs. Other gifts must be declined for compliance with this policy.

It shall not be considered a violation of this policy for an employee to receive entertainment, food, refreshments, meals, health screenings, amenities, or beverages that are provided in connection with a conference sponsored by an established or recognized educational organization, or as may be approved by the Superintendent.

Gifts that are intended for the benefit of the District shall be referred to the Superintendent for proper processing in accordance with Policy 7230 - Gifts, Grants, and Bequests.

The Superintendent may approve acts of generosity to individual staff members in special situations.

Upon the recommendation of the Superintendent, the School Board shall consider, as appropriate, the presentation of recognition gifts to members of the staff who have rendered service for a period of time.

© Neola 2025



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	USE OF TOBACCO AND NICOTINE BY PROFESSIONAL STAFF
Code	po3215 DB 11/13
Status	
Legal	111.321, Wis. Stats. 120.12(20), Wis. Stats. 20 U.S.C. 6081 et seq. 20 U.S.C. 7182

3215 - USE OF TOBACCO AND NICOTINE BY PROFESSIONAL STAFF

The School Board 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 School 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. The School Board also believes accepting tobacco industry gifts or materials will send an inconsistent message to students, staff, and visitors.

It shall be a violation of this policy for any professional staff of the District to use, consume, display, promote, or sell any tobacco products, tobacco industry brand, tobacco-related devices, imitation tobacco products, or electronic smoking or vaping devices, regardless of content, including smoking as defined in this policy, at any time on school property or at off-campus, school-sponsored events. (↔) The School Board authorizes the District Administrator to take reasonable measures related to the School Board's expectation that the promotion and display of tobacco and related products on school property or at off-campus, school-sponsored events is prohibited.

It shall be a violation of this policy for the District to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry or from any tobacco products retailer. This includes, but is not limited to, donations, monies for sponsorship, advertising, promotions, loans, or support for equipment, uniforms, and sports and/or training facilities. It shall be a violation of this policy to participate in any type of service funded by the tobacco industry while in the scope of employment for the District.

Exceptions

It shall not be a violation of this policy for tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in instructional or work-related activities in school buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product.

FDA approved cessation products or tobacco dependence products are exempt from this policy for adults and staff eighteen (18) years and older. Staff using such products and bringing them to any school property or school-sponsored activity are responsible for safekeeping of these products at all times and are responsible for assuring that no students are able to obtain access to these products.

~~(↔) Instruction in the history and purpose of traditional tobacco that has been used as a part of faith and tradition in the Native American and American Indian communities is an exception to this policy.~~

Policy Specific Definitions

The term "any time" means during normal school and non-school hours: twenty-four (24) hours a day, seven (7) days a week.

The term "electronic smoking device" means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. The term electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, JUUL, or under any other product name or descriptor. The term electronic smoking device includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

The term "imitation tobacco product" means any edible non-tobacco product designed to resemble a tobacco product, or non-edible, non-tobacco product designed to resemble a tobacco product that is intended to be used by children as a toy. Examples of imitation tobacco products include but are not limited to: candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snuff, shredded beef jerky in containers resembling snuff tins, plastic cigars, and puff cigarettes.

The term "off-campus, school-sponsored event" means any event sponsored by the school or School District that is not on school property, including but not limited to, sporting events, day camps, field trips, entertainment seminars, dances or theatrical productions.

The term "school property" means all facilities and property, including land, whether owned, rented, or leased by the District, and all vehicles owned, leased, rented, contracted for, or controlled by the District used for transporting students, staff, and visitors.

The term "smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. This specifically includes marijuana and hemp plant derived substances, whether or not legally sold in Wisconsin, including CBD products, Delta 8 THC, Delta 9 THC, or any other variation thereof. "Smoking" also includes carrying or using an activated electronic smoking device.

The term "tobacco products retailer" means retailers whose primary business is to sell tobacco and/or tobacco-related products.

The term "tobacco industry" means manufacturers, distributors, or wholesalers of tobacco products, electronic smoking devices, or tobacco-related devices; this includes parent companies and subsidiaries.

The term "tobacco industry brand" means any corporate name, trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indication of product identification identical or similar to those used for any brand of tobacco product, company, or manufacturer of tobacco products.

© Neola 2023



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title PROFESSIONAL STAFF DRESS AND APPEARANCE
Code po3216 11/13 DB
Status

3216 - PROFESSIONAL STAFF DRESS AND APPEARANCE

The **School** Board believes that professional staff members set an example in dress and appearance for their students to follow.

The **School** Board authorizes the development of standards for staff dress and appearance that promote a professional educational atmosphere that gives consideration to the impact on the educational process and the diversity of the District's staff.

Staff members are expected to dress professionally at all times, except when engaged in an activity that would require other attire. Fridays or other special days can be more casual.

~~(-) When assigned to District duty, all professional staff members shall:~~

- ~~A. be physically clean and neat;~~
- ~~B. dress in a manner consistent with their professional responsibilities;~~
- ~~C. dress in a manner that communicates to students a pride in personal appearance;~~
- ~~D. dress in a manner that does not cause damage to District property;~~
- ~~E. present themselves in such a way that does not disrupt the educational process nor cause a health or safety hazard.~~

© Neola 2024



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title STAFF EVALUATION AND EDUCATOR EFFECTIVENESS
Code po3220 11/18 DB
Status
Legal P.I. 8.01(2q), P.I. 47 Wis. Adm. Code
118.225, 118.30, 120.12(2m), 121.02 (1) (q) Wis. Stats.
20 USC 6311

3220 - STAFF EVALUATION AND EDUCATOR EFFECTIVENESS

The objective of the staff evaluation process aligns with the district vision and values that support continuous improvement in school operations, services, and programs. Professional evaluation of staff will stress the importance of personal improvement of each staff member so that all students may be provided a quality education. It will also ensure the continuous improvement of administrative and supervisory services, evaluate the renewal or non-renewal of individual contracts, and to assist in assigning staff to appropriate positions.

The staff evaluation process will give feedback to individual professional staff members in order to support their growth and provide appropriate assistance. A supervisor offering, or not offering, suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked.

The Superintendent or designee is directed to formulate a plan of evaluation whereby these objectives may be achieved. In the formulation of such a plan, the following measures will be followed:

1. Support staff evaluations will be conducted at least annually in the employee's first year of position specific employment and then every third year thereafter. Evaluations will be based on written job descriptions and individual performance objectives as necessary.
2. Teacher evaluations include certified staff members such as library media specialists, school counselors, school nurses, school psychologists, and teachers. Teacher evaluations will be conducted in compliance with state law and established district procedures. Evaluation instruments will be based on the appropriate Wisconsin Standards for teachers and pupil service personnel. Evaluations will be based on written job descriptions, extended-observations, mini-observations, student learning objective(s) processes, and professional practice goal(s).
 - a. Evaluations will be conducted in the first year of employment and at least every third year thereafter, or more frequently as determined by the supervisor, or the protocols of the educator effectiveness program adopted and used by the School Board. Pursuant to Wisconsin's educator effectiveness law, the School Board delegates to the Superintendent the task of selecting and implementing an approved Educator Effectiveness program such that the District is in compliance with State law.
 - b. The School Board will use the educator effectiveness model available from the Department of Public Instruction and will assess, upon the recommendation of the Superintendent, whether to use an alternative program.
 - c. Evaluations will be conducted based on the model in place at the time and consistent with applicable State law and the District's guidelines.
 - d. Administration is authorized by the school board to implement additional evaluation procedures for specific personnel in need of additional or alternative evaluation in addition to the educator effectiveness program. A

positive rating from the educator effectiveness model does not necessarily preclude the District from taking adverse employment action towards an employee for other performance or conduct related reasons, or from implementing remedial or performance improvement measures.

2. Administrative staff members, to include coordinators, will be evaluated at least annually by the Superintendent or designee. Evaluations will be based on written job descriptions, individual performance objectives, leadership skills, and professional development activities. Assistant principals will be evaluated by the building principal.
3. Data recorded as a result of the evaluation process will be treated as confidential material to the extent permitted by state laws.

It will be incumbent upon each administrator to inform the Superintendent and Director of Human Resources, prior to March 1, of the performance of individual professional staff members and whether or not he/she is recommending non-renewal of their contracts. The Superintendent is responsible for making renewal and non-renewal recommendations to the School Board.

Adopted from Retired Policy 538

RFSD Policy 538

© School District of River Falls 2025

The Board is responsible for the employment of all personnel. To carry out this responsibility, it delegates to the District Administrator the function of developing professional staff job descriptions for Board approval () in accordance with Policy 3120.01—Job Descriptions **[END OF OPTION]**. **[DRAFTING NOTE: Select this option if Policy 3120.01 has been adopted by the Board.]** The District Administrator is responsible for implementing approved job descriptions, a program of personnel assessment that identifies specific criteria and a systematic procedure to evaluate staff. This procedure shall include an appropriate and approved Educator Effectiveness program for the evaluation of teachers and Principals in the District.

It is the purpose of the program of staff assessment to:

- A. () strive for the improvement of the total District program;
- B. () stress the importance of personal improvement on the part of individual professional staff members so that each student may be provided a quality education;
- C. () ensure the continuous improvement of administrative and supervisory services provided professional staff members;
- D. () evaluate the renewal or non-renewal of individual contracts and to assist in staff assignments;
- E. () aid in the establishment of individual staff member compensation.

The staff evaluation program shall aim at the early identification of specific areas in which the individual professional staff member needs help so that appropriate assistance may be provided or arranged for. A supervisor offering suggestions for improvement to a professional staff member shall not release that professional staff member from the responsibility to improve. If a professional staff member, after receiving a reasonable degree of assistance, fails to perform his/her assigned responsibilities in a satisfactory manner, dismissal, or non-renewal procedures may be invoked. In such an instance, all relevant evaluation documents may be used in the proceedings.

A professional staff member shall be given a copy of any documents relating to his/her performance that will be placed in the personnel file.

Licensed Teachers and Principals

Evaluations shall be conducted in the first year of employment and at least every third year thereafter, or more frequently as determined by the administration or the protocols of the Educator Effectiveness program adopted and used by the Board. Pursuant to Wisconsin's Educator Effectiveness law, the Board delegates to the District Administrator the task of selecting and implementing an approved Educator Effectiveness program such that the District is in compliance with State law.

~~[] The Board will use the educator effectiveness model available from () CESA _____ () the Department of Public Instruction and will assess, upon the recommendation of the District Administrator, whether to use an alternative program.~~

~~Evaluations shall be conducted based on the model in place at the time and consistent with applicable State law and the District's guidelines.~~

~~The administration is authorized to implement additional evaluation procedures for specific personnel in need of additional or alternative evaluation in addition to the educator effectiveness program. A positive rating from the educator effectiveness model does not necessarily preclude the District from taking adverse employment action towards an employee for other performance or conduct related reasons, or from implementing remedial or performance improvement measures.~~

© Neola 2020



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	ETHICS AND CONFLICT OF INTEREST
Code	po3230 11/18 DB
Status	
Legal	19.59, 19.42(7), 946.13, Wis. Stats. 2 C.F.R. 200.12 7 C.F.R. 3019.42 2 C.F.R. 200.113 2 C.F.R. 200.318 7 C.F.R. 3016.36(b)(3)

3230 - ETHICS AND CONFLICT OF INTEREST

The proper performance of school business is dependent upon the maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by School Board members and the District’s employees, officers, and agents is essential to the School Board’s commitment to earn and keep the public’s confidence in the School District.

For these reasons, the School Board adopts the following guidelines designed to avoid the occurrence or appearance of any conflicts of interest. These guidelines apply to all District employees, officers, and agents, including members of the School Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all professional employees, officers, and agents. Professional employees are expected to perform their duties in an ethical manner and free from an actual conflict of interest or from situations that create the appearance of a conflict of interest, in a manner consistent with 19.59, Wis. Stats. The School Board’s interest in enforcing this policy is to assure that the decisions and actions of public employees retain the public's trust. Therefore, even a conflict relationship that can be viewed as beneficial to the District, or that was intended to be beneficial to the District, may still be a violation of this policy.

- A. No professional employee, ~~officer, or agent~~ shall engage in or have a personal or financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with the employee's, officer's, or agent's duties and responsibilities in the school system. Specifically, professional employees must perform their duties in a manner that does not violate criminal conflict of interest laws pursuant to 946.13, Wis. Stats. by having a private pecuniary interest in an amount that exceeds \$15,000, but also lesser valued conflicts that nonetheless create the appearance of using one's public position to secure a private pecuniary interest and/or benefit.
- B. Professional employees, ~~officers, or agents~~ shall not directly supervise a relative employed by the District or employed in a position contracted for by the District.
- C. Professional employees, ~~officers, and agents~~ shall not engage in business, private practice of their profession, the rendering of services, anything of substantial value, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any employee, student, client, or parents of such students or clients in the course of their employment or professional relationship with the School District.

Included, by way of illustration, rather than limitation are the following:

- 1. the provision of any private lessons or services for a fee, unless the provision of services is arranged outside of school and is separate from and in addition to regular support provided to students as part of the professional staff member's regular duties ~~(-) or the service is not provided to students enrolled in one or more class in which the staff member is a teacher or aide [END OF OPTION];~~
- 2. soliciting on school premises or under circumstances which are coercive for the private sale of goods or services to students or other employees;
- 3. the use, sale, or improper divulging of any privileged information about a student or client granted in the course of the employee's, officer's or agent's employment or professional relationship with the School District through their access to School District records;
- 4. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals;
- 5. the requirement of employees, students or clients to purchase any private goods or services provided by an employee, officer or agent or any business or professional practitioner with whom any employee, officer or agent has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.

- D. Should exceptions to this policy be necessary in order to provide mandatory services to students or clients of the School District, all such exceptions will be made known to the employee's supervisor and will be disclosed to the Superintendent before entering into any private relationship.
- E. Professional employees, ~~officers, and agents~~ shall not make use of materials, equipment, or facilities of the School District for their own personal financial gain or business interest. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- F. Professional employees, officers, and agents shall not participate in the selection, award, and administration of any contract to an entity in which they have a pecuniary interest or from which they derive a profit, or in which a dependent of the employee has a pecuniary interest or from which the dependent derives a profit. "Dependent" includes the employee's spouse; unemancipated child, stepchild, or adopted child under the age of eighteen (18); or individual for whom the employee provides more than one-half (1/2) of the individual's support during a year. A "pecuniary interest" means an interest in a contract or purchase that will result or is

intended to result in an ascertainable increase in the income or net worth of the employee or the employee's dependent who is under the direct or indirect administrative control of the professional employee or who receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the employee.

Professional employees, ~~officers, and agents~~ may not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

~~[] However, pursuant to Federal rules, the School District has set standards for when an employee, officer, or agent may accept a gift of an unsolicited item of nominal value. For purposes of this section, "nominal value" means that the gift has a monetary value of \$ _____ or less. [END OF OPTIONAL LANGUAGE]~~

~~[DRAFTING NOTE: Section 200.318 of Title 2 of the Code of Federal Regulations allows for non-Federal entities (Districts) to set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. In such a situation, "nominal value" must be defined. Nominal value is frequently defined as anything of a value less than \$25, however, local standards may differ.]~~

G. Professional employees, ~~officers, and agents~~ must disclose any potential conflict of interest which may lead to a violation of this policy to the School District. Upon discovery of any potential conflict of interest, the School District will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The District will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery, or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

H. Professional employees, ~~officers and agents~~ found to be in violation of this conflict of interest policy will be subject to

~~[???]~~ discipline in accordance with Policy 3139 - Staff Discipline.

~~[]~~ discipline as specified in the Employee Handbook.

~~[]~~ the following disciplinary actions: ~~[insert School District's disciplinary actions]~~

~~[DRAFTING NOTE: The School District has discretion over the appropriate disciplinary actions. For example, the School District may suspend or terminate the individual's employment, transfer the individual, end the District's professional relationship with that individual, or temporarily re-assign the individual. All disciplinary actions must be in accordance with applicable Federal, State, and local law, as well as any applicable School Board policy or employee handbook provisions.]~~

~~[] No professional staff employee may accept or engage in any employment, consulting, advising, or other professional activity with any organization other than the District, whether the employee will receive compensation for such outside activity or not, without first () providing notice to () obtaining the approval of [END OF OPTION] the Superintendent.~~

In the event that, within the course of administering a Federally funded grant program or service to the District, any professional employee that identifies a conflict of interest, a potential conflict of interest, or that the appearance of a conflict of interest may arise in the course of administering the Federal grant funds, the employee must immediately notify either the Federal agency administering the grant in a manner consistent with that particular agency's rules on conflict of interests, or the District employee directly responsible for grant compliance. Such notice shall be provided at the earliest possible time.

It is a violation of this policy to take action or to refrain from taking action, or for an employee to otherwise use the employee's public position to obtain a financial gain or anything of substantial value for oneself or the employee's immediate family, as defined in 19.42(7), Wis. Stats.

© Neola 2024



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	OUTSIDE ACTIVITIES OF PROFESSIONAL STAFF
Code	po3231 DB 11/18
Status	
Legal	17 U.S.C. 101 et seq.

3231 - OUTSIDE ACTIVITIES OF PROFESSIONAL STAFF

The School Board expects professional staff members to avoid situations in which their personal interests, activities, and associations may conflict with the interests of the District. If such situations threaten a staff member's effectiveness within the School District, the Superintendent will evaluate the impact of such interest, activity, or association upon the professional staff member's responsibilities. Staff members are expected to notify the Superintendent of involvement in any outside organization, association, or the like if the staff member's role as a member of the District's staff is tied directly to involvement in the identified outside activity. Additionally, staff members are expected to notify the Superintendent of involvement in any outside activity if the staff member will receive compensation for any outside activities (refer also to Policy 3230 - Ethics and Conflict of Interest).

- A. ⚡ Staff members should not give work time to an outside interest, activity, or association without a valid reason to be excused from assigned duties.
- B. ⚡ Staff members will not use school property or school time to solicit or accept customers for private enterprises without written administrative permission.
- C. ⚡ Staff members will not engage in business transactions on behalf of private enterprises in which the staff member may profit by virtue of the staff member's official position or authority or benefit financially from confidential information which the employee has obtained or may obtain by reason of the staff member's position or authority.
- D. ⚡ Staff members will not campaign on school property during duty hours on behalf of any political issue or candidate for local, State, or National office.
- E. ⚡ Staff members should avoid conduct and associations outside the school which, if known, could have an adverse or harmful effect upon the school community.
- F. ⚡ Staff members should refrain from expressions that would disrupt harmony among their co-workers or interfere with the maintenance of discipline by school officials.

Research and Publishing

- A. Professional staff members are encouraged to contribute articles to professional publications and to engage in approved professional research.
- B. Materials which might be considered for publication and/or production, which identify the District in any manner, will be cleared with the Superintendent prior to publication and/or production.
- C. Publications and productions will be subject to the following copyright provisions:

1. Rights to copyrights or patents of books, materials, devices, etc., developed by professional staff members on their own time will be relinquished by the School Board upon request of the staff member, provided that:
 - a. the books, materials, devices, etc., were prepared without the use of District data, facilities, and/or equipment;
 - b. the District is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;
 - c. the staff member does not become involved in any way in the selling of the product to the District.

The final decision regarding whether materials were produced independently of any work assignment, and/or without using school equipment, facilities, data, or equipment rests with the Superintendent.

~~() who will submit such decisions to the School Board. [END OF OPTION]~~

Professional staff members who desire to publish or produce materials on their own time should make such action known to the Superintendent prior to the time such work is started in order that proper procedures can be established to assure that District interests and the interests of the staff member are protected.

2. All books, materials, devices, or products which result from the paid work time and/or prescribed duties of professional staff members will remain the property of the District. The District will retain all rights and privileges pertaining to the ownership thereof.

In the event that any of these products have commercial possibilities, the Superintendent is authorized to secure copyrights, patents, etc., which will ensure the ownership of the product by the District.

The Superintendent is authorized to negotiate with appropriate agencies for the production and distribution of products with commercial appeal. Such negotiations will ensure fair and appropriate compensation, including the sharing of royalties, for the staff member(s) who developed the products.

© Neola 2024



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title GRIEVANCE PROCEDURE
Code po3340 - 12/10/25
Status
Legal 66.0509(1m), 118.22, 118.24, Wis. Stats.

3340 - GRIEVANCE PROCEDURE

Pursuant to state law, the School Board will provide a grievance procedure for the orderly resolution of employee grievances related to employee discipline, employee terminations, and workplace safety. Any employee of the district has the right to access the grievance procedure provided the grievance is filed in writing within the applicable timelines, and provided that the issue presented by the grievance properly concerns a grievable complaint. However, nothing within this policy or within the written rules and procedures implementing this policy will be construed to:

1. Prevent an employee and the district from voluntarily resolving, or attempting to resolve, an employee's grievance, complaint, concern or other dispute using informal methods separate from the formal grievance process, such as a mediated resolution or other similar outcome;
2. Grant or confer to any employee any substantive rights or employment protections that would not exist in the absence of this policy and its implementing rules, except for those primarily procedural rights inherent and minimally necessary to an employee's ability to access and use the grievance procedure in the manner defined by state law and by the School Board.

No employee is required to pursue a formal grievance using the procedures established pursuant to this policy, and supervisors and administrators are expected to fulfill their supervisory role(s) with respect to managing employee complaints and concerns even where an employee is unable to or elects not to pursue a grievance under the formal procedures established by the School Board.

The grievance procedure will provide for grievances to be handled in a timely manner. The procedure will also include an opportunity for a grievant to present his/her grievance before an impartial hearing officer, as well as an appeals process in which the highest level of appeal is the School Board.

No employee or District official will, or attempt to, restrain, interfere with, coerce, discriminate against and/or retaliate against any employee who files or processes a grievance in good faith. The same protections apply to any person who otherwise participates in the presentation, processing or resolution of a grievance (e.g., a witness), regardless of whether the allegations presented by the grievance are ultimately sustained. Action taken in bad faith, such as engaging in abuse of the process, providing false information, or engaging in libel or slander in connection with a grievance, are not protected. Violations of this paragraph may lead to disciplinary action, up to and including termination.

In the event a grievance proceeds to a hearing before an impartial hearing officer, the superintendent or designee will identify an impartial hearing officer consistent with minimum requirements set forth by the School Board. The role of the hearing officer will include adherence to the following:

1. A hearing officer must agree to comply with all relevant laws and with all applicable School Board policies and district procedures to the extent it is consistent with the law, including laws and policies covering public records, personnel records, and student records.

2. An impartial hearing officer will neither add to, delete from, nor modify any School Board policies or administrative rules or regulations, although it will be within the purview of a hearing officer to reach a conclusion that a given policy, rule or regulation violates applicable law (upholding the determination of the impartial hearing officer is subject to the agreement of the School Board).

This The following defines a timely and orderly review process of decisions concerning: a) employee terminations; b) employee discipline; and c) workplace safety.

Purpose and Applicability:

This procedure provides an employee with the opportunity to address concerns regarding their discipline, termination, or workplace safety matters. Only one subject may be covered in any one grievance. The procedure also outlines how a grievance will be reviewed by an impartial hearing officer, and to appeal to the School Board, where appropriate. The District expects employees and management to exercise reasonable efforts to resolve questions, problems, or misunderstandings prior to utilizing the grievance procedure. A determined effort will be made to settle any grievance at the lowest possible level in the grievance procedure.

If an employee is subject to a contractual grievance procedure, the contractual grievance procedure must be followed as applicable. This procedure does not replace or supersede any statutory provision which is applicable to an employee's employment with the district. Any grievance, or part of a grievance, that is subject to the jurisdiction of a different governmental body or Wisconsin statute, or subject to a different dispute resolution process, is excluded from this grievance procedure. This grievance procedure does not create a legally binding contract or a contract of employment.

Definitions:

Employee: For purposes of discipline and termination under this grievance procedure, an employee is defined to include regular full-time, part-time, and limited term employees. All other individuals employed by the district, including casual employees, temporary employees, and short-term substitutes as well as independent contractors, are specifically excluded from the definition of employee and, therefore, this grievance procedure is not available to them. For purposes of workplace safety under this grievance procedure, an employee will be defined to include regular full-time, part-time, limited term, casual, and temporary employees. All other individuals employed by the district are specifically excluded from the definition of employee and, therefore, this grievance procedure is not available to them.

Discipline: For purposes of this procedure, "discipline" means an employee action that results in a disciplinary suspension or disciplinary demotion. Discipline for purposes of access to this grievance procedure does not include any written or verbal notices, warnings, reprimands, reminders, documentation of staff member acts and/or omissions placed in a personnel file, non-disciplinary wage, salary, or benefit adjustments, improvement plans, or suspensions with pay; verbal disciplines will be documented, but are not subject to the grievance procedure. The purpose of written and verbal notices, warnings, reprimands, or reminders is to alert the employee that failure to correct the behavior may result in disciplinary suspension, without pay, disciplinary termination, or disciplinary demotion.

Termination: For purposes of this procedure, termination means a separation from employment by the employer for disciplinary or quality of performance reasons. Termination does not include layoff, reduction in workday, furlough, reduction in workforce, job transfer or reassignment, or the end or completion of temporary employment, which are not subject to the grievance procedure. Unless required by law, where separation from employment results from the district's use of specific statutory procedures for the nonrenewal of a fixed-term employment contract, such separation via nonrenewal is not grievable as a termination.

Workplace Safety: For purposes of this procedure, workplace safety includes any conditions, or anticipated conditions, of employment related to the physical health and safety of the employee filing the grievance, including the safety of the physical work environment, the safe operation of workplace equipment and tools, provision of personal protective equipment, and accident risks. Workplace Safety does not include conditions of employment unrelated to physical health and safety matters, including, but not limited to, hours, overtime, assignments and work schedules.

General Provisions:

- A. **Role and Appointment of "Impartial Hearing Officer":** For purposes of this procedure, the role of the "Impartial Hearing Officer" will be to define the issues, identifying areas of agreement between the parties and identifying the issues in dispute, and to hear the parties' respective arguments. The impartial hearing officer will be appointed by the superintendent based upon the nature of the matter in dispute.
- B. **Time Limits:** Failure to submit or process a grievance by the employee within the time limits specified below, or agreed upon extensions, will constitute waiver of the grievance. Failure of a district representative to meet the time limits specified below will cause the grievance to move automatically to the next step in the procedure within seven (7) days of such failure. A grievance or decision or appeal is considered timely if received by the employer during

normal business hours or if postmarked, or emailed, by 12:00 midnight on the due date. The time limits contained in this procedure are to be strictly observed and may only be extended upon the express written consent of the parties.

- C. **Days:** The term "days" as used in this provision means calendar days, excluding holidays. If the last day on which a grievance is to be filed or a decision is to be appealed is a Saturday, Sunday, or holiday, the time limit is the next day that is not a Saturday, Sunday, or holiday.
- D. **Scheduling:** Grievance meetings and hearings will typically be held during the employee's off-duty hours. Time spent in grievance meetings and hearings will not be considered as compensable work time.
- E. **Representation:** The employee will have the right to representation during the grievance procedure at the employee's expense.

Procedure for Grievances Concerning Employee Terminations and Employee Discipline:

The employer and employee may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

Step 1: An earnest effort will be made to settle the matter informally between the aggrieved employee and the employee's immediate supervisor. If the grievance is not resolved informally, then it will be reduced to writing by the employee who will submit it to the employee's immediate supervisor within fourteen (14) days after the facts upon which the grievance is based first became known, or should have become known, to the employee. The written grievance will provide a detailed statement concerning the subject of the grievance, the facts upon which the grievance is based, and indicate the specific relief being sought. The supervisor will reply in writing to the employee within fourteen (14) days after receipt of the written grievance.

Step 2: If the grievance is not settled in Step 1, and the employee wishes to appeal the decision of the supervisor, the employee will submit in writing a request for administrative reconsideration to the superintendent or designee within fourteen (14) days of the date the employee received the initial administrative denial of the grievance, or, if no initial response was provided, within fourteen (14) days of the deadline for providing written grievance. The written grievance must include the name and job title of the grievant and a detailed statement of the grievance, including the issue involved, the relief sought, and the time and date the alleged incident or violation took place, the signature of the grievant and the date the grievance was filed.

The superintendent or designee shall provide a final administrative response to the grievant in writing within twenty (20) days of the district's receipt of the request for reconsideration. If the grievance has not been resolved and either (1) has been denied in the form of a final administrative response from the superintendent or designee; or (2) no final administrative response has been provided by the superintendent or designee by the applicable deadline for such a response, the grievant may continue to pursue the grievance by filing a request for a hearing as provided under Step 3, below.

Step 3: If the grievance is not settled in Step 2, and the employee wishes to appeal the decision of the superintendent or designee, the employee shall submit the written grievance to the superintendent or designee within seven (7) days after receipt of the supervisor's written answer to request a hearing before an impartial hearing officer. The impartial hearing officer will be appointed by the superintendent or designee. If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The impartial hearing officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The impartial hearing officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. At the conclusion of the hearing, the impartial hearing officer will render a written decision indicating the reasons for one of four possible decisions:

1. Sustaining the discipline/termination.
2. Modifying the discipline/termination.
3. Denying the discipline/termination.
4. Recommending additional investigation prior to final determination.

The impartial hearing officer will issue the written decision to the employee and employer within thirty (30) calendar days from the date of the hearing or submission of post-hearing briefs. In cases where the impartial hearing officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing will be scheduled. The impartial hearing officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

Step 4: The employer or employee may appeal the decision of the impartial hearing officer to the School Board in writing within seven (7) days of receipt of the written decision of the impartial hearing officer. The decision of the governing body will be final and binding upon the parties.

Level of Review: The role of the School Board, in reviewing the decision of the impartial hearing officer, is to solely address the following questions:

1. Did the impartial hearing officer follow a fair and impartial process?
2. Is there evidence of corruption, fraud, or misconduct by the impartial hearing officer?
3. Did the impartial hearing officer make an error of law which makes the award invalid?
4. Did the impartial hearing officer make an error of fact which makes the award invalid?

After answering the above questions, the School Board will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The School Board will issue its written decision within sixty (60) days from receipt of the appeal.

Procedure for Grievances Concerning Employee Workplace Safety:

The employer and employee may mutually agree, in writing, to waive any step to facilitate or expedite resolution of the grievance.

Step 1: Any employee who personally identifies, or is given information about, a workplace safety issue or incident must notify his/her immediate supervisor of the issue or incident as soon as reasonably practicable. All workplace safety issues and incidents, no matter how insignificant the situation may appear to be, must be reported by an employee to their immediate supervisor within 24 hours after the incident or issue was raised in order to be addressed as part of the grievance procedure.

A written report of the incident or issue, by the person experiencing or anticipating physical health or safety concerns, outlining the events that transpired and proposed resolution, if any, will be submitted to the building principal or direct supervisor for review and consideration within seven (7) days of the incident or issue.

Step 2: After receipt of the written report, the building principal, direct supervisor, or designee will conduct additional investigation, as required, and issue a final report on its findings and conclusions within thirty (30) days of receipt of the written report. Copies of the report will be given to the persons who signed the written incident report as well as to the superintendent or designee.

Step 3: The employee may appeal the findings and conclusions of the building principal or direct supervisor by submitting a request for administrative reconsideration by the superintendent or designee within fourteen (14) days of the date the employee received the initial administrative denial of the grievance, or, if no initial response was provided, within fourteen (14) days of the deadline for providing written grievance.

The superintendent or designee will provide a final administrative response to the grievant in writing within twenty (20) days of the district's receipt of the request for reconsideration. If the grievance has not been resolved and either (1) has been denied in the form of a final administrative response from the superintendent or designee; or (2) no final administrative response has been provided by the superintendent or designee by the applicable deadline for such a response, the grievant may continue to pursue the grievance by filing a request for a hearing as provided under Step 4, below.

Step 4: The employee may appeal the findings and conclusions of the superintendent or designee and request the appointment of an impartial hearing officer within seven (7) days after receipt of the Building Principal's report. The impartial hearing officer will be appointed by the superintendent or designee.

If timely requested, the hearing will normally be scheduled within thirty (30) days of receipt of the request for hearing. The impartial hearing officer may require the parties to submit documents and witness lists in advance of the hearing in order to expedite the hearing. The impartial hearing officer will have the authority to administer oaths, issue subpoenas at the request of either party, and decide if a transcript is necessary. At the conclusion of the hearing, the impartial hearing officer will render a written decision indicating one of three outcomes:

1. Sustaining the conclusions of the building principal or direct supervisor.
2. Denying the conclusions of the building principal or direct supervisor and ordering additional or alternative remedial measures.
3. Recommending additional investigation prior to final determination.

The impartial hearing officer will issue the written decision to the employee and employer within thirty (30) calendar days from the date of the hearing or submission of post-hearing briefs. In cases where the impartial hearing officer recommends additional investigation, at the conclusion of the additional investigation, a second, follow-up hearing will be

scheduled. The impartial hearing officer may apply relaxed standards for the admission of evidence and may request oral or written arguments and replies.

Step 5: The employer or employee may appeal the decision of the impartial hearing officer to the School Board in writing within seven (7) days of receipt of the written decision of the impartial hearing officer. The decision of the School Board will be final and binding upon the parties.

Level of Review: The role of the School Board, in reviewing the decision of the impartial hearing officer, is to solely address the following questions:

1. Did the impartial hearing officer follow a fair and impartial process?
2. Is there evidence of corruption, fraud, or misconduct by the impartial hearing officer?
3. Did the impartial hearing officer make an error of law which makes the award invalid?
4. Did the impartial hearing officer make an error of fact which makes the award invalid?

After answering the above questions, the School Board will decide to uphold, modify, or reverse the decision of the Impartial Hearing Officer. The School Board will issue its written decision within sixty (60) days from receipt of the appeal.

Impartial Hearing Officer Selection Procedures:

In the event an employee grievance related to employee discipline, termination or workplace safety proceeds to a hearing before an impartial hearing officer, the superintendent or designee will identify an impartial hearing officer consistent with the following minimum requirements:

- The hearing officer shall be (1) an attorney who is licensed to practice in the State of Wisconsin; or (2) a current or former school administrator who remains licensed by the Department of Public Instruction as either a superintendent or principal, provided the person demonstrates to the satisfaction of the superintendent sufficient familiarity with the procedures for conducting a fair and impartial hearing; or (3) such another individual deemed qualified by the School Board provided that the School Board, upon recommendation by the superintendent, affirmatively approves the individual's alternative qualifications prior to the person serving as a hearing officer.
- If the hearing officer is an attorney, that individual may be an attorney who (or whose firm) represents the district in another capacity only if (1) there is no evidence of bias toward either party; and (2) the attorney, or another attorney from the same firm, is not representing the District in any capacity in connection with the grievance in question.
- The hearing officer will not be an employee of the district.
- Hearing officers may be identified based on their suitability to hear grievances over particular issues (due to their background and experience). (e.g., an individual may be deemed well-qualified to hear a grievance over a "workplace safety" issue, or perhaps well-suited for grievances other than a grievance over a "workplace safety" issue).
- The hearing officer assigned to any pending grievance must be available to hear the case and render a decision in a timely manner. To the extent that the district has compiled a list of two or more potential impartial hearing officers who the district deems qualified to serve as a hearing officer with respect to any pending grievance, the superintendent or designee may use a rotational system, random drawing, or similar system to identify the hearing officer who will be contacted first and asked about his/her availability. However, the failure to use such a system will not be deemed an error unless the individual selected as the hearing officer fails to satisfy the statutory requirement of impartiality.

Adapted from Retired Policy 527, 527-Rule (1), and 527 Rule (2)

@RFSD 2025

It is the policy of the District to treat all employees equitably and fairly in matters affecting their employment. Each employee of the District will be provided an opportunity to understand and resolve certain matters affecting employment that the employee believes to be unjust. This section will apply to all regular full time, part time, limited, temporary, and seasonal employees.

{CHOOSE OPTION #1 OR #2}

[] [OPTION #1] [NOTE: this option reflects the minimum requirements of the law and is the recommended option.]

This procedure is available in the case of any employee's disagreement with discipline or termination of employment, as well as a matter relating to workplace safety.

A grievance will mean a dispute concerning an employee's discipline or termination of employment or a dispute concerning workplace conditions that affect workplace safety. Only one (1) subject matter will be covered in any one (1) grievance. A written grievance will contain:

- A. the name and position of the grievant;
- B. a clear and concise statement of the grievant, including the category of the grievance (i.e., employee termination, discipline, or workplace safety);
- C. the issue involved;
- D. the relief sought;
- E. the date the incident or violation took place;
- F. the specific section of the Policy Manual alleged to have been violated;
- G. the signature of the grievant and the date.

[] [OPTION #2] [DRAFTING NOTE: this option provides a far broader definition of grievance than is required by law.]

This procedure is available for any cause or complaint arising between the District and its employees with reference to a condition of employment. Any District employee(s) who feels they have been treated unfairly, or is dissatisfied with working conditions, should first seek to resolve the problem through informal discussions with their immediate supervisor. In the event informal discussions fail to resolve the problem, the employee(s) may seek formal review and resolution by filing a written grievance.

A grievance will mean a dispute concerning the interpretation or application of a portion of written District policies or written or expressed procedures and objectives of the District.

[END OF OPTIONS #1 & #2]

All employee grievances must be filed by the aggrieved employee(s). The grievance must be filed within five (5) business days after the employee knew or should have known of the cause of such grievance. The following procedures will be followed:

[CHOOSE OPTION #3 OR #4]

[] [OPTION #3]

A. Superintendent:

This grievance will fully state the details of the problem and suggest a remedy. The Superintendent will, within five (5) business days of receipt of the grievance, meet and discuss the grievance with the employee and then reply in writing within ten (10) business days. This step does not apply to any grievance related to an action by the School Board that directly affects the grievant. **[NOTE: An example of this action is the termination of an employee by School Board action which is not subject to review by the District Administrator.]**

B. Hearing Before an Impartial Hearing Officer:

In the event the matter is not resolved to the employee's satisfaction by the Superintendent, the employee may, within five (5) business days of the date of the written decision of the Superintendent, request in writing that the matter be referred for a hearing before an Impartial Hearing Officer. If the Superintendent denies the grievance based on whether the grievance is timely or relates to a covered matter (i.e., workplace safety, discipline, or termination), the matter will be referred to the School Board for determination of whether the grievance may proceed. If the School Board determines the grievance may proceed, it will then be referred to the Impartial Hearing Officer. The School Board will appoint a Hearing Officer for the purpose of conducting the hearing. The School Board may appoint a Hearing Officer or panel of potential Hearing Officers from which to select an officer for this purpose, either on an ad hoc basis or by resolution adopted for a school year, and delegate to the Superintendent the responsibility to arrange for such a hearing with one (1) of the selected officers. When the grievant is the

Superintendent, the () School Board President () School Board's legal counsel **[END OF OPTIONS]** will be responsible for the selection of the Hearing Officer and arranging a hearing.

Each grievance will be heard by a single Hearing Officer and such hearings will be private. The employee and the District may present witnesses and each side may select one (1) individual to attend the hearing as a representative. Any employee representative selected will be at no expense to the District.

The Hearing Officer may only consider the matter presented to him/her in the initial grievance filed by the employee. The decision will apply exclusively to the employee presenting the grievance. The Impartial Hearing Officer will have authority to run the hearing, including administering oaths, admitting evidence into the record, providing for transcription, etc. The Officer may not modify any School Board policy and may not issue decisions on matters not presented to the Superintendent in the initial grievance. Any fees or costs charged by the Impartial Hearing Officer will be () paid by the District () split evenly between the grievant and the District. **[DRAFTING NOTE: Neola suggests that the option that requires the District to pay the fees or costs charged by the Impartial Hearing Officer be selected to avoid potential Due Process issues.]**

C. School Board:

In the event that either party is dissatisfied with the Hearing Officer's decision, that party may, within ten (10) business days, present the grievance in writing to the School Board, who will consider the matter within thirty (30) business days after its receipt unless postponed by mutual agreement. The School Board will review the decision of the Impartial Hearing Officer and may either issue a decision or determine that additional evidence or testimony is necessary and provide for a hearing for that purpose.

The School Board's decision will be made by a majority vote of a quorum present, which will be final.

[] [OPTION #4]

A. Principal/Supervisor:

If an employee believes they have a matter subject to the grievance procedure, the employee will present the grievance to their immediate supervisor. If applicable, the employee will perform the assigned task and grieve later. The Principal/Supervisor will, within five (5) business days, inform the employee in writing of their decision.

B. Superintendent:

In the event the Principal's/Supervisor's decision does not resolve the problem, the employee may, within five (5) business days of the date the Principal's/Supervisor's written decision is issued, present their grievance in writing to the Superintendent. This grievance will fully state the details of the problem and suggest a remedy. The Superintendent will, within five (5) business days of receipt of the grievance, meet and discuss the grievance with the employee and then reply in writing within ten (10) business days. This step does not apply to any grievance related to an action by the School Board that directly affects the grievant. **[NOTE: An example of this action is the termination of an employee by School Board action which is not subject to review by the District Administrator.]**

C. Hearing Before an Impartial Hearing Officer:

In the event the matter is not resolved to the employee's satisfaction by the Superintendent, the employee may, within five (5) business days of the date of the written decision of the Superintendent, request in writing that the matter be referred for a hearing before an Impartial Hearing Officer. The School Board will appoint a Hearing Officer for the purpose of conducting the hearing. If the Superintendent denies the grievance based on whether the grievance is timely or relates to a covered matter (i.e., workplace safety, discipline, or termination), the matter will be referred to the School Board for determination of whether the grievance may proceed. If the School Board determines the grievance may proceed, it will then be referred to the Impartial Hearing Officer. The School Board may appoint a Hearing Officer or panel of potential Hearing Officers from which to select an officer for this purpose, either on an ad hoc basis or by resolution adopted for a school year, and delegate to the Superintendent the responsibility to arrange for such a hearing with one (1) of the selected officers. When the grievant is the Superintendent, the () School Board President () School Board's legal counsel **[END OF OPTIONS]** will be responsible for the selection of the Hearing Officer and arranging a hearing.

Each grievance will be heard by a single Hearing Officer and such hearings will be private. The employee and the District may present witnesses and each side may select one (1) individual to attend the hearing as a representative. Any employee representative selected will be at no expense to the District.

The Hearing Officer may only consider the matter presented to him/her in the initial grievance filed by the

employee. The decision will apply exclusively to the employee presenting the grievance. The Impartial Hearing Officer will have authority to run the hearing, including administering oaths, admitting evidence into the record, providing for transcription, etc. The Officer may not modify any School Board policy and may not issue decisions on matters not presented to the Principal/Supervisor in the initial grievance. Any fees or costs charged by the Impartial Hearing Officer will be () paid by the District () split evenly between the grievant and the District. **[DRAFTING NOTE: Neola suggests that the option that requires the District to pay the fees or costs charged by the Impartial Hearing Officer be selected to avoid Due Process issues.]**

D. School Board:

In the event that either party is dissatisfied with the Hearing Officer's decision, that party may, within ten (10) business days, present the grievance in writing to the School Board, who will consider the matter within thirty (30) business days after its receipt unless postponed by mutual agreement. The School Board will review the decision of the Impartial Hearing Officer and may either issue a decision or determine that additional evidence or testimony is necessary and provide for a hearing for that purpose. The School Board's decision will be by a majority vote of a quorum present, which will be final.

[END OF OPTIONS]

This procedure constitutes the exclusive process for the redress of employee grievances for the subject matter referred to herein. However, nothing in this grievance procedure will prevent any employee from addressing concerns regarding matters not subject to the grievance procedure with the administration, and employees are encouraged to do so. Matters not subject to the grievance procedure that are raised by employees will be considered by the administration, which has final authority, subject to any applicable School Board policy or directive, to resolve the matter.

Time limits contained in this grievance procedure outlined above may be extended by mutual consent of the parties. If any applicable time limit for advancing the grievance to the next step in the process is not met, the grievance will be deemed resolved. Each employee will be afforded any opportunity to be represented at each step of the grievance procedure by a representative of the employee's choice and at no expense to the District.

For purposes of this grievance procedure, the following definitions will apply:

- A. Workplace safety means those conditions related to physical health and safety of employees enforceable under Federal or State law or District rule related to the safety of the physical work environment, the safe operation of workplace equipment and tools, provision of protective equipment, training and warning requirements, workplace violence, and accident risks.
- B. Termination does not include voluntary resignation or retirement () or the nonrenewal of an employment contract pursuant to 118.22 and 118.24 Wis. Stats. (), nor does it include position elimination due to a reduction in force under Policy 3131—Reduction in Staff **[END OF OPTIONS]**. **[Note: the selections made here as to whether to include nonrenewal or reduction in force must correspond to selections made in Policy 3140—Non-renewal, Resignation, and Termination and Policy 3131—Reduction in Staff.]**
- C. Employee discipline refers to unpaid suspensions, written reprimands, or demotion, but excludes performance conferences/evaluations, staff assignments, improvement plans, or oral counseling or reprimand unless a written record of the reprimand is placed in the employee's file. () Nonrenewal of a contract under 118.22 or 118.24, Wis. Stats., will be considered disciplinary if for misconduct or performance reasons.
- D. Business day means weekdays, excluding any District recognized holiday that falls on a weekday, but does not exclude weekdays during scheduled break periods.

© Neola 2022



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title COMPENSATION FOR PART-TIME STAFF
Code po3410.01 11/18 DB
Status

3410.01 - **COMPENSATION FOR PART-TIME STAFF**

The School Board requires that part-time professional staff members be compensated in an amount appropriate to the position's duties and responsibilities and the portion of time worked, whether it be a fraction of a day or a fraction of a year. The Superintendent will ensure that such arrangements are consistent with any terms of the employee handbook, ~~or as applicable, to the collective bargaining agreement, if a member of a certified bargaining unit.~~

© Neola 2020



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	BENEFITS
Code	po3425 11/18 DB
Status	
Legal	Consolidated Omnibus Budget Reconciliation Act of 1985 Pub. L. 99-272

3425 - **BENEFITS**

It is the School Board's policy to provide a competitive and comprehensive package of employee benefits to its employees to effectively attract and retain high-quality employees.

[] [OPTION #1]

The specific design and development of employee benefit plans, including health insurance, dental and vision insurance, short-term and long-term disability insurance, and life insurance benefits, will be determined by the Superintendent with approval by the School Board. ~~() The Superintendent may establish an employee benefits committee. [END OF OPTION]~~
[DRAFTING NOTE: If you choose this option the committee meetings may be subject to open meetings law.] These programs will be reviewed no less than annually, and where necessary or appropriate, the Superintendent will solicit bids from potential vendors to provide employee benefits or analyze alternative options, such as self-funding insurance plans. The Superintendent will present to the School Board for the School Board's approval any proposed changes or contract extensions for such benefits.

A schedule of current benefits will be available in the **Human Resources Department** District office and in the main offices of each school building.

[] [OPTION #2]

The Superintendent will establish an employee benefits committee comprised of at least: **[DRAFTING NOTE: If you choose this option the committee meetings may be subject to open meetings law.]**

- A. ~~() one (1) School Board member;~~
- B. ~~() one (1) member of the District administrative team;~~
- C. ~~() one (1) member of the teaching staff;~~
- D. ~~() one (1) member of the instructional support staff;~~
- E. ~~() one (1) member of the support staff.~~

~~The Committee will review existing benefits packages on at least an annual basis. The Superintendent may solicit bids from benefits providers if deemed appropriate. Proposals will be forwarded to the Committee for consideration. The Committee will report annually to the School Board regarding current employee benefits and any proposed changes.~~

~~The Superintendent will also present recommendations to the School Board regarding benefits packages.~~

[END OF OPTIONS]

Covered employees will be provided continuation rights to the extent required under applicable provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA).

The School Board retains final authority to establish, modify, rescind, add, or in any way affect employee benefits.

The School Board will determine annually, in conjunction with the budget process, the anticipated shared cost of all employee benefits, specifying both employee and employer share of applicable premiums through School Board action.

© Neola 2023



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")
Code	po3430.01 - DL DONE 11/25/25
Status	
Legal	29 U.S.C. 2601 et. seq. 29 C.F.R. Part 825 103.10, Wis. Stats. Wis. Admin. Department of Workforce Development (DWD) 225 National Defense Authorization Act of 2010

3430.01 - FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")

Introduction

In accordance with Federal and State law, the School Board will provide family and medical leave to professional staff. The School Board's Family and Medical Leave Act policy is intended to conform to and comply with, but not exceed, the requirements of the Federal Family and Medical Leave Act of 1993 ("FMLA") and the Wisconsin Family and Medical Leave Act ("WFMLA"). To the extent that this policy is ambiguous or conflicts with the FMLA or the WFMLA, the FMLA and the WFMLA will govern.

Family and medical leave taken under this policy may be covered by Federal law, State law, or both. When leave taken by a staff member under this policy is governed by both Federal and State law, the more generous provision will control in the event of a conflict. However, when leaves are governed by State or Federal law, but not both, the applicable law will control under this policy. In this regard, staff members should note that certain leaves may be covered by both State and Federal law for only a portion of the leave. To the extent permitted by law, leave under the FMLA, leave under the WFMLA and leave granted under the School Board's other policies will run concurrently (at the same time).

Eligibility Requirements

To be eligible for leave under the FMLA, a staff member must have been employed by the School Board for at least twelve (12) months ~~in the past seven (7) years~~ and must have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the requested leave.

To be eligible for leave under the WFMLA, a staff member must have been employed for more than fifty-two (52) consecutive weeks and have worked or been paid for at least 1,000 hours in the preceding fifty-two (52) weeks. The kind and amount of leave available to the staff member under this policy, as well as the staff member's rights during leave, depend upon whether the staff member satisfies the above requirements.

Qualifying Reasons for Leave

The School Board provides family and medical leave for eligible staff members under the following circumstances:

- A. for the birth of the eligible staff member's child and to care for a newborn child

B. for placement with the eligible staff member of a child for adoption or foster care

C. to care for an eligible staff member's spouse, child or parent with a "serious health condition"

The term "child" generally includes a legal ward or a biological, adopted, foster, or stepchild. For leaves governed exclusively by the FMLA, the term also includes a son or daughter for whom the staff member has assumed the day-to-day obligations of a parent. A child must be **either** under eighteen (18) years of age or unable to care for themselves due to a physical or mental disability or, for leave under State law only, unable to care for themselves due to a serious health condition.

"Parent" includes a staff member's spouse's legal guardian only if the staff member is requesting leave under the WFMLA.

"Spouse" includes a qualified domestic partner for leaves governed by the WFMLA. Domestic partnerships must be registered with the county of residence and proof of such registration may be requested prior to approval of leave. Unregistered domestic partners must demonstrate that they are 1) both over age eighteen (18); 2) not in a domestic partnership or marriage with another individual; 3) they share a common residence; 4) they are not related in any way that would prohibit marriage under Wisconsin law; 5) they consider each other to be immediate family members and agree to be responsible for the other's living expense.

D. because of a serious health condition that makes the eligible staff member unable to perform the essential functions of the staff member's position

E. because of a qualifying exigency resulting from active military service by the employee's spouse, son, daughter, or parent in covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves

Qualifying exigencies, as defined by Federal regulations, include: 1) short-notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation; (maximum fifteen (15) calendar days); 7) post-deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. Covered active duty means deployment with the Armed Forces to a foreign country.

F. to care for a service member who is the employee's parent, spouse, child or next of kin who, while on active military duty, sustains a serious injury or illness or aggravation of a pre-existing illness or injury while in the line of duty, while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, in the line of duty which renders the service member medically unfit to perform the member's office, grade, rank, or rating

Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves, provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of 50% or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers. Leave is available for up to twenty-six (26) weeks in a twelve (12) month period. This type of leave is available for serious injury or illness which results in:

1. inpatient medical treatment, recuperation or therapy;
2. outpatient services at a military treatment facility or assignment to a unit established for the purpose of providing command and control of service members receiving outpatient medical services; or
3. assignment to the temporary disability retired list.

The maximum twenty-six (26) weeks of Federal leave to care for a service member includes, and is not in addition to, all other FMLA leave. In other words, employees may not take more than a total of twenty-six (26) weeks of FMLA leave during a single twelve (12) month period for any qualifying reasons under the FMLA. For instance, if an employee takes the maximum twelve (12) weeks of Federal FMLA leave for the staff member's own serious health condition, the employee may then only take fourteen (14) weeks of FMLA leave within that same twelve (12) month period to care for a military family member injured in the line of duty.

The Superintendent will determine whether an employee's request for leave qualifies under one (1) of the above categories.

Amount of Leave Available

Under the FMLA, if the staff member satisfies the eligibility requirements set forth above, the staff member is entitled to a total of twelve (12) work weeks of leave in ~~() a calendar year () a fiscal year running from July 1 to the following June 30 () a twelve (12) month period marked by each employees' date of hire () a rolling twelve (12) month period measured backward from the date of usage () a twelve (12) month period measured forward from the date of any employee's first FMLA usage~~ **[END OF CALENDAR OPTIONS]** for any of the reasons stated above, with the exception of leave to care for an injured service member, which is provided as described in (F) above. **[DRAFTING NOTE: If a decision is made to change the manner of counting Federal leave entitlement usage, the change must be made following at least sixty (60) days notice to employees and in a manner such that any employee qualifying for leave during the transition period is afforded whichever counting method during the leave that affords the employee the greatest benefit.]**

~~() Spouses who are both employed by the District may take a combined total of twelve (12) weeks of leave for the birth or placement of a child for adoption or foster care. [DRAFTING NOTE: This option is available under Federal law, but should only be selected upon the advice of District legal counsel for compliance with Wisconsin's marital status discrimination law.]~~

Under the WFMLA, if the staff member satisfies the eligibility requirements set forth above, the staff member is entitled to ten (10) work weeks of leave in a calendar year as follows:

- A. a total of six (6) weeks of leave for the birth of the staff member's natural child and/or the placement of a child with the staff member for, or as a precondition to, adoption;
- B. a total of two (2) weeks of leave to care for a covered family member with a serious health condition; and
- C. a total of two (2) weeks of leave due to the staff member's serious health condition.

School Board policy calls for concurrent Federal/State leave coverage whenever a staff member is eligible for leave under both the FMLA and WFMLA to the extent available under the law. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining an employee's eligibility for FMLA leave.

Definitions of Serious Health Conditions

In conjunction with the certification provided by a healthcare provider, the School Board reserves the right to determine whether an illness, injury, impairment or physical or mental condition constitutes a serious health condition entitling a staff member to family or medical leave under State or Federal law.

In general, a "serious health condition" under this policy means an illness, injury, impairment, or physical or mental condition that involves one (1) of the following:

A. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital or other care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

B. Absence Plus Treatment

A period of incapacity of more than three (3) consecutive calendar days* (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

1. treatment two (2) or more times by a healthcare provider, a nurse, physician's assistant or physical therapist under a healthcare provider's supervision, order or referral as appropriate within thirty (30) days of the first date of incapacity; or
2. treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of the healthcare provider and occurs within seven (7) days of the first day of incapacity.

*Under the WFMLA, leave may also be available for a "serious health condition" of less than three (3) consecutive days in duration.

C. Pregnancy

Any period of incapacity due to pregnancy, or for prenatal care.

D. Chronic Conditions Requiring Treatment

A chronic condition which:

1. requires periodic visits of at least two (2) times per year for treatment by a healthcare provider, or by a nurse or physician's assistant under a healthcare provider's supervision;
2. continues over an extended period of time (including recurring episodes of a single underlying condition); and
3. may cause episodic rather than continuing periods of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

E. Permanent/Long-Term Conditions Requiring Supervision

A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The staff member or their family member must be under the continuing supervision of, but need not be receiving active treatment by, a healthcare provider (e.g., Alzheimer's disease, a severe stroke, or the terminal stages of a disease). The continued existence of such a chronic condition is subject to certification no more than once every six (6) months.

F. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a healthcare provider or by a provider of healthcare services under orders of, or on referral by, a healthcare provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, including: cancer (chemotherapy, radiation, etc.); severe arthritis (physical therapy); or kidney disease (dialysis).

Required Staff Member Notice

The staff member must provide the Superintendent with notice in a reasonable and practicable manner before leave taken under this policy is to begin, if the need for leave is foreseeable (e.g., an expected birth, placement or adoption or foster care, or planned medical treatment for the staff member's own serious health condition or that of a family member). When requesting partial or intermittent leave in connection with childbirth or adoption under the WFMLA, the staff member must provide at least as much notice as required for taking other non-emergency or non-medical leave, as well as a definite schedule for the leave. Where advance notice is not practical due to uncertainty as to when leave will be required to begin, a change in circumstances or medical emergency, notice must be given as soon as practical. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

~~F~~ Staff members ~~must~~ **should** provide an explanation as to why proper advance notice was not provided in such cases and may be required to verify the explanation. Notice that was not provided timely without reasonable explanation may result in the denial of the leave request.

The staff member must provide a written request for leave, the reasons for the requested leave, and the anticipated beginning date and duration of the leave by submitting a FMLA leave request form to the Superintendent (forms available from the U.S. Department of Labor).

When planning medical treatment, the staff member should consult with their supervisor and make a reasonable effort to schedule the leave so as not to disrupt unduly the District's operations, subject to the approval of the staff member's healthcare provider. The staff member is ordinarily expected to consult with their supervisor in order to work out a treatment schedule which best suits the staff member's needs, as well as the District's.

If a staff member must take more leave than originally anticipated, they must notify the Superintendent within two (2) business days of learning of the circumstances necessitating the extension.

Certification By Healthcare Provider

If a staff member requests leave due to their own serious health condition or the serious health condition of their spouse, child or parent, the School Board ~~requires~~ **may require** that the leave request be supported by certification issued and signed by the healthcare provider for the individual with a serious health condition. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed. The School Board reserves the right to certify all information permitted by law.

The staff member ~~must~~ **should** provide the fully completed certification to the Superintendent within fifteen (15) calendar days of the date that the certification is provided to the staff member, unless it is not practicable to do so despite the staff member's diligent, good faith efforts. If it is not practicable to return the certification within fifteen (15) calendar days, it ~~must~~ **should** be returned to the Superintendent as soon as practicable.

If the staff member fails to submit the certification, the leave or continuation of leave may be delayed until the certification is submitted. Further, any absence prior to the date the certification is furnished may be considered unauthorized. A staff member who is absent without authorization may be disciplined, up to and including termination.

The Superintendent will give a staff member a reasonable opportunity to cure any deficiency in a certification, but not fewer than seven (7) calendar days. It is the responsibility of the staff member or family member with a serious health condition to use a healthcare provider who will complete and furnish an accurate certification in a timely manner.

A member of the administration, other than the staff member's direct supervisor, may contact the healthcare provider to clarify illegible answers and to authenticate the certification. If the certification is incomplete or otherwise unclear, the administrator must request that the employee obtain updated or completed information from the healthcare provider and return it directly to the administrator.

If the Superintendent doubts the validity of a certification, the Superintendent may require, at the School Board's expense, that the staff member obtain a second opinion from a School Board-designated provider, not regularly employed by the School Board. If the opinions of the staff member's and the School Board's healthcare providers differ, a third, final and binding opinion may be obtained. The staff member must cooperate in obtaining a second or third opinion including facilitating the transfer of pertinent records to the subsequent healthcare providers.

The Superintendent may request re-certifications on a periodic basis as permitted by law.

Designation of Leave

In all circumstances, it is the responsibility of the Superintendent to designate leave, whether paid or unpaid, as FMLA leave and to give the staff member notice of the designation and their rights and responsibilities under this policy.

The Superintendent will give the staff member the notice on each occasion that the staff member notifies their supervisor of the need for leave that may be FMLA-qualifying, including, but not limited to, when the staff member requests another type of leave for an FMLA-qualifying reason. In the case of intermittent or reduced schedule leave, only one notice will be provided unless the circumstances regarding the leave have changed.

Absent extenuating circumstances, the Superintendent will provide to the employee a "Designation Notice" stating whether a request for leave has been approved or denied within five (5) business days. At a minimum, the staff member will be verbally notified whether leave is being designated as FMLA leave within five (5) business days of the date the staff member provides information to the Superintendent sufficient to enable the Superintendent to determine that the leave is being taken for an FMLA-qualifying reason.

The Superintendent will confirm the verbal notice with the written notice as soon as feasible, but no later than the first payday following the verbal notice (unless the payday is less than one (1) week after the verbal notice, in which case the notice must be no later than the subsequent payday).

Manner In Which Leave Can Be Taken

Leave available under this policy may be taken in full and, under certain circumstances, may also be taken intermittently or on a reduced leave schedule. Intermittent leave is leave taken in separate blocks of time due to a single qualifying reason. Reduced schedule leave is leave that reduces the usual number of working hours per day or week. The staff member must consult with their supervisor and make a reasonable effort to schedule intermittent or reduced schedule leave so it does not unduly disrupt the District's operations.

When leave is governed only by the FMLA intermittent or reduced schedule leave to be with the employee's newborn child, or after the placement of a child with the employee for adoption or foster care, requires the District's agreement, unless the intermittent or reduced schedule leave is due to a serious health condition. Intermittent or reduced schedule leave due to ~~6~~ **62**

serious health condition must be medically necessary. Medically necessary means there must be a medical need for the leave and the leave can be best accommodated through an intermittent or reduced leave schedule, as certified by the healthcare provider in the Certification.

When leave is governed only by the FMLA, the Superintendent may offer a staff member a temporary transfer to another position for which the staff member is qualified with equivalent pay and benefits that better accommodates the intermittent or reduced schedule leave when the need for leave is foreseeable based on planned medical treatment or the staff member takes such leave for the birth of a child or for placement of a child for adoption or foster care. The staff member may reject this offer in which case there will be no adverse effect on the leave or entitlement to return to the same or similar position following leave. Any time spent by the staff member in an alternative position will not count against the employee's FMLA leave entitlement.

Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule governed only by the FMLA, which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave, must elect either to:

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

The Superintendent may require instructional staff members who take Federal leave near the end of an academic term to extend their leave through the end of the academic term if:

- A. the leave is commenced more than five (5) weeks from the end of the term but the employee intends to return during the final three (3) weeks of the term and the leave is longer than three (3) weeks in duration;
- B. the leave is commenced within five (5) weeks of the end of the term and the employee intends to return during the final two (2) weeks of the term and the leave period was at least two (2) weeks in duration; or
- C. the leave commences within three (3) weeks of the end of a term and the leave was at least five (5) working days in duration.

Staff members whose leave is extended at the end of an academic term under this section will be charged against their FMLA entitlement only the time that they required for purposes of their leave.

Coordinating Leaves - Substitution

Generally, leave taken under this policy is unpaid. However, for leave governed exclusively by the FMLA, the staff member ~~()~~ must ~~()~~ may ~~[END OF OPTION]~~ use the following leaves provided by the School Board, if available:

- A. vacation or personal leave, if available, for any family or medical leave;
- B. accrued paid family leave (i.e., paid leave covering the particular circumstances for which the staff member is seeking leave), if available, for birth, adoption, or to care for a seriously ill family member; and
- C. accrued paid medical or sick leave, if available, to care for a seriously ill family member, or for the staff member's own serious health condition.

A staff member may not substitute paid leave for unpaid FMLA leave taken under this policy in any situation where the School Board would not normally provide such paid leave.

For leaves governed by the WFMLA, a staff member may substitute paid or unpaid leave, which the staff member has earned and accrued, for leave taken under this policy, if available. The School Board reserves the right to deny substitution as permitted by law.

Any paid leave substituted for unpaid FMLA leave or WFMLA leave will decrease, in whole or in part, the staff member's FMLA and/or WFMLA leave entitlement.

Continuation of Benefits

A staff member will remain eligible for group health insurance benefits under the School Board's group health plan during leave taken under this policy under the same conditions as coverage would have been provided if the staff member had been actively employed during the entire leave. However, the staff member has the option of choosing not to retain such coverage during family or medical leave.

During leave taken under this policy, the School Board will continue to pay any portion of group health insurance premiums for coverage that it was responsible for paying immediately prior to the leave as required by law. The staff member will be responsible for paying their portion of health insurance premiums regardless of whether the staff member's family and medical leave is paid or unpaid. It is the staff member's responsibility to make arrangements with the Superintendent for making premium payments for group health insurance during leaves.

To the extent permitted by law, the School Board reserves the right to require the staff member to place up to eight (8) weeks of health insurance premiums in escrow prior to leave, or to discontinue coverage if such premiums are received more than thirty (30) days late.

The staff member's entitlement to benefits other than group health benefits during a period of family or medical leave is determined by the Board's policy regarding provision of such benefits when a staff member is on other types of leave.

If a staff member fails to return to work or fails to remain at work for a period provided under the law, the District may recover its portion of the premiums paid for medical benefit coverage during the leave, unless the reason for the staff member's failure to return to work is due to the continuation of the serious health condition or the onset of a new serious health condition.

Accrual of Benefits

The use of leave under this policy will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave. ~~A staff member will not continue to accrue seniority or any other employment benefit during leave taken under this policy, except that such benefit shall accrue if the staff member elects to use other leaves provided by the Board, and if such benefits would normally accrue during such leave.~~

Employment Restoration

A staff member will generally be reinstated to the same position they held when leave began or a position with equivalent pay, benefits, and other terms and conditions of employment, if such position remains available, and the staff member possesses the ability to perform the essential functions of the job satisfactorily, with or without any accommodation that may be required by the Americans With Disabilities Act of 1990. The staff member, however, has no greater right to reinstatement or benefits than if the staff member had been actively employed during the leave. Further, if the staff member gives unequivocal notice of intent not to return to work, the staff member is not entitled to be reinstated.

A staff member who exceeds the FMLA/WFMLA leave, but remains off work under a non-FMLA/WFMLA leave policy, is not entitled to reinstatement to the same or a similar position under the FMLA/WFMLA; however, the staff member **may** be eligible to be reinstated under the non-FMLA/WFMLA leave policy.

A staff member who is able to return to work prior to the expiration of leave must notify their supervisor immediately. Upon such notice, the Superintendent will promptly reinstate the staff member to active employment, provided the staff member has the present skill and ability to perform the essential functions of their job satisfactorily with or without accommodation. However, the reinstatement need not occur until the third business day following the staff member's notification of their ability to return to work.

Fitness For Duty Certification

If leave is due to the staff member's serious health condition, the staff member must present certification to return to work to their supervisor upon returning to work. The staff member's principal attending physician must complete the certification. The certification must indicate that the staff member has been released to return to work. It must also specify any physical or other limitation on the staff member's ability to perform regular or other duties and the duration of the limitations. No certification will be required when the staff member returns from intermittent leave, except as otherwise permitted or required by the Americans With Disabilities Act of 1990.

The certification will be limited to the particular health condition that caused the staff member's need for leave, except as otherwise permitted by the Americans With Disabilities Act of 1990. If the staff member is an "individual with a disability" within the meaning of the ADA, any fitness-for-duty physical examination or inquiry by the District will be job-related and consistent with business necessity.

Reinstatement may be delayed until the staff member submits the certification. Under such circumstances, if the staff member does not promptly provide a certification or qualify for another leave of absence, the staff member may be disciplined, up to and including termination.

With the staff member's permission, the School Board's healthcare provider may contact the staff member's healthcare provider to clarify and authenticate the certification, but no additional information may be requested or required, and the staff member's return to work may not be delayed while the contact is being made. No second or third fitness for duty certification may be required.

Confidentiality

All medical information relating to leave, whether written or verbal, shall be kept confidential to the maximum extent possible. All medical documents including, but not limited to, medical certifications and return-to-work statements must be maintained in confidential, secure files separate from personnel files.

No Discrimination

Leave under this policy will not be used as a negative factor in employment actions, such as hiring, promotions, disciplinary actions or under attendance policies.

Miscellaneous

The Superintendent may designate another administrator to perform their duties under this policy.

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

The Superintendent shall see that the policy is posted properly.

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

© Neola 2023 **(NEW)**



Book Neola Policy Templates for Processing

Section 3000 Professional Staff Templates

Title JOB-RELATED EXPENSES

Code po3440 - 12/8 DB

Status

Legal 2 C.F.R. 200.464
 2 C.F.R. 200.474
 2 C.F.R. 200.475

3440 - JOB-RELATED EXPENSES

The School Board ~~()~~ will ~~()~~ may ~~[END OF OPTIONS]~~ provide for the payment of the actual and necessary expenses, including traveling expenses, of any professional staff member of the District reasonably and necessarily incurred in the course of performing services for the District, whether within or outside the District, under the direction of the School Board. ~~()~~ and in accordance with the Superintendent's administrative guidelines ~~[END OF OPTION]~~.

The validity of payments for job-related expenses will be determined by the Superintendent through the travel pre-approval procedures.

Payment and reimbursement rates for per diem meals, lodging, and mileage will be approved by the School Board annually through the approval of the Employee Handbook. The School Board will establish mileage rates ~~()~~ in accordance with ~~()~~ not exceeding ~~[END OF OPTIONS]~~ the Federal Internal Revenue Service prescribed mileage rate.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include, but are not limited to, alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

~~[]~~ Commercial airfare costs in excess of the basic least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would 1) require circuitous routing; 2) require travel during unreasonable hours; 3) excessively prolong travel; 4) result in additional costs that would offset the transportation savings; or 5) offer accommodations not reasonably adequate for the traveler's medical needs. Instances of commercial airfare cost in excess of the basic, least expensive unrestricted accommodations class must be justified and documented on a case-by-case basis.

~~[]~~ Temporary dependent care costs (as dependent is defined in 26 U.S.C. 152), above and beyond regular dependent care that directly results from travel to conferences, are allowable provided that 1) the costs are a direct result of the individual's travel for the Federal award; 2) the costs are consistent with the District's documented administrative guidelines for all entity travel; and 3) are only temporary during the travel period. Travel costs for dependents are unallowable, except for travel of a duration of six (6) months or more with prior approval of the Federal awarding agency.

~~[DRAFTING NOTE: Choosing this option requires this also to be applicable to all District travel.]~~

~~[] The costs of identifying and providing locally available dependent care resources for conference participants are allowable, as needed.~~

~~**[DRAFTING NOTE: This draft policy includes the Federal rules for commercial airfare and temporary dependent care costs. Based on State or local laws and policies, School Districts may decide that all temporary dependent care costs or commercial airfare costs in excess of the basic least expensive unrestricted accommodations class are unallowable under any circumstance.]**~~

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the District's travel policy ~~() and administrative guidelines [END OF OPTION]~~. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates 1) the participation in the event by the individual traveling is necessary to the Federal award; and 2) the costs are reasonable and consistent with the District's travel policy. Conference costs must be appropriate, necessary, and managed to minimize costs to the Federal award.

The School Board will pay the expenses of professional staff members when they attend professional meetings approved in accordance with the policy of this School Board **and guidelines outlined in the Employee Handbook.** ~~and in accordance with the administrative guidelines of the Superintendent.~~

Whenever a staff member is unable to provide appropriate expense documentation, they may be reimbursed in an amount not to exceed ~~() \$100 () \$50 [END OF OPTIONS]~~ upon written approval of the expenses by the Superintendent.

All travel will comply with the travel procedures and rates established in the **Employee Handbook** ~~administrative guidelines~~. All costs incurred with Federal funds must meet the cost allowability standards within School Board Policy 6110 - Grant Funds.

To the extent that the District's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11⁷ ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services or the President (or designee), must apply to travel under Federal awards.

© Neola 2024



Book Neola Policy Templates for Processing
Section 3000 Professional Staff Templates
Title UNAUTHORIZED WORK STOPPAGE
Code po3531
Status
Legal 111.70(4)(L), Wis. Stats.

3531 - UNAUTHORIZED WORK STOPPAGE

The School Board is obligated and committed to ~~provide~~ providing certain basic services to students participating in District programs.

Recognizing the fact that the District, for various reasons, could experience an unauthorized work stoppage, the School Board remains committed to providing educational and related services.

Professional staff members who fail to perform their normal duties when so required as part of a concerted unauthorized work stoppage will be subject to loss of pay and fringe benefits, including paid insurance coverage, as well as disciplinary measures in accordance with the laws of the State.

© Neola 2020



Book Neola Policy Templates for Processing
 Section 3000 Professional Staff Templates
 Title EMPLOYMENT OF PROFESSIONAL STAFF
 Code po3120 11/18/25 DB
 Status
 Legal 118.191, Wis. Stats.
 118.192, Wis. Stats.
 118.21, Wis. Stats.
 118.22(2), Wis. Stats.
 118.24, Wis. Stats.
 121.02, Wis. Stats.
 Wis. Admin. Code P.I. 34

3120 - EMPLOYMENT OF PROFESSIONAL STAFF

The School Board recognizes that it is vital to the successful operation of the District that positions created by the School Board be filled with highly-qualified and competent personnel.

All employees other than the Superintendent or support staff members (Policy 0100 – Definitions) are considered professional employees.

Professional Staff Member: District employees who are either certified teachers employed in a position for which certification is a requirement of employment or administrative employees who are responsible for oversight or supervision of a component or components of the District's operation, or serve as assistants to such persons, regardless of whether they hold an administrative contract or are required to have administrator certification, but excluding the Superintendent.

[NOTE: SELECT EITHER OPTION 1 or 2]

[] [OPTION 1]

~~[] The School Board will approve the employment, and also fix the compensation, and establish the term of employment for each professional staff member employed by this District. Teachers may only be employed by contract, and full-time teachers may only be employed following a majority vote of the full membership of the School Board or as required or permitted by law. The School Board will approve the employment of any employee required by law to be employed only following the majority vote of the full membership of the School Board.~~

~~() This will include a description of the work schedule, hours of work per week, a determination of whether the employee is exempt or non-exempt for purposes of overtime eligibility (See Policy 6700 – Fair Labor Standards Act). For non-exempt employees, there will be a clear statement in the job description and employee handbook which states the following: "No non-exempt employee may perform work for the District outside of his/her regular schedule without prior supervisory approval. Violations of this requirement will result in disciplinary action, up to and including termination from employment," and for overtime eligible employees, there will be a clear statement in the job description and employee handbook which~~

~~states the following: "No overtime eligible employee may perform overtime work for the District without prior supervisory approval. Violations of this requirement will result in disciplinary action, up to and including termination from employment."~~

~~{END OF OPTION 1}~~

~~{ } [OPTION 2]~~

~~{ }~~ The Superintendent may establish the terms of employment and description of job duties for each professional staff member employed by this District and will recommend to the School Board for approval contracts for any **professional staff teachers** employed by the District **as required by State Law**. The School Board will be solely responsible for the approval of the employment of any **professional staff administrator or teacher** as required by State law and will be approved only by a majority vote of the full membership of the School Board. Compensation will be fixed by an established compensation structure or School Board action.

~~{ }~~ The **Human Resources Department District Administrator** will provide a description of the work schedule, hours of work per week, a determination of whether the employee is exempt or non-exempt for purposes of overtime eligibility (See Policy 6700 - **Fair Labor Standards Act (FLSA)**). For non-exempt employees, there will be a clear statement in the employee handbook which states the following: "In order for an employee to work beyond **his or her** their contract hours in any week, prior approval must be obtained from the immediate supervisor. Exceptional cases requiring overtime may be approved after the overtime is worked when all administrators/principals/immediate supervisors are unavailable and such pre-approval may cause harm to students, staff, and the community or District property."

~~{END OF OPTION 2}~~

~~{ }~~ Such approval will be given only to those candidates for employment recommended by the Superintendent.

~~{ }~~ Such approval will be given only to those candidates for employment chosen by the School Board from a group selected by the District Administrator.

~~{ }~~ When any recommended candidate has been rejected by the School Board, the Superintendent will make a substitute recommendation.

~~{ }~~ All applications for employment will be referred to the _____ **Human Resources Department**.

~~{ }~~ Relatives of staff members may be employed by the School Board, however, arrangements should be made so that the staff member being employed is not placed in a position in which s/he would be supervised directly by, or supervise directly, the relative staff member.

~~{ }~~ The School Board will not employ (but may continue to employ) the spouse or child of any School Board member.

~~{ }~~ The School Board will not employ (but may continue to employ) the

~~{ }~~ children, siblings, parents, in laws, or bona fide dependents (IRS criteria) of a School Board member.

~~{ }~~ children, siblings, parents, in laws, or bona fide dependents (IRS criteria) of a regular full-time professional staff member.

~~{ }~~ Any professional staff member's intentional misstatement of fact material to **his/her** their qualifications for employment or the determination of salary will be considered by this School Board to constitute grounds for dismissal.

~~{ }~~ The employment of professional staff members prior to approval by the School Board is authorized when their employment is required to maintain continuity in the educational program, except as prohibited by law, including the employment of full-time teachers and certain administrative employees on a substitute basis, pending School Board approval. Employment will be recommended to the School Board at the next regular meeting.

~~{ }~~ No candidate for employment to the professional staff will receive a recommendation for such employment without having provided visual evidence of proper certification or that **the** application for such certification is in process.

~~For those staff members who will be instructing children in reading and/or language arts in pre-school and/or grades kindergarten through sixth grade, their certificate must verify successful completion of instruction that includes the teaching of phonics.~~

There must also be verification that a satisfactory background check has been conducted by the Department of Public Instruction or **an** appropriate State agency.

Any person who signs a contract to teach in the District must, within ten (10) days after signing the contract, **provide evidence of a current license or accepted application to the Department of Instruction for the content, subject area, and developmental level for the position of hire.** ~~file in the office of the District Administrator a statement showing the date of expiration and the grade and character of the certificate or license held, or evidence of a timely filed extension of such certification with the Department of Public Instruction. Only teachers who that hold the appropriate license, permit, or accepted application for extension of certificate for the subject matter and grade level taught will be considered qualified.~~

The **Director of Human Resources and Leadership Development** ~~District Administrator~~ will prepare procedures for the recruitment and selection of all professional staff, ~~which includes reporting newly hired employees to the Wisconsin Department of Workforce Development.~~

DISTRICT SUPPORTED ALTERNATIVE LICENSING PROGRAMS

As part of the School Board's efforts to provide the highest quality education for all students in all subject areas, the School Board authorizes the Superintendent, where appropriate, to support teacher licensure opportunities.

EXPERIENCED-BASED LICENSURE FOR TECHNICAL AND VOCATIONAL EDUCATION

"Technical education" means technology education and any technology-related occupation.

"Vocational education" means agriculture, child services, clothing services, food services, housing and equipment services, family and consumer education, family and consumer services, home economic**s**-related occupations, health care-related occupations, trade specialist, business education, business and office, and marketing education.

The Superintendent may support the application for an experience-based license for a teacher to teach in a technical and/or vocational education field, provided that the individual can be credited with at least 100 points using the following system:

- A. The following points for experience in a technical field (must comprise at least twenty-five (25) of the required 100 points):
 1. For a bachelor's degree in any science, technology, engineering, or mathematics field and any teaching license or permit, or in a field related to the vocational subject, 100 points.
 2. For a bachelor's degree in any science, technology, engineering, or mathematics field, or in a field related to the vocational subject seventy-five (75) points.
 3. For a bachelor's degree in a field other than those described in numbers 1. and 2. above, sixty-five (65) points.
 4. For industry or vocational certification, ninety (90) points.
 5. For industry experience in a trade or technical field or vocation, five (5) points per forty (40) hours worked up to a maximum of ninety (90) points.
 6. For an internship in a trade or technical field or in the vocation, twenty-five (25) points.
 7. For being mentored in a trade or technical skill or in the vocation by a colleague or a Wisconsin Technology Education Association or a recognized vocational association approved mentor, twenty-five (25) points.
 8. For an apprenticeship in a trade or technical field or in the vocation, five (5) points per forty (40) hours worked up to a maximum of ninety (90) points.
- B. The following points for pedagogical experience (must be at least twenty-five (25) out of the 100 required points):
 1. For a bachelor's degree in technical or technology education, 100 points.
 2. For a bachelor's degree in a field other than any science, technology, engineering, mathematics, or technical or technology education field, or in a subject related to the vocation and any teaching license or permit, seventy-five (75) points.
 3. 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 courses and

science, technology, engineering, or mathematics courses or any field related to the vocation and three (3) points per credit up to a maximum of seventy-five (75) points for education and pedagogical courses.

4. 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.

Individuals who have sufficient points may be employed by the District under an experience-based license provided that the Superintendent implements a professional development curriculum for the teacher to follow during the three (3) year period of the initial license. The Superintendent will monitor the teacher's progress in fulfilling the curriculum.

PROFESSIONAL TEACHING PERMIT

The Superintendent may support the teaching license application of an individual to teach a course in engineering, mathematics, science, computer science, art, music, or world languages that do not yet hold a professional teacher license provided that the following criteria are met:

- 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 licensed teacher.
- 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 Superintendent will implement a plan to provide supervision of the teacher by a teacher ~~who that~~ holds regular professional teaching licensure during the two (2) year period of the permit.
- F. The hiring of the teacher under this alternative licensure program will not displace a regularly licensed teacher in the District.

~~See also AG 3120E~~

© Neola 2021



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING REQUIREMENTS
Code	po3121 11-13-25 DB
Status	
Legal	111.335, Wis. Stats.

3121 - CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING REQUIREMENTS

To ensure the safety of students and staff, it is the policy of the School Board that criminal background investigations be conducted on any paid staff member. Criminal background investigations will also be conducted on university interns and student teachers, and on those wishing to volunteer in the District. Background investigations will be completed prior to paid or volunteer service begins.

Employment may be offered pending the return and disposition of such background checks. All offers of employment are contingent upon the results of such checks. If an applicant has committed a crime that substantially relates to the circumstances of the particular position for which he/she the applicant is applying, the District may take that offense into consideration when deciding whether to employ the individual. The District may refuse to employ an individual who has been convicted of a felony and who has not been pardoned for that felony.

Knowingly falsifying any of the information in pre-employment documents, such as an application for employment or background check questionnaire, will be sufficient grounds for not being hired or for discharge.

Criminal background investigation paperwork including forms and records obtained through processing will be considered confidential and will not be released or disseminated unless required by law.

All District employees will notify their immediate supervisor or building principal as soon as possible, but no more than three calendar days after any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the other offenses as indicated below:

- 1) crimes involving school property or funds;
- 2) crimes involving fraudulent or unauthorized attempt to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
- 3) crimes that occur wholly or in part on school property or at a school-sponsored activity;
- 4) a misdemeanor which involves moral turpitude [e.g. an act or behavior that gravely violates moral sentiments or accepted moral standards of the community]; or
- 5) a misdemeanor which violates the public trust.
- 6) major traffic offenses (e.g., operating under the influence of an intoxicant or other drug, reckless driving, operating after suspension/revocation, failure to report an accident, refusal to take a breath test). Minor traffic offenses (e.g., non-moving violations, speeding, failure to yield, failure to obey a traffic signal, unattended vehicle, illegal parking) do not need to be reported. However, if an employee drives or operates a District vehicle or piece of mobile equipment or transports students or staff, other than the staff member's own family, in any vehicle they must report any traffic offense (not including parking tickets).

Per River Falls School District the School District of River Falls Employee Handbook, employees who notify their supervisor or building principal of an arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony, any offense involving moral turpitude, and any of the offenses as indicated above will be subject to being placed on administrative leave, suspension, or termination, as permitted by law. Failure to report under this section may result in

disciplinary action, up to and including termination. All employment decisions by the District based on such information must comply with Wisconsin's arrest and conviction discrimination law.

Adopted from retired policy 533.1

© School District of River Falls 2025

Criminal History Record Check

To more adequately safeguard students and staff members, the Board requires an inquiry into the background of each applicant the District Administrator recommends for employment on the District's professional staff. Any contracts with outsourced services, employment agencies, or temporary services must require such providers to conduct and retain a criminal history record check of individuals providing service to the District.

Such an inquiry will also be made for substitutes who may be employed by the District.

The District Administrator will establish the necessary procedures for obtaining any criminal history on the applicant.

Should it be necessary to employ a person in order to maintain continuity of the program prior to receipt of the report, the District Administrator may employ the person on a provisional basis until the report is received.

All information and records obtained from such inquiries are to be considered confidential and will not be released or disseminated to those not directly involved in evaluating the applicant's qualifications.

Employee Self-Reporting Requirement

All District employees will notify the District Administrator as soon as possible, but no more than three (3) calendar days, after any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any criminal or municipal offense.

The requirement to report a conviction or deferred adjudication applies to major traffic offenses (e.g., operating under the influence of an intoxicant or other drug, reckless driving, operating after suspension/revocation, failure to report an accident, refusal to take a breath test). Minor traffic offenses (e.g., non-moving violations, speeding, failure to yield, failure to obey a traffic signal, unattended vehicle, illegal parking) do not need to be reported.

However, if an employee drives or operates a District vehicle or piece of mobile equipment or transports students or staff, other than the staff member's own family, in any vehicle they must report any traffic offense (not including parking tickets).

Failure to report under this section may result in disciplinary action, up to and including termination. All employment decisions by the District based on such information must comply with Wisconsin's arrest and conviction discrimination law.

© Neola 2024



Book Neola Policy Templates for Processing
 Section 3000 Professional Staff Templates
 Title REDUCTION IN STAFF
 Code po3131 11/18 DB
 Status

3131 - REDUCTION IN STAFF

It is the responsibility of the School Board to provide the staff necessary for the implementation of the educational program of the District and the operation of the schools and to do so efficiently and economically.

The School Board reserves the right to abolish positions in the District and to reduce the staff whenever reasons of decreased enrollment of students, return to duty of regular professional staff members after leaves of absence, suspension of schools or territorial changes affecting the District, or other warranted circumstances. **The Superintendent will be responsible for recommending reductions in staff in alignment to the processes outlined in the Employee Handbook.**

~~[] The District Administrator will develop administrative guidelines for the reduction of staff based on the best interests of the District and consistent with the terms of any applicable interdistrict agreements, and applicable law.~~

~~Where appropriate, attrition may be used to achieve the necessary number of position reductions.~~

~~[] OPTION #1~~

~~The District Administrator will determine the appropriate employees for reduction considering all factors deemed important and in the best interests of the District (), including the following:~~

- ~~A. qualifications of the employees being considered for reduction~~
- ~~B. performance of employees, based on performance evaluations~~
- ~~C. input from direct supervisors~~
- ~~D. () length of service to the District **[END OF OPTION]**~~

~~**[END OF OPTION #1]**~~

~~[] OPTION #2~~

~~Selection of staff for reduction once positions have been identified will be based on seniority. The District Administrator or designee will maintain a seniority list for each building and each job category. When a reduction in force is necessary, the Administrator will select the least senior employee for reduction, provided that other staff has the necessary certification. () The District Administrator may determine that it is necessary to retain the least senior employee when in the best interests of the District, in which case the next least senior employee will be considered.~~

~~**[END OF OPTION #2]**~~

~~**[END OF OPTIONS]**~~

~~**[CHOOSE FROM OPTIONS 1—3]**~~

[] OPTION #1

No employee whose position has been eliminated will have any right to be contacted by the District in the event that a vacancy opens in the future for which the laid off employee may be qualified. Likewise, no such employee is entitled to a future position or is provided any preference over other applicants. Any employee whose position was eliminated under this policy may file a grievance under Policy 3340. **[Note: This option allows a grievance to be filed which must be consistent with the reduction in force selection made in Policy 3340—Grievance Procedure.]** Staff whose employment ended with the District due to a reduction in force, will not be prevented from applying for future positions with the District.

[Note: If this option is selected, staff reduction results in termination of employment and the affected employee is likely entitled to access to the grievance procedure, Policy 3340—Grievance Procedure.]

[] OPTION #2

Any employee whose position has been eliminated will have a right to be recalled to their position or another vacancy in the District for which the individual is qualified for a period of _____ () year(s) after the date the employee was reduced. If such an employee is offered an opportunity to return to the same or similar position and rejects the opportunity, the employee will have no further right to recall.

When a vacancy occurs in a position for which there has been a reduction in staff in the prior _____ () years, the Administrator responsible for hiring will attempt to make contact in order of greatest length of service to the District at the time of last employment, with former employees that have remaining recall rights. The Administrator will attempt to make contact with the last known contact information. Any employee that wishes to be contacted for such positions must inform the District office of any change of address or other contact information.

If an employee is recalled, the employee must again qualify for the position and may be required to undergo pre-employment background checks or physical examinations consistent with School Board policy and applicable law.

[] OPTION #3

Any employee reduced under this policy will have the following benefits for a period of _____ () year(s):

- A. () the District will contact the employee in the event a vacancy opens up in the same or similar position previously held;
- B. () if employee returns to employment, the employee will retain all accrued benefits, including any applicable sick leave accumulation and length of service credit accrued at the time of reduction;
- C. () **[Add additional recall benefits if desired]** _____.

(Note: Providing some level of recall benefits reduces the likelihood that reduction in force is a "termination" subject to the statutory grievance procedure.)

[END OF OPTIONS]

Staff Furloughs

A furlough is a temporary reduction in hours for individuals or groups of employees that is intended to be of a short and predetermined duration, either in terms of days, weeks, or until the resumption of school operations. Furloughs differ from lay offs in that a lay off is of an indefinite, potentially permanent nature.

In the event of a temporary disruption to school services due to unforeseen circumstances, such as a public health emergency, natural disaster, or some other disruption to school programming **[Select one of the following options]** () the School Board may authorize the District Administrator to temporarily furlough employees by reducing employee hours, provided that a plan is presented to the School Board for consideration () the District Administrator may temporarily reduce employee hours as necessary and will inform the School Board as soon as practicable regarding the actions taken and the plan for managing the circumstances. **[End of Options]**

Furloughs may be targeted to a particular department, building, or program. Furloughs may be used to reduce all employees' hours consistent with the District's needs while minimizing the impact on individual staff members. Generally speaking, furloughs should be administered in a way to avoid any employee from serving a furlough period of a full week of

more in a row, wherever possible. This may involve distributing furlough days or blocks of days shorter than a full week, spread out over a period of several weeks or months.

Furloughs may be unpaid if based on budgetary concerns, or employees may be allowed to use available accrued paid time off. Furloughs will be used only in a manner consistent with any individual contract requirements, or other employee rights or benefits, such as FMLA benefits.

© Neola 2023



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	STAFF DISCIPLINE
Code	po3139 11/18 DB
Status	
Legal	66.0509(1m)(a), Wis. Stats. Franklin v. City of Evanston, 384 F.3d 838 (7th Cir. 2004) Garrity v. New Jersey, 385 U.S. 493 (1967)

3139 - STAFF DISCIPLINE

The School Board retains the right and the responsibility to manage the workforce. When the discipline of a staff member becomes necessary, such action will be consistent with the requirements of any applicable School Board policy, and State and Federal law. The Superintendent may issue discipline when deemed appropriate; however, student performance on examinations may not form the basis for staff discipline. This policy does not cover decisions to terminate or non-renewal of a staff member's employment or accepting a staff member's resignation (see Policy 3140 - Non-Renewal, Resignation, and Termination).

Investigation of Possible Criminal Activity

The District may be required to investigate potential wrongdoings on the part of its employees, and such wrongdoing in some cases may involve potential criminal conduct and/or co-occurring law enforcement investigation. Such investigations still require that the employee truthfully answer questions relating to the activity, and refusal to answer may result in discipline up to and including termination. Employees required to respond to questions regarding potential criminal activity are permitted to do so without waiving any Constitutional rights against self-incrimination that may apply during the course of a criminal investigation. As appropriate, employees will be informed of this right, through what is often referred to as a "Garrity Warning". The Garrity Warning informs the employee that the employee is required to respond to questions posed during the investigation and that answers to questions relating to the employee's conduct may be used by the District for determining appropriate discipline, but will not be provided to law enforcement officials in the course of their independent criminal investigation, unless otherwise required by law. (see Form 3139 F1 - "Garrity" Warning)

[] OPTION #1

~~Staff may be disciplined for violations of School Board policy or for other failures to meet the expectations and obligations of their position. Discipline may only be issued when just cause exists to issue discipline. Just cause as used in this policy will mean that the District has concluded through a preponderance of evidence that a violation has occurred and the level of discipline is appropriate under the circumstances, considering the employee's disciplinary record, and other pertinent factors.~~

[] OPTION #2

Staff may be disciplined for violations of School Board policy or for other failures to meet the expectations and obligations of their position. No staff member may be subject to arbitrary or capricious disciplinary action, or disciplinary action that is otherwise in violation of law.

[END OF OPTIONS]

[] OPTION #1

Disciplinary action will normally follow a progressive discipline model that is designed to correct inappropriate conduct on the part of staff members. Progressive discipline will generally progress as follows:

- A. oral reprimand, with a written record placed in the employee file;
- B. written warning;
- C. suspension, the length of which is determined by the administration to effect the corrective goal of discipline; and
- D. termination, pursuant to the process established for termination as set forth in Policy 3140— Non-Renewal, Resignation, and Termination.

The District Administrator may skip one or all steps in the progressive discipline model when s/he deems that the severity of the offense requires more substantial discipline, or in the case of termination, where the District Administrator determines that the conduct is so egregious as to require the staff members immediate termination of employment, consistent with the process established for termination as set forth in Policy 3140— Non-Renewal, Resignation, and Termination.

[] OPTION #2

The Superintendent may issue discipline to staff members when deemed appropriate. The level of discipline may range from oral reprimands to suspension and may lead to termination consistent with Policy 3140 - Non-Renewal, Resignation, and Termination. The level of discipline will be consistent with the seriousness of the offense as determined by the Superintendent.

[END OF OPTION 2]

(→) Management efforts engaged to improve an employee's job performance or address specific performance concerns, including letters of direction, performance improvement plans, mandatory training, etc., are not disciplinary in nature and are not subject to this policy or to Policy 3340 - Grievance Procedure.

[END OF OPTIONS]

All instances of staff discipline are subject to the employee grievance procedure, set forth in Policy 3340 - Grievance Procedure.

© Neola 2023



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	NON-RENEWAL, RESIGNATION, AND TERMINATION
Code	po3140 11/18 DB
Status	
Legal	118.30(2)(c), Wis. Stats. 118.22, Wis. Stats. 118.24, Wis. Stats.

3140 - NON-RENEWAL, RESIGNATION, AND TERMINATION

A critical function of the School Board is maintaining personnel necessary to carry out the District's educational program and mission. In the course of carrying out this function, the School Board will at times find it necessary to end an employment relationship with a member of the professional staff. This policy governs the process of nonrenewal and termination of employees, as well as the conditions under which a resignation may be accepted.

Full-Time Teachers

All full-time teachers are required to be under contract with the District. A full-time teacher's employment contract is automatically void and employment ended if the teacher does not have an appropriate teaching license issued by the DPI. Otherwise, a full-time teacher's employment will be subject to non-renewal, termination, or resignation as follows:

A. Non-Renewal

In the event that the ~~District Administrator~~ Superintendent intends to recommend the non-renewal of a full-time teacher's contract, all applicable statutory non-renewal procedures and timelines will apply, including both preliminary and final notice of nonrenewal. No teacher may be non-renewed solely on the basis of the results of mandatory student examinations. The ~~District Administrator~~ Superintendent will be responsible for notifying the affected teacher of his/her rights relative to the non-renewal process.

Teacher contracts may be non-renewed upon a majority vote of the full membership of the School Board.

B. Termination

A full-time teacher's contract may be terminated only by a majority vote of the full membership of the School Board. The ~~District Administrator~~ Superintendent will, if deemed appropriate, recommend a teacher's termination to the School Board. The ~~District Administrator~~ Superintendent is responsible for providing the teacher with appropriate notice regarding the hearing and for taking the necessary steps to present any such recommendation to the School Board.

~~(-)~~ The ~~District Administrator~~ Superintendent may engage in negotiations with the teacher for purposes of resignation short of a hearing, subject to final School Board approval.

C. Resignation

A full-time teacher may resign from ~~his/her~~ their position only upon approval of a majority of the full membership of

the School Board. The ~~District Administrator~~ Superintendent may negotiate terms of resignation with such a teacher as appropriate and present those terms to the School Board in an appropriately noticed, regular or special School Board meeting, as necessary. A resignation is only in effect once approved by the School Board. A resignation, once accepted by the School Board, may not be rescinded without approval by the School Board.

Part-Time Teachers

Teachers employed less than full-time, but not including substitute teachers whose employment is covered by Policy 3120.04, and whose employment contract does not specify procedures for termination of contract, may be terminated either by the District for appropriate reasons or through resignation (~~???~~) to the ~~District Administrator~~ Superintendent ~~(→)~~ by a majority vote of a quorum of the School Board members present at a properly noticed meeting. A resignation, once accepted, may not be rescinded by the teacher.

A part-time teacher whose contract does not specify otherwise is not entitled to notice of intent to renew or of intent not to renew his/her contract for a subsequent school year.

The terms of the part-time teacher contract will apply when the contract provides for procedures different than those noted in this policy.

Administrators

The School Board employs administrative employees under a variety of employment arrangements. Generally, those arrangements include those administrators who, by law, are required to have an employment contract and are provided statutory rights with respect to those contracts; those that are not required to have contracts by law, but are nonetheless employed pursuant to a written contract approved by the School Board; and those who perform administrative functions, but who do not have a contract which specifies the terms of employment as they relate to termination, resignation, and nonrenewal of the employment arrangement.

A. Statutory Administrators

The School Board will employ by contract the following persons: the ~~District Administrator~~ Superintendent, Director of Finance and Facilities, Director of Human Resources and Leadership, Director of Student Services, Director of Academic Services, ~~business manager~~, school principals, and assistants to such persons, as well as the following persons employed solely to perform administrative functions: ~~personnel administrators, and supervisors, curriculum administrators, and assistants to such administrative personnel.~~

Such administrators may only be terminated, either due to appropriate circumstances justifying termination of employment or by tendered resignation, by a majority of the full membership of the School Board.

Such administrators are entitled to contract renewal or notice of intent not to renew the administrator's contract pursuant to applicable statutory procedures, and any additional procedures incorporated into the said contract.

The ~~District Administrator~~ Superintendent will be responsible for assuring compliance with the procedures necessary for School Board action to terminate or to non-renew an administrator's contract. In the case of the ~~District Administrator~~ Superintendent's contract, Policy 1241 - Non-Renewal or Termination of the ~~District Administrator~~ Superintendent's Contract applies.

A resignation, once accepted by the School Board, may not be rescinded except by approval of the majority of the full membership of the School Board.

B. Administrators with Contracts including Provisions Governing Termination

The School Board may employ administrators who are not statutorily entitled to an employment contract or to statutory termination and non-renewal procedures, but who nonetheless are issued employment contracts with provisions governing this process applicable to the manner in which the employment relationship is concluded, either by resignation, termination, or non-renewal. In such cases, the ~~District Administrator~~ Superintendent will be responsible for assuring adherence to applicable contractual procedures.

C. Administrative Personnel with no Contractual or Statutory Coverage

Employees performing administrative functions, but who are not covered by applicable statutory termination or non-renewal procedures, and who have not been issued an employment contract with provisions governing the termination or non-renewal process, are not entitled to notice of intent to renew or not to renew an employment agreement. In such a case, an employment agreement will expire and the employee will have no expectation of

continued employment beyond the term of the agreement.

Such an administrative employee's employment may be terminated by

~~() the District Administrator.~~

~~() a majority of a quorum of the School Board present at a regular or special School Board meeting.~~

Such an administrative employee's resignation may be accepted by

~~() the District Administrator~~ Superintendent.

~~() a majority of a quorum of the School Board present at a regular or special School Board meeting.~~

A resignation, once accepted, may not be rescinded without agreement.

© Neola 2024



Book Neola Policy Templates for Processing

Section 3000 Professional Staff Templates

Title WEAPONS PROHIBITED FOR PROFESSIONAL STAFF

Code po3217 11/13 DB

Status

Legal 120.13(1), Wis. Stats.
 175.60, Wis. Stats.
 939.22(10), Wis. Stats.
 941.295, Wis. Stats.
 943.13, Wis. Stats.
 948.605, Wis. Stats.
 948.61, Wis. Stats.
 18 U.S.C. 921(a)(3)
 18 U.S.C. 922
 20 U.S.C. 7151

3217 - WEAPONS PROHIBITED FOR PROFESSIONAL STAFF

The School Board prohibits professional staff members 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, to the extent permitted by law.

~~()~~ without the permission of the ~~District Administrator~~ Superintendent.

~~[] This prohibition does not apply to unloaded firearms in a locked vehicle or locked firearms case, or to separately stored ammunition, that is on any part of school grounds used as a parking facility () provided, however, that the firearm case or rack is not visible to those passing by the vehicle (i.e., the case is in the vehicle trunk or, if not possible, covered with a blanket or in some fashion shielded from vision.)~~

Concealed Carry Permit Holders

Nothing in this policy prohibits an employee with a properly issued permit to carry a concealed weapon from exercising his/her rights consistent with Wisconsin's concealed carry law and the State and Federal gun free school zones laws. However, a staff member who is the holder of a concealed carry permit license issued or recognized by the State of Wisconsin may not, by virtue of Wis. Stat. 948.605(2)(b)1r, possess a concealed weapon anywhere in or on school grounds, including parking areas.

~~[]~~ A staff member who is a concealed carry permit licensee may not carry a concealed weapon or otherwise store a weapon or ammunition in his or her personal vehicle while transporting students for school-sponsored events or school-related purposes in his/her own vehicle. This does not apply to the transportation of students related by blood or marriage to the staff member if only such students are being transported.

Definition of "Weapon"

For this policy, the term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms (including, but not limited to, firearms as defined in 18 U.S.C. 921(a)(3)), guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives (subject to the exceptions below), razors with unguarded blades, clubs, electric weapons (as defined in 941.295(1c)(a), Wis. Stats.), metallic knuckles, martial arts weapons, chemical agents, ammunition, and explosives.

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel while on duty, or qualified former law enforcement officers, off duty law enforcement officers, or out-of-state law enforcement officers;
- B. ~~()~~ items approved by ~~()~~ a Principal ~~()~~ the District Administrator **Superintendent**, ~~()~~ the School Board **[END OF OPTION]** as part of a class or individual presentation under adult supervision, including but not limited to hunters' education courses, if used for the purpose of and in the manner approved (working firearms, except those protected at all times by a cable or trigger lock, and live ammunition shall never be approved);
- C. ~~()~~ theatrical props used in appropriate settings **when approved by the Superintendent**;
- D. ~~()~~ starter pistols used in appropriate sporting events; and
- E. ~~()~~ a knife lawfully used for food consumption or preparation, or a knife used for a lawful purpose within the scope of the person's employment.

The ~~District Administrator~~ **Superintendent** may refer a staff member who violates this policy to law enforcement officials. The staff member may also be subject to disciplinary action, up to and including termination, as permitted by applicable School Board policy.

Any staff member who has reason to believe that a person has or will violate this policy shall report to the school Principal or their supervisor immediately. Failure to report such information may subject the staff member to disciplinary action, up to and including termination. The staff member may also confront the person if the staff member believes the risk of injury to self or others is minimal or if immediate action is necessary to prevent injury to any person.

~~This policy shall be published and distributed to staff members annually. Publication is not a precondition to enforcement of this policy.~~

© Neola 2021



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	EMPLOYEE EXPRESSION IN NONINSTRUCTIONAL SETTINGS
Code	po3310 11/18 DB
Status	
Legal	Pickering v Board of Ed., 391 U.S. 563 (1968) Connick v Myers, 461 U.S. 138 (1983) Heffernan v City of Paterson, 136 S.Ct. 1412 (2016) Garcetti v Ceballos, 547 U.S. 410 (2006)

3310 - **EMPLOYEE EXPRESSION IN NONINSTRUCTIONAL SETTINGS**

The School Board acknowledges the right of its professional staff members, as citizens in a democratic society, to speak out on issues of public concern. When those issues are related to the District, however, including matters related to the performance of their job duties or responsibilities, the professional staff member's expression must be balanced against the interests of this District.

The following employee expectations are adopted by the School Board to help clarify and, therefore, avoid situations in which the professional staff member's expression could conflict with the District's interests. In such situations, the employee should:

- A. state clearly that the expression represents personal views and not necessarily those of the School District;
- B. refrain from expressions that would disrupt harmony among co-workers or interfere with the maintenance of discipline by school officials;
- C. not make threats or abusive or personally-defamatory comments about co-workers, administrators, or officials of the District;
- D. refrain from making public expressions which the employee knows to be false or are made without regard for truth or accuracy.

© Neola 2021



Book	Neola Policy Templates for Processing
Section	3000 Professional Staff Templates
Title	THREATENING BEHAVIOR TOWARD STAFF MEMBERS
Code	po3362.01 11/18 DB
Status	
Legal	Chapter 947, Wis. Stats.

3362.01 - **THREATENING BEHAVIOR TOWARD STAFF MEMBERS**

The School Board believes that a staff member should be able to work in an environment free of threatening speech or actions.

Threatening behavior consisting of any words or deeds that intimidate, or are intended to intimidate, a staff member or are reasonably likely to cause concern for his/her/their physical and/or psychological well-being is strictly forbidden. Such actions by any student, parent, visitor, staff member, School Board member, contractor, or agent of the School Board ~~is~~ **are** prohibited, and the School Board authorizes appropriate corrective and remedial action, including disciplinary action where appropriate, referral to law enforcement, or pursuit of other remedies, including injunctive relief if appropriate. This policy should be read consistently with, and in conjunction with, school safety and the mandatory reporting of threats of violence in Policy 8462.01 - Threats of Violence.

~~[] The District Administrator may administer guidelines to implement procedures for complaints and for investigation, as well as resolution of complaints.~~

© Neola 2020