AGENDA

SCHOOL DISTRICT OF NEW GLARUS
POLICY, COMMUNICATION & ADVOCACY COMMITTEE
MONDAY, MARCH 14, 2022
HIGH SCHOOL LIBRARY/MEDIA CENTER, ROOM 183 JOIN ZOOM MEETING USING LINK HTTPS://US02WEB.ZOOM.US/J/83590112064?PWD=NMJRAHH2BNBSOHNIAXHXQM44NFC5QT09 OR BY PHONE USING 1-646-568-7788 MEETING ID 835 9011 2064 & PASSWORD 478150
1701 2ND STREET
NEW GLARUS, WISCONSIN 53574
6:00 PM

I. **Call to Order - Debra Fairbanks,Chair**

II. **NEOLA Policy Updates**

A. PO100 - Definitions 2

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of DEFINITIONS
Code	po0100
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

0100 - **DEFINITIONS**

The bylaws of the Board of Education of this District incorporate quotations from the laws and administrative code of the State of Wisconsin. Such quotations may be substantively altered only by appropriate legislative, judicial, or administrative action.

Whenever the following items are used in these bylaws and policies, they shall have the meaning set forth below:

Administrative Guideline

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

Administrator

An employee who holds a position of leadership over a defined function or department of the District and who reports directly to the District Administrator.

In policy, capitalization of the term Administrator may imply delegation of responsibilities, as appropriate, to staff members.

Apps and Services

Apps and services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined in Bylaw 0100, above) over a network or client-server applications in which the user interface runs in a web browser. Apps and services are used to communicate/transfer information/data that allow students to perform actions/tasks that assist them in attaining educational achievement goals/objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps and services also are used to facilitate communication to, from and among and between, staff, students, parents, Board members, and/or other stakeholders and members of the community.

Board

The Board of Education also commonly referred to as the School Board **shall take action that is within the comprehensive meaning of the terms "duties and powers" provided that such action is not prohibited by State or Federal law. (Chapter 118, Wis. Stats. and Chapter 120, Wis. Stats.)**.

Within these bylaws and policies, the terms Board and District may be used interchangeably, depending on the context of the policy.

Bylaw

Rule of the Board for its own governance.

Clerk

The chief clerk of the Board. (See Bylaw 0170)

District

The School District **is the territorial unit for school administration. Districts are classified as common, union high, unified and 1st class city school districts. A joint school district is one the territory of which is not wholly in one municipality. (Chapter 115, Wis. Stats.)**.

Within these bylaws and policies, the terms Board and District may be used interchangeably, depending on the context of the policy.

District Administrator

The administrative head of the School District sometimes locally referred to as Superintendent. In policy, capitalization of the term District Administrator **may imply**~~implies~~ delegation of responsibilities**, as appropriate,** to ~~appropriate~~ staff members.

Due Process

Procedural due process requires prior knowledge (a posted discipline code), notice of offense (accusation), and the opportunity to respond. Specific due process requirements are dependent upon the circumstances and may vary depending on such circumstances.

Full Board

Authorized number of voting members entitled by law to govern the District. The full Board is the total number of Board members authorized by law regardless of the number of current sitting members.

Information Resources

The Board defines information resources to include any data/information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, websites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

Law Enforcement Officer(s) or Agencies

These terms include any local, State, or Federal law enforcement agency of competent jurisdiction and its officers acting within their legal authority.

Legal Custodian of Records

The School District will designate one (1) District Records Custodian (DRC) to be the legal custodian of records for the District. The DRC shall keep and preserve the public records of the District and is granted authority to render a decision and carry out duties related to those public records. The DRC is designated in Policy 8310 - Public Records.

May

This word is used when an action by the Board or its designee is permitted but not required.

Medical Advisor

The School District is required to appoint a medical advisor. The medical advisor shall be a licensed physician and will participate in the annual review of the District emergency nursing services plan. The School District may also have the medical advisor fulfill other roles. (PI 8.01(2)(g)(3))

Meeting

Any gathering which is attended by or open to all of the members of the Board held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body. Wis. Stat. 19.82(2).

Parent

The natural or adoptive parents or the party designated by the courts as the legal guardian, custodian, or surrogate of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise.

Personal Communication Devices

Personal communication devices ("PCDs") include computers, laptops, tablets, e-readers, cellular/mobile phones, smartphones, and/or other web-enabled devices of any type.

Policy

A general, written statement by the governing Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The Chief Executive Officer of the Board. (See Bylaw 0170)

Principal

The educational leader and head administrator of one (1) or more District schools. In policy~~ and administrative guidelines~~, **capitalization of the term Principal may imply**~~implies~~ **delegation of**~~authority to delegate~~ responsibilities**, as appropriate,** to ~~appropriate members of his/her~~ staff **members**.

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 District Administrator/Superintendent.

Relative

The mother, father, sister, brother, spouse, domestic partner, parent of spouse/domestic partner, child or step-child, grandparents, grandchild, or dependent or member of in the immediate household.

School Nurse

A school nurse is a registered nurse who meets the requirements of Wis. Stat. Sec. 115.001(11). A school nurse has the authority to exclude students for signs of illness.

School Official

Except if otherwise defined in policy, a~~A~~ school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); **or** a person serving on the Board**.** ~~; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, or medical consultant); a contractor, consultant, volunteer or other party to whom the Board has outsourced a service otherwise performed by Board employees (e.g. a therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers).~~

The term school official is inclusive of other parties, such as attorney, contractor, consultant, volunteer, or other party to whom the Board has outsourced a service otherwise performed by Board employees (e.g., a therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) pursuant to the Family Educational Rights and Privacy (FERPA) definition - See Policy 8330 - Student Records.

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

Social Media

Social media are online platforms where users engage with another and/or share information and ideas through text, video, or pictures. Social media consists of any form of online publication or presence that allows interactive communication, including, but not limited to, text messaging, instant messaging, websites, web logs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include, but are not limited to, Facebook, Facebook

Messenger, Google Hangouts, Twitter, LinkedIn, YouTube, Flickr, Instagram, Pinterest, Skype, and Facetime. Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts.

Student

A person who is officially enrolled in a school or program of the District.

Support Staff

Any employee who provides support to the District's program and whose position does not require a professional certificate. This category includes special education paraprofessionals, even though it is a requirement to hold a special education program aide license issued by the Wisconsin Department of Public Instruction (DPI) or another valid and current DPI license or permit.

Technology Resources

The Board defines technology resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

Treasurer

The Chief Financial Officer of the Board. (See Bylaw 0170)

Vice-President

The Vice-President of the Board. (See Bylaw 0170)

Voting

A vote at a meeting of the Board. The law requires that Board members must be present in order to have their vote officially recorded in the Board minutes, and to be available for a roll call vote. A Board member's presence at a meeting includes his/her presence if attending by telephone or other manner of remote access, so long as such remote access is compliant with State law. No voting by Proxy may be recorded or counted in an official vote of the Board. Remote access during quasi-judicial functions (e.g. termination hearings, expulsions) may be permitted after consultation with legal counsel.

Citations to Wisconsin statutes are shown by the Section Number (e.g., 120.11, Wis. Stats.). Citations to the Wisconsin Administrative Code are prefaced P.I. (e.g., P.I. 11). Citations to the United States Code are noted as U.S.C., Federal Register are noted as F.R., and the Code of Federal Regulations as C.F.R.

Revised 6/26/17
Revised 10/9/17
Revised 6/22/20
Revised 3/15/21

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B. PO142.1 - Electoral Process 7

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of ELECTORAL PROCESS
Code	po0142.1
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	February 1, 2021

0142.1 - **ELECTORAL PROCESS**

Members of the Board shall be elected annually at the spring election on the first Tuesday in April in a manner that is consistent with State law.

Declaration of Candidacy

If an incumbent fails to file a Declaration of Candidacy and nomination papers by the 5:00 P.M. deadline on the first Tuesday in January, candidates may file a Declaration of Candidacy and nomination papers within seventy-two (72) hours following the original Tuesday deadline

In addition, if an incumbent files written notification that the incumbent is not a candidate for reelection to their office or fails to file a declaration of candidacy within the time prescribed by this paragraph, the District Clerk shall promptly provide public notice of that fact on the District's website or, if the District does not maintain a website, by posting notices in at least three (3) different locations within the District.

Declaration of Non-Candidacy

If an incumbent files a Declaration of Non-Candidacy no later than 5:00 P.M. on the 2nd Friday preceding the Tuesday deadline, there is no extension of the Tuesday deadline.

When the first Tuesday in January is a holiday the deadline becomes 5:00 P.M. the next day.

120.06(6)(b)3m, Wis. Stats.

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Legal	120.06 (1), 10.68 (5)(2b), Wis. Stats. 120.06 (6)(b), Wis. Stats.

C. PO142.5 - Vacancies 9

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of VACANCIES
Code	po0142.5
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	June 22, 2020

0142.5 - **VACANCIES**

The office of a Board member shall become vacant immediately upon the occurrence of any one (1) of the following events:

A. the death of the incumbent or the incumbent's being found mentally incompetent by the proper court

B. the incumbent's resignation

C. the incumbent's removal from office

D. the incumbent's conviction of a felony or imprisonment for one (1) or more years;

E. the incumbent's election or appointment being declared void by a competent tribunal;

F. the incumbent's neglect or failure to file the oath of office or to give or renew an official bond, if required;

G. the incumbent's ceasing to possess the legal qualifications for holding office;

H. the incumbent moving his/her residence out of the District;

I. the incumbent is absent from the territory of the District for a period of sixty (60) continuous days, unless such absence is due to active duty in the armed forces, in which case the vacancy shall be temporary for the remainder of the term or until the incumbent returns and files a notice of this/her intent to return to his/her unexpired term.

A vacancy shall be filled by the remaining members of the Board in accordance with 17.26, Wis. Stats.

Filling a Board Vacancy

The vacancy shall be filled by the Board using the following procedure:

A. Appointment by the Board to fill a vacancy shall be by the **members**~~majority vote~~ of the **remaining**~~existing~~ Board **consistent with Bylaw 0162 - Quorum and Bylaw 0167.1 - Voting**. All votes shall be recorded, preserved and open to public inspection to the extent prescribed in ~~Wis. Stat.~~ Chapter 19**, Wis. Stats**. Secret ballots may only be used when Board members are electing officers.

B. The Board shall seek qualified and interested candidates from the community.

C. All applicants are to submit a notice of their interest, in writing, to the Board Clerk.

D. The Board may interview candidates to ascertain their qualifications.

E. If the vacancy is not filled within sixty (60) days of the date on which the vacancy first exists, the vacancy shall be filled by appointment of the Board President.

The appointee shall hold office until a successor is elected and takes office under ~~Wis. Stats.,~~ 120.06(4)**, Wis. Stats**. When a vacancy occurs in the office of a Board member who is in the last year of his/her term, or when a vacancy occurs after the spring election but on or before the last Tuesday in November in the office of a Board member who is not in the last year of his/her term,

the successor shall be elected at the next spring election. When a vacancy occurs after the last Tuesday in November and on or before the date of the next spring election in the office of a Board member who is not in the last year of his/her term, the successor shall be elected at the 2nd following spring election. Elections to fill unexpired terms shall be held simultaneously with the elections for regular terms.

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Legal	17.03 et seq., Wis. Stats.
	17.26 (1g)(a), Wis. Stats.
	120.12 (28), Wis. Stats.

D. PO144.5 - Board Member Behavior & Code of Conduct 12

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of BOARD MEMBER BEHAVIOR AND CODE OF CONDUCT
Code	po0144.5
Status	Policy Committee Review
Adopted	March 15, 2021
Last Revised	October 11, 2021

0144.5 - **BOARD MEMBER BEHAVIOR AND CODE OF CONDUCT**

The Board functions most effectively when individual Board members act ethically, professionally, and responsibly. Board members serve as a member of the School District's governing body and do not have individual authority to represent a policy or enforce positions that are not supported by a majority of the Board as evidenced by official action of the Board (See Bylaw 0143 - Authority of Individual Board Members).

Board members accept responsibility for the well-being and positive leadership of the School District, for protecting the interests of the School District as a legal entity, and for facilitating governance for the purpose of delivering the highest quality educational and related services to all of the District's students. Conduct by Board members that compromises the legal position of the District should be avoided.

Any authority delegated to the Board President in this policy is automatically vested in the Board Vice President in the event that either the Board President is unavailable or the Board President is the Board member accused of violating this policy.

General Expectations of All Board Members

A. **Attend all scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings.**

B. Be familiar with and follow applicable local, State, and Federal laws and regulations.

C. Be familiar with and comply with Board policies, including policies governing Board member conduct and Board member ethics**, rules of incompatibility of office,** and conflicts of interest (see Bylaw 0144.3)

D. Conduct themselves with integrity, honesty, and in a manner that reflects positively on the Board and on the District.

E. Be accountable for guiding and supporting the policy decision-making process that impacts students, staff, and the community. The operation of the District is the responsibility of the administration.

F. Establish and maintain a high level of honesty, credibility, and truthfulness in all matters dealt with by the Board.

G. Treat others with respect and dignity at all times, and maintain decorum, and always communicate in a way that does not violate or illustrate disregard for Board policy concerning harassment or discrimination. This decency expectation applies in all communications, including while discussing sensitive, controversial, or matters involving disagreement.

H. At all times conduct themselves in the best interest of the School District, including avoiding implicating the District in unlawful activity or supporting or encouraging efforts to harm the reputation, legal standing, or to bring other material harm to the interests of the District or the Board.

I. Recognize that they should endeavor to make policy decisions only after full discussion at publicly held Board meetings.

J. Render all decisions based on the available facts and independent judgment.

K. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community.

L. Work with the other Board members to establish effective Board policies and to delegate authority for the administration of the District to the District Administrator.

M. Communicate to other Board members and the District Administrator expressions of public reaction to Board policies and school programs.

N. Inform themselves about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the Wisconsin Association of School Boards and the National School Boards Association.

O. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

P. Refrain from using their Board positions for personal partisan gain.

Q. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.

R. Remember always that their first and greatest concern must be for the educational welfare of the students attending the public schools.

S. No Board member shall act or fail to act ~~**in his/her position**~~ as a **member of the** Board ~~**member**~~ in violation of 946.12, Wis. Stats., regarding misconduct in public office.

Board Member Communication

Board members are expected to refrain from engaging in communication on behalf of the Board or on behalf of the District unless authorized to do so by majority vote of the Board (See Bylaw 0143.1).

Any Board member who chooses to engage in individual communication on matters related to Board and/or District business is expected to clearly identify whether the Board member is communicating in the following capacity:

A. On behalf of the Board: normally, this is the function of the Board President or in the President's absence, the Vice President. The Board may by majority vote delegate this responsibility to another Board member in a specific circumstance. In every case, the Board Member communicating the Board's position shall do so as determined by the Board and avoiding individual interpretation or editorializing.

B. As an individual Board member, but not on behalf of the Board: a Board member who speaks, including online, in social media forums, or in any other public forum, on matters related to Board and/or District business, but not as an officially designated spokesperson of the Board. **The Board member must specify that any statement is not sponsored by the District and is a personal viewpoint.**

Board members who fail to adhere to this expectation, or who publicly communicate false or intentionally misleading information pertaining to Board action or District policy, will be asked to correct such communication in a way that is likely to reach the same audience as the false or misleading information. The Board President is authorized to communicate such requests to the pertinent Board member.

The Board President is authorized to issue public statements on behalf of the Board in the event a Board member expresses false or misleading information, or makes statements without properly identifying whether **the member of the Board**~~**s/he**~~ is speaking as an individual Board member. The President's communication should be limited to correcting the false or misleading statement, clarifying that the Board member was not speaking on behalf of the Board, and providing information relative to Board action if any on the subject matter.

Board Member Interaction with Staff

The general expectations of Board member decorum and civility apply to interactions with employees; however, because the Board is the employer of all District staff, this responsibility is appropriate for special reference. Each Board member is an individual with authority to bring matters to the Board and to influence matters related to staff. Therefore, it is imperative that Board members treat all employees with respect and as professionals. Board members are also required to comply with Board Policies governing employee anti-harassment, non-discrimination, and threatening behavior.

No Board member has inherent authority to require any staff member to respond to the Board member regarding a specific request for information, or to direct any staff member to perform or not perform any task, except as provided by Board policy or as directed by majority vote of the Board.

Board members access to and request for School District records and information is governed by Board Bylaw 0143.2.

Board Member Records and Confidentiality

Board members are expected to maintain their own public records created on resources not controlled by and thus not maintained by the School District. Each Board member is an elected official responsible for preserving all public records s/he creates, and to comply with requests to inspect such records. The District has no obligation nor responsibility to assist any Board member in fulfilling this responsibility with respect to records that are not maintained by the District.

Board members are encouraged to review Board policy defining and explaining public records, their maintenance, and public access (See Board Policy 8310).

Board members are expected to maintain and protect the privacy of District records, including student records, and communications received in closed session meetings of the Board.

Enforcement

Complaints alleging violations of the Board Member Code of Conduct may be brought by any person and can be submitted to the Board President or, if the Board President is the member accused of violating this policy, to the Vice President.

The President or Vice President shall review the complaint and determine whether **the officer~~s/he~~** can investigate the matter or **if the President or Vice President needs to** contact the School District's legal counsel for support. Upon completion of the investigation, if the conclusion reached is that the Board member violated the policy, the investigator shall brief the Board and may recommend action to be taken.

Board members are elected officials and therefore cannot be disciplined, prevented from participating in Board meetings, or removed from office by the Board. The Board may consider the following:

A. Formal censure by resolution passed by a majority of the Board in an open session meeting of the Board.

B. Removal from Board committee assignments for the remainder of the year and until the following organizational meeting of the Board, at which time the President is authorized to continue to withhold committee assignment. Approval of this sanction is an adopted exception to Bylaw 0155.

C. Restriction on Board member rights granted by policy, including requesting items for a Board meeting agenda.

D. Referral to proceed with efforts to remove the Board member from office for cause, which means inefficiency, neglect of duty, official misconduct, or malfeasance in office.

E. Referral to law enforcement if any alleged misconduct constitutes potentially unlawful conduct.

F. Other efforts to pursue compliance with and adherence to the policy as determined by the Board and not prohibited by law.

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Legal 17.13, Wis. Stats.

946.12, Wis. Stats.

The National Association of School Boards

E. PO152 - Officers 16

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of OFFICERS
Code	po0152
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	June 5, 2018

0152 - **OFFICERS**

The Board shall elect, from among its members, a President, Vice- President, Treasurer, and a Clerk. Such election shall occur at the Annual Reorganization Meeting on the third Monday of April (normally on or within thirty (30) days after the fourth (4th) Monday in April).

Election of officers shall be by a majority vote of existing Board members present at a Board meeting.~~Election of officers shall be by a majority of Board members present.~~ Secret ballots may be utilized only for election of officers. Where no such majority exists on the first ballot vote, a second vote shall be cast for the two (2) candidates who received the greatest number of ballot votes.

Except for those appointed to fill a vacancy, officers shall serve for one (1) year and until their respective successors are elected and shall qualify.

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Legal	120.15 et seq., Wis. Stats
	120.10, Wis. Stats.
	19.88(1), Wis. Stats.
	120.05, Wis. Stats.

F. PO165.1 - Notice of Meetings 18

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of NOTICE OF MEETINGS
Code	po0165.1
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	September 9, 2019

0165.1 -
NOTICE OF ~~REGULAR~~ MEETINGS

Public notice of all **Board** meetings shall be given pursuant to statute. **Such notice shall be given, without cost, to any news media which submits a written request for meeting notices and to a news medium likely to give notice in the District's geographic area. In addition, such notice shall be made public in at least one of the following ways:**

A. **posting the notice in at least three (3) public places likely to give notice to persons affected;**

B. **posting the notice in at least one (1) public place likely to give notice to persons affected and on the governmental body's website; or**

C. **by paid publication in a news medium likely to give notice to persons affected.**

The **notice shall list**~~**Board shall cause to be posted at the Board office and in other locations considered appropriate by the Board, a notice listing**~~ the date, time, place, and subject matter of each regularly-scheduled meeting of the Board, including subjects intended for the consideration at any closed session, in the form which is reasonably likely to inform members of the public and the news media. To assure that notice of a meeting is specific enough to apprise the public of the purpose of the meeting, the following factors shall be considered: (1) the time and effort required to provide detailed notice; (2) the level of public interest in the particular subject; and (3) whether the meeting will involve routine or novel issues. The notice shall contain the name and address of the District and its telephone number. The notice shall be given at least twenty-four (24) hours prior to the meeting unless for good cause such notice is impossible or impractical, but in no case may the notice be less than two (2) hours in advance of the meeting.

The notice shall also contain the following statement:

"Upon request to the District Office, submitted twenty-four (24) hours in advance, the District shall make reasonable accommodation including the provision of informational material in an alternative format for a disabled person to be able to attend this meeting."

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Legal	19.84, Wis. Stats.
	120.11(4), Wis. Stats.
	985.05(3), Wis. Stats.

G. PO1421 - (NEW) Criminal History Record Check & Employee Self-Reporting Requirement 20

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	NEW POLICY - VOL. 31, NO. 1 - CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING REQUIREMENT
Code	po1421
Status	Policy Committee Review

NEW POLICY - VOL. 31, NO. 1

1421 - **CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING REQUIREMENTS**

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 administrative 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 shall also be made for substitutes who may be employed by the District and for volunteers assisting District staff.

The District Administrator shall 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 shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications.

Employee Self-Reporting Requirement

All District employees shall 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 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 shall notify the Board President for any criminal or municipal offense.

The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses. However, an offense of operating under the influence, revocation or suspension of license, and driving after revocation or suspension must be reported if the employee drives or operates a District vehicle or piece of mobile equipment or transports students or staff in any vehicle. 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.

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Legal	111.335, Wis. Stats.

H. PO1460 - Physical Examination 22

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of PHYSICAL EXAMINATION
Code	po1460
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

1460 - **PHYSICAL EXAMINATION**

The 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~~, subject to further tests, in order to determine the physical capacity to perform assigned duties~~. **Additional testing may be required to assure freedom from tuberculosis in communicable form.**~~Such examinations shall be done in accordance with the District Administrator's guidelines and applicable law.~~

No physical examination may be required of any employee who has filed an affidavit with the Human Resources Director 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 shall 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 shall be job related and out of necessity for safe and proper performance of job duties.

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

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 Board/District Administrator and to allow the District Administrator ~~or his/her designee~~ to speak to the health care provider who conducted the medical examination in order to get clarification (see Form 1460 F2).

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 1422.02 the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the 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 shall be solely for the purpose of determining employment eligibility or as may otherwise be required by law. Consideration of physical information in employment shall be consistent with the American's with Disabilities Act (ADA) as amended and the Wisconsin Fair Employment Act (WFEA).

~~**In the event of a report of a condition that could influence job performance of the District Administrator, the Board President shall base a non-employment recommendation to the Board upon a conference with the examining physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.**~~

~~**In the event of a report of a condition that could influence job performance of an administrator other than the District Administrator, the District Administrator shall base a non-employment recommendation to the Board upon a conference with the examining physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.**~~

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

The Board shall assume any fees for required examinations.

Revised 6/26/17
Revised 10/8/18
T.C. 10/11/21

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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

I. PO2210 - Curriculum Development 25

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of CURRICULUM DEVELOPMENT
Code	po2210
Status	Policy Committee Review
Adopted	March 13, 2017

2210 - **CURRICULUM DEVELOPMENT**

The Board of Education recognizes its responsibility for the quality of the educational program of the schools. To this end, the curriculum shall be developed, evaluated, and adopted on a continuing basis and in accordance with a plan for curriculum growth established by the District Administrator.

The Board directs that the curriculum of this District:

A. provides instruction in courses consistent with statute and regulations of the Department of Public Instruction or appropriate State agency;

B. ensures, consistent with 115 Wis. Stats. and other applicable Federal and State laws and regulations, that special learning needs of students are provided for in the context of the regular program or classroom and provides for effective coordination with programs or agencies that are needed to meet those needs that cannot be dealt with in the regular program or classroom;

C. consistent with 118.30 Wis. Stats., incorporates State-recommended performance standards for students as the basis for determining how well each student is achieving curriculum objectives;

D. encourages students to utilize school counseling services in their academic and career planning;

E. **at least once in grades 5 to 8 and at least once in grades 9 to 12, include instruction on the Holocaust and other genocides effective with the 2022-23 school year;**

F. provides that, in the social studies curriculum, instruction in the history, culture, and tribal sovereignty of Federally-recognized American Indian tribes and bands located in Wisconsin takes place at least twice in the elementary grades and once in the high school grades;

G. provides for multi-cultural education by including, at each level, courses or units which help students understand the culture and contributions of various ethnic groups comprising American society, including, but not limited to Euro-Americans, African-Americans, Asian-Americans,Hispanic-Americans, and Native-Americans.

As educational leader of this District, the District Administrator shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study.

The District Administrator shall make progress reports to the Board periodically.

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Legal	118.01, 118.24, Wis. Stats.

J. PO2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities 27

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2266
Status	Policy Committee Review
Adopted	August 3, 2020
Last Revised	October 11, 2021

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

Introduction

The Board does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits sexual harassment that occurs within its education programs and activities. When the District has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating sexual harassment and will take appropriate action when an individual is determined responsible for violating this policy. Members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. Third Parties who engage in sexual harassment are also subject to the disciplinary sanctions listed in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing supportive measures as reasonably necessary to restore or preserve access to the District's education programs and activities.

Coverage

This policy applies to sexual harassment that occurs within the District's education programs and activities and that is committed by a Board employee, student, Third Party vendor or contractor, guest, or other members of the school community.

This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the Board's education programs and activities; such sexual misconduct/sexual activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws and/or the Employee Handbook if committed by a Board employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the District's education programs or activities. Sexual harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or by other applicable Board policies and administrative guidelines, applicable State and/or Federal laws and/or the Employee Handbook if committed by a Board employee.

Complaints alleging sexual harassment and/or discrimination on the basis of sex are also covered by and subject to the investigation procedures in Board Policy 5517 - Student Anti-Harassment. Complaints not covered by this policy may still be governed by and subject to the procedures in Policy 5517 - Student Anti-Harassment.

Definitions

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

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

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

B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, ***and*** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

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

1. "Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, and the "nonforcible" sex offenses of incest and statutory rape. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

    a. *Rape* is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity

    b. *Sodomy* is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

    c. *Sexual Assault with an Object* is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.

    d. *Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

    e. *Incest* is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.

    f. *Statutory Rape* is nonforcible sexual intercourse with a person who is under the statutory age of consent as defined by Wis. Stat. §§ 948.02 or 948.09, or whose status as a student prohibits such sexual contact per Wis. Stat. §948.095.

    g. *Other Sexual Contact* includes the intentional emission of bodily fluids on the complainant, or at the direction of the Respondent, for the purposes of sexual gratification as defined in Wis. Stat. § 940.225(5)(b).

    h. *Consent* refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.

    i. *Incapacitated* refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.

2. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:

    a. A current or former spouse or intimate partner of the victim;

    b. A person with whom the victim shares a child in common;

    c. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

    d. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or

    e. Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

3. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

4. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant: "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

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

Formal Complaint: "Formal complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation(s) of sexual harassment. At the time of filing a formal complaint with the District, a Complainant must be participating in or attempting to participate in the District's education program or activity. A "document filed by a complainant'' means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or a party to the formal complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator, or any District official who has authority to institute corrective measures on behalf of the Board, or any Board employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the District. "Notice" includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator. This standard is not met when the only District official with actual knowledge is the Respondent. Imputation of knowledge-based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations), leaves of absence, increased security, and monitoring of certain areas of the campus (including school buildings and facilities), and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the District over which the Board exercises substantial control, including in-person and online educational instruction, employment, extra-curricular activities, athletics, performances, and community engagement, and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes events and circumstances that take place off-school property/grounds if the Board exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.

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

Third Parties: "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 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).

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged sexual harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of sexual harassment.

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays),

Eligible Student: "Eligible student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

Title IX Coordinator(s)

The Board designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

HR Director
1701 2nd Street
New Glarus, WI 53574
(608)527-2410

The Title IX Coordinator shall report directly to the District Administrator. Questions about this policy should be directed to the Title IX Coordinator.

The District Administrator shall notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all professional organizations holding professional agreements with the Board of the following information:

> *The Board of the New Glarus School District does not discriminate on the basis of sex in its education program or activity and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The District's Title IX Coordinator(s) is/are:*
>
> > *HR Director*
> > *1701 2nd Street*
> > *New Glarus, WI 53574*
> > *(608)527-2410*
>
> *Any inquiries about the application of Title IX and its implementing regulations to the District may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.*
>
> *The Board has adopted a grievance process and procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process and procedures are included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, which is available at:* https://go.boarddocs.com/wi/ngsd/Board.nsf/Public. *The grievance process and procedures specifically address how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the District will respond.*

The District Administrator shall also prominently display the Title IX Coordinator's(s') contact information – including Name(s) and/or Title(s), Phone Number(s), Office Address(es), and Email Address(es) – and this policy on the District's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all professional organizations holding professional agreements.

Grievance Process

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The District's response to allegations of sexual harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this grievance process before the imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If a determination of responsibility for sexual harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the District's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies may also be disciplinary or punitive in nature and may burden the Respondent.

The Process described herein relates exclusively to complaints brought under this Policy. The District will continue to handle complaints subject to the District's other nondiscrimination and anti-harassment policies, including: Policy 5517 - Student Anti-

Harassment; Policy 5517.01 - Bullying; 2260 - Nondiscrimination and Access to Equal Educational Opportunity; Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability.

Report of Sexual Discrimination/Harassment

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s).

Board employees are required, and other members of the School District community and Third Parties are encouraged, to report allegations of sex discrimination or sexual harassment promptly to the/a Title IX Coordinator or to any Board employee, who will, in turn, notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of sexual harassment by or involving the Title IX Coordinator, the person making the report should submit it to the District Administrator, or another Board employee who, in turn, will notify the District Administrator of the report. The District Administrator will then serve in place of the Title IX Coordinator for purposes of addressing that report of sexual harassment.

The Board does business with various vendors, contractors, and other Third Parties who are not students or employees of the Board. Notwithstanding any rights that a given vendor, contractor, or Third Party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or Third Party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or Third Party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a formal complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of sexual misconduct/sexual activity not involving sexual harassment will be addressed through the procedures outlined in Board policies, the applicable Student Code of Conduct, or Employee/Administrator Handbook(s).

Because the Board is considered to have actual knowledge of sexual harassment or allegations of sexual harassment if any Board employee has such knowledge, and because the Board must take specific actions when it has notice of sexual harassment or allegations of sexual harassment, a Board employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or sexual harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. The Board employee must also comply with mandatory reporting responsibilities pursuant to Wis. Stat. 48.981 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Board employee's knowledge is based on another individual bringing the information to the Board employee's attention and the reporting individual submitted a written complaint to the Board employee, the Board employee must provide the written complaint to the Title IX Coordinator.

If a Board employee fails to report an incident of sexual harassment of which the Board employee is aware, the Board employee may be subject to disciplinary action, up to and including termination.

When a report of sexual harassment is made, the Title IX Coordinator shall promptly contact the Complainant (including the parent/guardian if the Complainant is under eighteen (18) years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the District may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purposes of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the District determines the student Respondent poses such a threat, it will so notify the student Respondent (including the parent/guardian if the Respondent is under eighteen (18) years of age or under guardianship) and the student Respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related District policies,

including Policy 5120 - Assignment within District; Policy 5605 - Suspension/Expulsion of Students with Disabilities, Policy 5610 – Suspension and Expulsion, and Policy 5611 – Due Process Rights.

If the Respondent is a non-student employee, the District may place the Respondent on administrative leave during the pendency of the grievance process. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements.

For all other Respondents, including other members of the School District community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of sexual harassment or otherwise.

Formal Complaint of Sexual Harassment

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above. If a formal complaint involves allegations of sexual harassment by or involving the Title IX Coordinator, the Complainant should submit the formal complaint to the District Administrator, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process with respect to that formal complaint.

The Complainant's wishes with respect to whether a formal complaint is filed will be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances.

When the Title IX Coordinator receives a formal complaint or signs a formal complaint, the District will follow its grievance process and procedures, as set forth herein. Specifically, the District will undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of sexual harassment or submitting a false formal complaint. The Board will not tolerate such conduct.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Timeline

The District will seek to conclude the grievance process within ninety (90) calendar days of receipt of the formal complaint, followed by the appeal process which shall be processed in a timely manner.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action, except that any complaint covered by Policy 5517 - Student Anti-Harassment as well must comply with the timelines in that Policy, however, an investigation may still proceed as required under this Policy. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or an accommodation of disabilities.

Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

A. Notice of the Board's grievance process, including any informal resolution processes;

B. Notice of the allegations of misconduct that potentially constitutes sexual harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must:

    1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;

    2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.

    3. inform the parties of any provision in the Student Code of Conduct, this policy, and/or Employee Handbooks that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint

The District shall investigate the allegations in a formal complaint *unless* the conduct alleged in the formal complaint:

A. would not constitute sexual harassment (as defined in this policy) even if proved;

B. did not occur in the District's education program or activity; or

C. did not occur against a person in the United States.

If one of the preceding circumstances exist, the Title IX Coordinator *shall* dismiss the formal complaint. If the Title IX Coordinator dismisses the formal complaint due to one of the preceding reasons, the District may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/Administrator Handbook.

The Title IX Coordinator *may* dismiss a formal complaint, or any allegations therein, if at any time during the investigation:

A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;

B. the Respondent is no longer enrolled in the District or employed by the Board; or

C. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

If the Title IX Coordinator dismisses a formal complaint or allegations therein, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) therefore simultaneously to the parties.

Consolidation of Formal Complaints

The Title IX Coordinator may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this policy to the singular ''party,'' ''Complainant,'' or ''Respondent'' include the plural, as applicable.

Informal Resolution Process

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a formal complaint of sexual harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a formal complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

A. the allegations;

B. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; and

C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Board employee or another adult member of the School District community or Third Party sexually harassed a student.

The informal resolution process is not available to resolve allegations involving a sexual assault involving a student Complainant and a student Respondent.

Investigation of a Formal Complaint of Sexual Harassment

In conducting the investigation of a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the District, not the parties.

In making the determination of responsibility, the decision-maker(s) is (are) directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The District is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the District with voluntary, written consent to do so; if a student party is not an eligible student, the District must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and

B. have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The District may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The District will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. The investigator(s) and decision-maker(s) must provide a minimum of one (1) day's notice with respect to investigative interviews and other meetings.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

Determination of Responsibility

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the question of any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Determination regarding responsibility: The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard.

The written determination will include the following content:

A. Identification of the allegations potentially constituting sexual harassment pursuant to this policy;

B. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, [and] methods used to gather other evidence.

C. Findings of fact supporting the determination;

D. Conclusions regarding the application of the applicable code of conduct to the facts;

E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the District impose on the Respondent(s) and whether remedies designed to restore or preserve equal access to the District's education program or activity should be provided by the District to the Complainant(s); and

F. The procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal

Informal or formal disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in sexual harassment).

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the District Administrator of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 –Suspension and Expulsion, Policy 5610.01 – Alternative Expulsion Hearing Procedure, Policy 5610.02 – In-School Discipline, and Policy 5611 – Due Process Rights. The discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in sexual harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the District Administrator of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual.

The discipline of an employee will be implemented in accordance with Federal and State law, and Board policy.

If the decision-maker(s) determines a Third Party Respondent is responsible for violating this policy (i.e., engaging in sexual harassment), the decision-maker(s) will recommend appropriate remedies, including the imposition of sanctions. The Title IX Coordinator will notify the District Administrator of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately, imposing a disciplinary sanction/consequence, the District Administrator will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances. **If the Respondent is a member of the Board, that member of the Board shall be excluded from any determination regarding the imposition of a disciplinary sanction/consequence by the remaining Board members.**

The District's resolution of a formal complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process and procedures, the District Administrator may involve local law enforcement and/or file criminal charges related to allegations of sexual harassment that involve a sexual assault.

The Title IX Coordinator is responsible for the effective implementation of any remedies.

Appeal

Both parties have the right to file an appeal from a determination regarding responsibility or from the Title IX Coordinator's dismissal of a formal complaint or any allegations therein, on the following bases:

A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);

B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a formal complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within five (5) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a formal complaint or any allegations therein.

Nothing herein shall prevent the District Administrator from implementing appropriate remedies, excluding disciplinary sanctions, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The parties' written statements in support of, or challenging, the determination of responsibility must be submitted within five (5) days after the Title IX Coordinator provides notice to the non-appealing party of the appeal.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-maker's(s') determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) days of when the parties' written statements were submitted.

The determination of responsibility associated with a formal complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a

report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance procedures 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.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g, or FERPA's regulations, and State law under Wis. Stat. § 118.12, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

Application of the First Amendment

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the First Amendment.

Training

The District's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

A. the definition of sexual harassment (as that term is used in this policy);

B. the scope of the District's education program or activity;

C. how to conduct an investigation and implement the grievance process that includes appeals and informal resolution processes, as applicable; and

D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Board employees will be trained concerning their legal obligation to report sexual harassment to the Title IX Coordinator. This training will include practical information about how to identify and report sexual harassment.

Recordkeeping

As part of its response to alleged violations of this policy, the District shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If the District does not provide a Complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

The District shall maintain for a period of seven (7) calendar years the following records pursuant to Wis. Stat. § 19.21(6):

A. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the District's education program or activity;

B. Any appeal and the result therefrom;

C. Any informal resolution and the result therefrom; and

D. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

The District will make its training materials publicly available on its website. If a person is unable to access the District's website, the Title IX Coordinator will make the training materials available upon request for inspection by members of the public.

Outside Appointments, Dual Appointments, and Delegations

The Board retains the discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains the discretion to appoint two (2) or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The District Administrator may delegate functions assigned to a specific Board employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation, may be rescinded by the District Administrator at any time.

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Legal

20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

42 U.S.C. 1983

34 C.F.R. Part 106

19.21(6), Wis. Stats.

118.25, Wis. Stats.

120.13, Wis. Stats.

948.02, Wis. Stats.

OCR's Revised Sexual Harassment Guidance (2001)

20 U.S.C. 1092(F)(6)(A)(v)

34 U.S.C. 12291(a)(10)

34 U.S.C. 12291(a)(8)

34 U.S.C. 12291(a)(30)

K. PO3121 - Criminal History Record Check 40

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of CRIMINAL HISTORY RECORD CHECK
Code	po3121
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	February 1, 2021

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

Criminal History Record Check

To more adequately safeguard students and staff members, the Board of Education 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 shall also be made for substitutes who may be employed by the District and for volunteers assisting District staff.

The District Administrator shall 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 shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications.

Employee Self-Reporting Requirement

All District employees shall 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 shall not apply to minor traffic offenses. However, an offense of operating under the influence, revocation or suspension of license, and driving after revocation or suspension must be reported if the employee drives or operates a District vehicle or piece of mobile equipment or transports students or staff in any vehicle. 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.

111.335, Wis. Stats.

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L. PO3122.01- Drug-Free Workplace 42

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of DRUG-FREE WORKPLACE
Code	po3122.01
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	June 22, 2020

3122.01 - **DRUG-FREE WORKPLACE**

The 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**~~an educational setting which is free from alcohol and other drug abuse~~.

Prohibited Acts

The 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:**~~the manufacture, possession, use, distribution, or dispensing of any controlled substance or alcohol, by any member of the District's professional staff at any time while on District property or while involved in any District-related activity or event.~~

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

S~~Professional s~~taff 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**~~taken~~ in accordance with the prescribed dosage, shall 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, shall 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. ~~Nothing in this policy shall prohibit the District Administrator from evaluating a staff member's fitness for duty pursuant to Policy 3161 - Unrequested Leaves of Absence/Fitness for Duty.~~

Reasonable Suspicion Testing

Staff members shall 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 shall 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 shall establish whatever programs and procedures are necessary to meet the Federal certification requirements under the Drug-Free Workplace Act of 1988 and shall provide these to

staff. Nothing in this policy shall prohibit the District Administrator from evaluating a staff member's fitness for duty pursuant to Policy 3161 - Unrequested Leaves of Absence/Fitness for Duty.

Off Work Conduct

Disciplinary action may result from conduct related to illegal 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 ~~**alcohol, illegal drug use, or controlled**~~ substance abuse. However, the decision to seek diagnosis and accept treatment for ~~**alcohol, illegal drug use, or controlled**~~ 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 shall be borne by the individual.

Revised 10/9/17

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Legal Drug-Free Workplace Act of 1988, 41 U.S.C. 8101 et seq.

M. PO3160 - Physical Examination 45

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of PHYSICAL EXAMINATION
Code	po3160
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

3160 - **PHYSICAL EXAMINATION**

The 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.** ~~**, subject to further tests, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with the District Administrator's guidelines and applicable law.**~~

No physical examination may be required of any employee who has filed an affidavit with the Human Resources Department 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 shall 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 shall be job related and out of necessity for safe and proper performance of job duties.

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

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 Board/District Administrator and to allow the District Administrator ~~**or his/her designee**~~ to speak to the health care provider who conducted the medical examination in order to get clarification.

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 1422.02 the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the 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 shall be solely for the purpose of determining employment eligibility or as may otherwise be required by law. Consideration of physical information in employment shall be consistent with the American's with Disabilities Act (ADA) as amended and the Wisconsin Fair Employment Act (WFEA).

~~**In the event of a report of a condition that could influence job performance of an employee other than the District Administrator, the District Administrator shall base a non-employment recommendation to the Board upon a conference with the examining physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.**~~

~~**Freedom from tuberculosis in a communicable form is a condition of employment for positions in which the employee will come in contact with children or prepare food.**~~

The Board shall assume **any**~~**the**~~ fees for **required** examination

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Revised 6/25/18
Revised 10/8/18
Revised 6/22/20
Revised 2/1/21
T.C. 10/11/21

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Legal	118.25, Wis. Stats.
	118.25(2)(a), Wis. Stats.
	121.52(b), 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

N. PO3340 - Grievance Procedure 48

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of GRIEVANCE PROCEDURE
Code	po3340
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

3340 - **GRIEVANCE PROCEDURE**

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

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

A. the name and position of the grievant, including the category of the grievance (i.e., employee termination, discipline, or workplace safety);

B. a clear and concise statement of the grievant;

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.

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 shall be followed:

A. **Principal/Supervisor:**

Any employee that believes s/he has a matter subject to the grievance procedure shall present the grievance to his/her immediate supervisor. If applicable, the employee shall perform the assigned task and grieve later. The Principal/Supervisor shall, within five (5) business days, inform the employee in writing of his/her decision.

B. **District Administrator:**

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 decisions are issued, present his/her grievance in writing to the District Administrator. This grievance shall fully state the details of the problem and suggest a remedy. The District

Administrator shall, 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 action by the Board that directly affects the grievant.

C. **Hearing Before an Impartial Hearing Officer:**

In the event the matter is not resolved to the employee's satisfaction by the District Administrator, the employee may, within five (5) business days of the date of the written decision of the District Administrator, request in writing that the matter be referred for a hearing before an impartial hearing officer. The Board of Education shall appoint a hearing officer for the purpose of conducting the hearing. If the District Administrator 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 shall be referred to the Board for determination of whether the grievance may proceed. If the Board determined that the grievance may proceed, it will then be referred to the Impartial Hearing Officer. The 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 District Administrator the responsibility to arrange for such hearing with one of the selected officers. Each grievance shall be heard by a single hearing officer and such hearings shall be private. The employee and the District may present witnesses, and each side may select one individual to attend the hearing as a representative. **When the grievant is the District Administrator, the Board President and Board's legal counsel shall be responsible for selection of the hearing officer and arranging a hearing.**

Any employee representative selected shall 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 shall have authority to run the hearing, including administering oaths, admitting evidence into the record, providing for transcription, etc. The Officer may not modify any 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 shall be paid by the District.

D. **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 Board, who shall consider the matter within thirty (30) business days after its receipt, unless postponed by mutual agreement. The Board shall 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 Board’s decision shall be by majority vote of a quorum present, which shall be final.

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 shall prevent any employee from addressing concerns regarding matters not subject to the grievance procedure with administration and employees are encouraged to do so. Matters not subject to the grievance procedure that are raised by employees shall be considered by the administration which has final authority, subject to any applicable 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 shall be deemed resolved. Each employee shall 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 shall 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: 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.

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.

D. Business days means weekdays, excluding any District recognized holiday that falls on a weekday, but does not exclude weekdays during scheduled break periods.

Revised 6/22/20
Revised 3/15/21
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Legal	66.0509(1m), 118.22, 118.24, Wis. Stats.

O. PO4121 - Criminal History Record Check 52

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of CRIMINAL HISTORY RECORD CHECK
Code	po4121
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	February 1, 2021

4121 - **CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING REQUIREMENTS**

Criminal History Record Check

To more adequately safeguard students and staff members, the Board of Education requires an inquiry into the background of each applicant the District Administrator recommends for employment on the District's support 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 shall also be made for substitutes who may be employed by the District and for volunteers assisting District staff.

The District Administrator shall 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 shall not be released or disseminated to those not directly involved in evaluating the applicant's qualifications.

Employee Self-Reporting Requirement

All District employees shall 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 shall not apply to minor traffic offenses. However, an offense of operating under the influence, revocation or suspension of license, and driving after revocation or suspension must be reported if the employee drives or operates a District vehicle or piece of mobile equipment or transports students or staff in any vehicle. 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.

111.335, Wis. Stats.

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P. PO4122.01 - Drug-Free Workplace 54

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of DRUG-FREE WORKPLACE
Code	po4122.01
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	June 22, 2020

4122.01 - **DRUG-FREE WORKPLACE**

The 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**~~an educational setting which is free from alcohol and other drug abuse~~.

Prohibited Acts

The 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:**~~the manufacture, possession, use, distribution, or dispensing of any controlled substance or alcohol, by any member of the District's professional staff at any time while on District property or while involved in any District-related activity or event.~~

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

S~~Support s~~taff 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**~~taken~~ in accordance with the prescribed dosage, shall 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, shall 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. ~~Nothing in this policy shall prohibit the District Administrator from evaluating a staff member's fitness for duty pursuant to Policy 3161 - Unrequested Leaves of Absence/Fitness for Duty.~~

Reasonable Suspicion Testing

Staff members shall 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 shall 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 shall establish whatever programs and procedures are necessary to meet the Federal certification requirements under the Drug-Free Workplace Act of 1988 and shall provide these to

staff. Nothing in this policy shall prohibit the District Administrator from evaluating a staff member's fitness for duty pursuant to Policy 3161 - Unrequested Leaves of Absence/Fitness for Duty.

Off Work Conduct

Disciplinary action may result from conduct related to illegal 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 ~~**alcohol, illegal drug use, or controlled**~~ substance abuse. However, the decision to seek diagnosis and accept treatment for ~~**alcohol, illegal drug use, or controlled**~~ 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 shall be borne by the individual.

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Legal Drug-Free Workplace Act of 1988, 41 U.S.C. 8101 et seq.

Q. PO4160 - Physical Examination 57

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of PHYSICAL EXAMINATION
Code	po4160
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

4160 - **PHYSICAL EXAMINATION**

The 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.** ~~**, subject to further tests, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with the District Administrator's guidelines and applicable law.**~~

No physical examination may be required of any employee who has filed an affidavit with the Human Resources Department 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 shall 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 shall be job related and out of necessity for safe and proper performance of job duties.

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

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 Board/District Administrator and to allow the District Administrator ~~**or his/her designee**~~ to speak to the health care provider who conducted the medical examination in order to get clarification.

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 1422.02 the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the 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 shall be solely for the purpose of determining employment eligibility or as may otherwise be required by law. Consideration of physical information in employment shall be consistent with the American's with Disabilities Act (ADA) as amended and the Wisconsin Fair Employment Act (WFEA).

~~**In the event of a report of a condition that could influence job performance of an employee other than the District Administrator, the District Administrator shall base a non-employment recommendation to the Board upon a conference with the examining physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.**~~

~~**Freedom from tuberculosis in a communicable form is a condition of employment for positions in which the employee will come in contact with children or prepare food.**~~

The Board shall assume **any**~~**the**~~ fees for **required** examination

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Revised 6/25/18
Revised 10/8/18
Revised 6/22/20
Revised 2/1/21
T.C. 10/11/21

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Legal	118.25, Wis. Stats.
	118.25(2)(a), Wis. Stats.
	121.52(b), 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

R. PO4340 - Grievance Procedure 60

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of GRIEVANCE PROCEDURE
Code	po4340
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

4340 - **GRIEVANCE PROCEDURE**

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

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

A grievance shall mean a dispute concerning an employee's discipline or termination of employment, or a dispute concerning workplace conditions that affect workplace safety. Only one subject matter shall be covered in any one grievance. A written grievance shall 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.

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 shall be followed:

A. **District Administrator:**

This grievance shall fully state the details of the problem and suggest a remedy. The District Administrator shall, 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 action by the Board of Education that directly affects the grievant.

B. **Hearing Before an Impartial Hearing Officer:**

In the event the matter is not resolved to the employee's satisfaction by the District Administrator, the employee may, within five (5) business days of the date of the written decision of the District Administrator, request in writing that the matter be referred for a hearing before an impartial hearing officer. If the District Administrator 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 shall be referred to the Board for determination of whether the grievance may proceed. If the Board determined that the grievance may proceed, it will then be referred to the Impartial Hearing Officer. The Board of Education shall appoint a hearing officer for the purpose of conducting the hearing. The 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 District Administrator the responsibility to arrange for such hearing with one of the selected officers. **When the grievant is the District Administrator, the Board President and Board's legal counsel shall be responsible for selection of the hearing officer and arranging a hearing.**

Each grievance shall be heard by a single hearing officer and such hearings shall be private. The employee and the District may present witnesses, and each side may select one individual to attend the hearing as a representative. Any employee representative selected shall 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 shall have authority to run the hearing, including administering oaths, admitting evidence into the record, providing for transcription, etc. The Officer may not modify any Board policy and may not issue decisions on matters not presented to the District Administrator in the initial grievance. Any fees or costs charged by the impartial hearing officer shall be paid by the District.

C. **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 Board, which shall consider the matter within thirty (30) business days after its receipt, unless postponed by mutual agreement. The Board shall 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 Board’s decision shall be by majority vote of a quorum present, which shall be final.

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 shall prevent any employee from addressing concerns regarding matters not subject to the grievance procedure with administration and employees are encouraged to do so. Matters not subject to the grievance procedure that are raised by employees shall be considered by administration which has final authority, subject to any applicable 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 shall be deemed resolved. Each employee shall 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 shall 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: 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.

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.

D. Business Days means weekdays, excluding any district-recognized holiday that falls on a weekday, but does not exclude weekdays during scheduled break periods.

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Legal 66.0509(1m), 118.22, 118.24, Wis. Stats.

S. PO5113 - Open Enrollment Program (Inter-District) 63

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of OPEN ENROLLMENT PROGRAM (Inter-District)
Code	po5113
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	March 15, 2021

5113 - **OPEN ENROLLMENT PROGRAM (Inter-District)**

The School District ("District") will participate in the Wisconsin Public School Open Enrollment Program in accordance with applicable law and the relevant policies and rules of the District, all as amended from time-to-time.

DEFINITIONS

The following definitions will apply to the District's Open Enrollment Program.

A. **Non-Resident District**

A school district located in Wisconsin which is not a student's district of residence.

B. **Non-Resident Student**

A student who does not reside within the geographic boundaries of the District and who seeks admission to this District under the Open Enrollment Program.

C. **Tuition Student**

A non-resident student who attends school in the District and pays tuition in accordance with State law.

D. **Full-Time Enrollment**

A student is enrolled for the entire school day and receives all ~~**of his/her**~~ required education in this District

E. **Class Size**

The District's determination of the maximum number of students who can be accommodated properly in a particular classroom without jeopardizing the quality of the instructional program and mitigating circumstances for a particular school, class, or program, including enrollment projections established by the District Administrator.

F. **Program Size**

The enrollment or size restrictions in a specific program within a class or building. The District reserves the exclusive right to establish program size and to limit enrollment based upon the capability to properly allocate available resources, create and maintain a proper learning environment, and comply with contracts, grants, and applicable laws and regulations.

G. **Resident Student**

A student who is a resident of this District and is consequently entitled to attend school in this District in accordance with Policy 5111 - Eligibility of Resident/Non-resident Students.

FULL-TIME OPEN ENROLLMENT

A. **Procedures for Processing of Open Enrollment Applications**

If there are more applications than spaces, the Board will fill the available spaces by random selection, provided that first priority will be given to non-resident students already attending District schools and their siblings.

If the District determines that space is not otherwise available for open enrollment students in the grade or program to which an individual has applied, the District may nevertheless accept a student or the sibling of a student who is already attending in the District.

The District will establish a numbered waiting list of all applicants. When all available slots have been filled by randomly selecting names from all applicants, the remaining names will be drawn randomly and placed on the waiting list in order of selection.

After the date specified in s. 118.51(3)(a)3., Wis. Stats., the nonresident school board may approve applications it had initially denied if any of the following cause spaces to become available:

1. A parent notifies the nonresident school board that the student will not attend the nonresident school district.

2. A parent fails to provide the notification required in s. 118.51(3)(a)6., Wis. Stats.

3. The Board determines that additional spaces have become available since its determination at the January Board meeting.

In accordance with 118.51(3)(a)3, Wis. Stats., except as provided under sub. (5)(d)1., on or before the first Friday following the first Monday in June following receipt of the application, the nonresident school board shall notify the applicant, in writing, whether it has accepted the application.

B. **Decisional Criteria for Non-Resident Applications**

Decisions on non-resident open enrollment applications will be based only on the following criteria:

1. Whether the Board has determined that there is space in the schools, programs, classes, or grades within the District for non-resident students. The Board shall determine during a regular meeting each January the number of regular education and special education spaces available at each level, each building, and in each program. In determining the amount of space available, the District will count resident students, students attending the District for whom tuition is paid under 121.78(1)(a), Wis. Stats., and may include in its counted occupied spaces students and siblings of students who have applied under Section 118.51(3)(a) or (3m)(a) and are already attending public school in the District.

   Other factors the District Administrator may consider in determining the availability of space include:

   a. District practices, policies, procedures or other factors regarding class size ranges for particular programs or classes.

   b. District practices, policies, procedures or other factors regarding faculty-student ratio ranges for particular programs, classes or buildings.

   c. Enrollment projections for the schools of the District which include, but are not limited to, the following factors: the likely short and long-term economic development in the community, projected student transfers in and out of the District, preference requirements for siblings of non-resident open enrollment students, the required length of K-12 attendance opportunities for open enrollment students and current and future space needs for special programs, laboratories (e.g. in technology or foreign languages) or similar District educational initiatives.

2. Whether an applicant for a pre-kindergarten, four (4) year old kindergarten, early childhood or school operated daycare program resides in a district which offers the program for which application is made.

3. Whether the non-resident student has been expelled from any school district within the current school year or the two (2) preceding school years or is pending any disciplinary proceeding, based on any of the following activities:

   a. Conveying or causing to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy school property by means of explosives.

   b. Engaging in conduct while at school or under school supervision that endangered the health, safety or property of others.

   c. Engaging in conduct while not at school or while not under the supervision of a school authority that endangered the health, safety, or property of others at school or under the supervision of a school authority or

of any school employee or Board member.

d. Possessing a dangerous weapon (as defined in Section 939.22(10), Wis. Stats.) while on school property or under school supervision.

Notwithstanding the Board's acceptance of a non-resident student's application, the Board may withdraw acceptance if, prior to the beginning of the first school year in which the non-resident student will attend a school in the District, s/he is determined to fall under paragraph B. 3.

The Board may request a copy of a non-resident student's disciplinary records from the resident School Board.

The resident Board shall provide to the nonresident Board a copy of any expulsion order or findings, a copy of any pending disciplinary proceedings, a written explanation of said proceeding, the length of the expulsion or possible outcomes of a pending proceeding, and/or such records as permitted by law.

4. Whether the special education program or related services described in the non-resident student's Individualized Education Program ("IEP") are available in the District. Funding for the education of students with disabilities will be made to the non-resident school district by the Department of Public Instruction in accordance with State law. Whether a service is available depends on whether existing staff in the District are qualified to provide the service or whether the district has facilities and/or equipment required for the service. A service is not available in the District if that service is currently provided to resident students through contract with a third party. Whether a service is available is not a function of whether there is space available in any program or service. A service may be unavailable even if no space limitations have been established. Funding for the education of students with disabilities will be made to the non-resident school district by the Department of Public Instruction in accordance with State law.

5. Whether there is space available in the District to provide the special education or related services identified in the non-resident student's IEP, after consideration of class size limits, student-teacher ratios, and enrollment projections.

6. Whether the non-resident student has been referred to **the non-resident student's**~~his/her~~ resident board under Wis. Stat. 115.777(1) or identified by ~~his/her~~**the non-resident student's** resident school board under Wis. Stat. 115.77(1m)(a), but not yet evaluated by an individualized education program team.

   If a non-resident student's IEP is developed or changed after starting in the District, and it is then discovered that the District does not have necessary programs available or does not have space in the special education program, the District may notify the student's parent and the student's resident board. If such notice is provided, the non-resident may be transferred to **their**~~his/her~~ resident school district.

7. If the Board has made a determination that a non-resident student attending the District under the Open Enrollment Program is habitually truant from the District during either semester of the current school year, the Board may prohibit the student from attending in the succeeding term or school year, after complying with the requirements of PI 36.09(2).

   The truancy determination shall be made on the sole basis of enrollment in the non-resident district. Open enrollment may not be denied based on the student's truancy from any other district.

C. **Reapplication Procedures**

The Board will not require accepted non-resident students to reapply under the open enrollment policy as long as the student is continuously enrolled in the District.

D. **Transportation**

The parents of a student attending a non-resident school district will be solely responsible for providing transportation to and from the school site. The District will permit a non-resident student to ride District transportation if space is available on a regularly-scheduled bus route. The District will provide transportation for a non-resident student with an identified disability for whom transportation is required by ~~his/her~~**the student's** IEP.

The Board will not permit a neighboring District to bus resident students from within its boundaries for attendance at the non-resident neighboring District. The District Administrator shall develop procedures for implementing this provision.

ALTERNATIVE APPLICATION PROCEDURES

The parent of a non-resident student who wishes to attend a school in the District may apply at any time throughout the year by submitting an application under the alternative application procedure if the student satisfies at least one (1) of the statutory criteria and has not applied to more than three (3) non-resident school districts.

Applications from a non-resident student under the alternative application procedures received after the Board's January meeting, at which it sets open enrollment space availability numbers for the subsequent year, may be approved if space is available in the current year and in the subsequent school year in the student's subsequent grade level.

DELEGATION TO DISTRICT ADMINISTRATOR

The Board delegates to the District Administrator the authority to approve or deny open enrollment applications including under the alternative procedures consistent with the criteria in this policy and based on the Board's space determinations approved in January of each year.

ANNUAL REVIEW

The Board shall review its Open Enrollment Program annually.

General Provisions

A. A student, who has been accepted under this program, who has not met the academic prerequisites for participation in a particular program in which the student wishes to enroll shall not be placed in that program.

B. The District's Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity shall apply to all applicants under this program. In addition, the District will not discriminate on the basis of an applicant's intellectual, academic, artistic, athletic, or other ability, talent, or accomplishment, or based on a mental or physical disability, except as provided for in the statute authorizing this program.

Application of Emergency Orders

All timelines or other procedures described in this policy and in any implementing administrative guidelines are subject to modification in the event that the State or Federal government issues emergency or other temporary orders affecting any of the subject matter of this policy. The policy automatically incorporates the contents of any such order or proclamation, including any discretionary authority provided, and delegates by policy the authority to exercise that discretion to the District Administrator.

Revised 9/9/19
Revised 6/22/20

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Legal 118.51, Wis. Stats.
Wis. Adm. Code Ch. P.I. 36

T. PO5215 - (NEW) Missing & Absent Children 68

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	NEW POLICY - VOL. 31, NO. 1 - MISSING AND ABSENT CHILDREN
Code	po5215 New Policy
Status	Policy Committee Review

NEW POLICY - VOL. 31, NO. 1

5215 - **MISSING AND ABSENT CHILDREN**

It is the intent of this Board to cooperate with local, State, and National efforts to decrease the number of missing children. For purposes of this Policy, the following definitions apply:

"Absent child" means a child that left the child's parents or approved placement through social services and whose whereabouts are known, but who refuses to return. This involves children who are runaways, but not known to be missing.

"Missing child" means a child whose whereabouts are unknown, which may include abducted children who have been abducted by a non-custodial parent, a victim of human trafficking, or another unknown circumstance.

The District Administrator and/or building principals shall permit entrance into the school a student lacking records or identification as a student, and shall assure that the child remains in the building office area until law enforcement or social services is notified and takes custody of the child. Such a procedure reduces the risk of removal of a missing or absent child from the area before intervention by law enforcement or social services.

Procedures in this policy are to be implemented in coordination with Policy 5111.01 - Homeless Students.

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U. PO5410 - Promotion, Placement & Retention 70

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of PROMOTION, PLACEMENT, AND RETENTION
Code	po5410
Status	Policy Committee Review
Adopted	March 13, 2017

5410 - **PROMOTION, PLACEMENT, AND RETENTION**

The District makes extensive efforts to avoid the necessity of high stakes promotion/retention determinations through a system of strategic supports and interventions to address individual student learning deficits. Early identification of problems is important to assist the student, parent/guardian, and school in resolving them. If, after extensive efforts, insufficient academic progress results and retention is necessary, a detailed retention plan is prepared designed to maximize modifications and supports to the student during the retention year.

Promotion/retention determinations are based on multiple criteria. Significant factors considered are state test scores, other district and classroom assessment results, teacher recommendations, grades, and attendance.

Each Principal delineates the specific rationale, procedures and timelines for promotion and retention decisions in **their**~~his/her~~ building and conveys them to staff and parents/guardian. Promotion and retention determinations are made by administrators at the building levels and may be appealed to the Superintendent.

A. Elementary and Intermediate Promotion/Retention

The decision to promote or retain at the elementary and intermediate levels is made after careful consideration of academic achievement in core academic subjects (reading, written language, mathematics, science, and social studies.) Also considered are study skills, social development, physical development, problem-solving abilities and attendance.

Promotion and retention decisions shall be made consistent with state law requirements.

The Principal, guidance counselor, and classroom teacher are key members of the committee responsible for assessing student progress and making promotion and retention decisions. Other specialists are included as necessary. Parent input is encouraged throughout the process and parents are to be informed no later than the spring parent-teacher conferences that their child is being considered for retention.

B. Middle School Promotion and Retention

Promotion from grade to grade within the middle school to high school is determined on the basis of academic achievement represented by successful completion of the core academic subjects (communication arts, mathematics, science, social studies). Other considerations may be study skills, social development, physical development, problem- solving abilities, and attendance. Each student with one or more core academic subject failures may be considered for retention. Promotion and retention decisions shall be made consistent with state law requirements.

The Principal, Assistant Principal, Guidance Counselor, and classroom teacher are key members of the committee responsible for assessing student progress and making promotion and retention decisions. Other specialists are included as necessary. Parent input is encouraged throughout the process and parents are to be informed no later than the spring parent-teacher conferences that retention is being considered for their child.

The Board of Education recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the Board that each student be moved forward in a continuous pattern of achievement and growth appropriate for **each student's**~~his/her own~~ development.

Such pattern should coincide with the system of grade levels established by this Board and the instructional objectives established for each.

For Unified, Common and K-8 Districts

A student shall be promoted from 4th to 5th grade when the student meets the following criteria:

A. **the student's score on the 4th grade examination, unless the student has been excused from taking the examination;**

B. **the student's academic performance;**

C. **recommendations of teachers, which are based solely on the student's academic performance.**

D. **additional criteria specified by the Board.**

A student shall be promoted from 8th to 9th grade when the student meets the following criteria:

A. **the student's score on the 8th grade examination, unless the student has been excused from taking the examination;**

B. **the student's academic performance;**

C. **recommendations of teachers, which are based solely on the student's academic performance.**

D. **additional criteria specified by the Board.**

Students that do not meet the above criteria will not be promoted to 5th or 9th grade.

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Legal 118.33(6), Wis. Stats.

V. PO5461 - Children At-Risk of Not Graduating from HIgh School 73

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of CHILDREN AT-RISK OF NOT GRADUATING FROM HIGH SCHOOL
Code	po5461
Status	Policy Committee Review
Adopted	March 13, 2017

5461 - **CHILDREN AT-RISK OF NOT GRADUATING FROM HIGH SCHOOL**

The Board of Education shall establish programs to serve children in the District who are identified as "children at-risk" in compliance with State statutes. This policy meets the requirements of State law which includes identifying and serving "children at-risk" students as defined below:

Students who are at-risk of not graduating high school because they are dropouts or are at least two (2) of the following:

A. one (1) or more years behind their age group in the number of high school credits attained

B. two (2) or more years behind their age group in basic skill level (math and reading)

C. habitually truant

D. parents

E. adjudicated delinquents, and

F. eighth grade students whose score in each area of the student assessment was below basic level of failing and eighth grade students that were not promoted to ninth grade

The District shall identify all children at-risk enrolled in the District**. The District shall annually develop a plan describing how the Board will meet the needs of such students.**~~and assure that a plan is developed for each such student that describes how the District will meet each student's needs.~~ Each plan shall be completed on or before August 15th of each year. All programs and services developed for "children at-risk" shall be designed to improve and expand educational opportunities for these children on an individualized basis, through a variety of means (e.g., additional instruction, differentiation, intervention), and provide alternative courses or program modifications which satisfactorily meet the District's graduation requirements.

Principals are responsible for identifying and addressing barriers to learning through a variety of strategies. The plan will communicate the structure, strategies, and program offerings for students at-risk which will vary by individual. Strategies for support, interventions, programs, and alternative educational options are made available to all students and at all levels as needed.

The Board uses a Response to Instruction (RtI) Model that is designed as a continuum for Literacy, Mathematics, and Behavior. RtI is defined as a systemic process for achieving high levels of academic and behavioral success for all students through:

A. multi-level, high quality instructional approached for general, at-risk, advanced learners, and special education student needs;

B. a balanced assessment system;

C. collaborative practices.

The Board will make reasonable efforts to help each student acquire the necessary skills, concepts, and content of course or subject area **they are** ~~s/he is~~ enrolled through systemic practices of RtI. Student capabilities will be identified for RtI using multiple criteria in accordance with District guidelines. These guidelines are aligned with the Wisconsin Department of Public Instruction's recommendations.

The District will maintain an RtI Continuum and supporting documents which outline specific implementation procedures and guidelines that will be reviewed annually.

Parent involvement will be actively solicited to improve student success. Community service agencies' participation and partnerships will be encouraged and actively sought to meet student needs.

Students shall be identified and referred to these programs and services in accordance with State regulations and guidelines established by the administration. An annual report concerning "children at-risk" shall be made to the Board.

118.153, Wis. Stats.
P.I. 15

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Legal	118.153, 118.33(1), 121.02(1)(n), Wis. Stats. P.I. 25

W. PO6108 - Authorization to Make Electronic Fund Transfers 76

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of AUTHORIZATION TO MAKE ELECTRONIC FUND TRANSFERS
Code	po6108
Status	Policy Committee Review
Adopted	March 13, 2017

6108 - **AUTHORIZATION TO MAKE ELECTRONIC FUND TRANSFERS**

The Board ~~**of Education**~~ authorizes electronic fund transfers (EFTs)**, including any Automated Clearing House (ACH) transactions,** for any purpose including direct deposit, wire transfer, withdrawal, investment, or payment, provided such EFTs are consistent with the provisions of Wisconsin's Uniform Electronic Transactions Code, Chapter 137, Subchapter II. Upon the recommendation of the Business Manager, the Board shall approve the financial institutions that are authorized to receive monetary transactions through electronic or other medium.

Upon the recommendation of the Business Manager, the Board shall then approve written agreements with financial institutions with whom EFTs will be made.

Such agreements shall set forth internal controls required by State law and State Administrative Code that will provide adequate integrity, security, confidentiality, and auditability of business transactions conducted by electronic commerce, including, but not limited to, the following:

A. the official title of the bank account(s) subject to the agreement and each type of transaction approved, such as deposits, disbursements or transfers, shall be specified;

B. the manual signatures of the employees authorized to initiate EFTs shall be contained therein;

C. a requirement that the District maintain documentation signed by the initiator and authorizer of the EFTs to confirm the authenticity of the EFTs;

D. a requirement that, when funds are properly delivered to the receiving institution, that institution agrees to become responsible for prompt and diligent processing of the funds;

E. a requirement that written or printed documentation from the financial institution acknowledging such transactions, including but not limited to deposit slips, debit and credit memos, trust receipts, transfer acknowledgements, or cancelled warrants, shall be provided so that it may be kept in the official files of the District, which shall be maintained in a manner which facilitates easy review and validation of transactions.

All District staff shall comply with the provisions of this policy when creating, generating, sending, communicating, receiving, storing, processing, using, and relying upon electronic records. Further, all District staff and other persons who use electronic signatures when completing transactions with the Board shall do so in compliance with State law.

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Legal	Wis. Stat. Chapter 137, Subchapter II
	15 U.S.C.A. 1693, as amended

X. PO6114 - Cost Principles - Spending Federal Funds 78

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of COST PRINCIPLES - SPENDING FEDERAL FUNDS
Code	po6114
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

6114 - **COST PRINCIPLES - SPENDING FEDERAL FUNDS**

The District Administrator is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives and the specific terms and conditions of the grant award.

Cost Principles

Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

   To determine whether a cost is reasonable, consideration shall be given to:

   1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the District or the proper and efficient performance of the Federal award;

   2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal and other laws and regulations;

   3. market prices for comparable goods or services for the geographic area;

   4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities;

   5. whether the cost does not represent any significant deviation from the established practices or Board policy which may increase the expense;

      Whether an expenditure is necessary is determined based on the needs of the program. The expenditure must be necessary to achieve an important program objective and it must be established that the expenditure addresses and existing need.

      When determining whether a cost is necessary, consideration may be given to whether:

      a. the cost is needed for the proper and efficient performance of the grant program;

      b. the cost is identified in the approved budget or application;

      c. there is an educational benefit associated with the cost;

      d. the cost aligns with identified needs based on results and findings from a needs assessment

      e. the cost addresses program goals and objectives and is based on program data.

      A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received.

B. Conform to any limitations or exclusions set forth as cost principles as required by law or in the terms and conditions of the Federal award.

C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the District.

D. Be afforded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.

E. Be determined in accordance with generally accepted accounting principles

F. Be representative of actual cost, net of all applicable credits or offsets.

The term "applicable credits" refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

G. Be not included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.

H. Be adequately documented:

1. in the case of personal services, the Superintendent shall implement a system for District personnel to account for time and efforts expended on grant-funded programs to assure that only permissible personnel expenses are allocated;

2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

Selected Items of Cost

The District shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, District staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, District and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and District personnel shall follow those rules as well.

The following rules of allowability must apply to equipment and other capital expenditures (as defined in Policy 7455 - Accounting System for Capital Assets):

A. **Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the Federal awarding agency or pass-through entity.**

B. **Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of $5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity.**

C. **Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the Federal awarding agency, or pass-through entity.**

D. **Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR 200.436 and 2 CFR 200.465.**

E. **When approved as a direct cost by the Federal awarding agency or pass-through entity under Sections A - C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.**

F. **If the District is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.**

Cost Compliance

The District Administrator shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant.

Determining Whether a Cost is Direct or Indirect:

A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

   These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; and infrastructure costs directly attributable to the program (such as long-distance telephone calls specific to the program, etc.).

B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

   These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

   Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one component of the District, the governing body of the District, compensation of the Superintendent, compensation of the chief executive officer of any component of the District, and operation of the immediate offices of these officers.

   The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

   1. Administrative or clerical services are integral to a project or activity.
   2. Individuals involved can be specifically identified with the project or activity.
   3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
   4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Wisconsin Department of Public Instruction or the pass-through entity (Federal funds subject to 2 CFR Part 200 pertaining to determining indirect cost allocation).

Timely Obligation of Funds

When Obligations are Made

Obligations are orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period.

The following table illustrates when funds are determined to be obligated under the U.S. Department of Education regulations:

If the obligation is for:	The obligation is made:
Acquisition of Property	On the date the District makes a binding written commitment to acquire property
Personal services by an employee of the District	When the services are performed
Personal services by a contractor who is not an employee of the District	On the date the District makes a binding agreement to obtain the services
Public utility services	When the District receives the

	services
Travel	When the travel is taken
Rental property	When the District uses the property
A pre-agreement cost that was properly approved by the Secretary under federal regulations, 2 CFR part 200, Subpart E	On the first day of the project period

Period of Performance

All obligations must occur on or between the beginning and ending dates of the grant project. This period of time is known as the period of performance.

In the case of a State-administered grant, obligations under a grant may not be made until the grant funding period begins or all necessary materials are submitted to the granting agency, whichever is later. In the case of a direct grant, obligations may begin when the grant is awarded, unless otherwise stated in the grant.

For both State-administered and direct grants, regardless of the period of availability, the District shall liquidate all obligations incurred under the award not later than ninety (90) days after the end of the funding period unless an extension is authorized, or other terms are provided for in the grant. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the District shall closely monitor grant spending throughout the grant cycle.

T.C. 10/11/21

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Legal	2 C.F.R. 200.403-.406, 200.413(a)-(c), 200.430(a), 200.431(a) and 200.474(b)

Y. PO6152 - Student Fees, Fines & Charges 83

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of STUDENT FEES, FINES, AND CHARGES
Code	po6152
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

6152 - **STUDENT FEES, FINES, AND CHARGES**

The District may charge student fees for certain activities, courses, and services that may require additional funding and may assess fines when school property is damaged or lost. No student shall be denied any educational opportunity because of his/her inability to pay any fee or charge imposed. (See also Policy 6152. 01 - Waiver of School Fees or Fines**; and DPI guidance (HTTP://www.dpi.wi.gov/sfs/finances/budgeting/school-fees) regarding school fees.**)

The Board will approve student fees by June 30th. Fee schedules shall be consistent with State and Federal laws and regulations.

The Board of Education may levy certain charges to students to facilitate the utilization of adequate, appropriate learning materials used in the course of instruction.

A charge shall not exceed the combined cost of the material used, freight and/or handling charges, and nominal add-on for loss. Money received from resale of such material shall be returned to the Business Manager with an accurate accounting of all transactions.

Student fees for athletics, clubs, yearbook, locks, and parking are non-refundable.

The following fees are refundable under specific conditions: athletic and club fees if the student drops the sport/club prior to the second week of the season; and resale or course fees within the first week of the start of the course.

The District Administrator may waive fines or fees upon request, consistent with Policy 6152.01.

An automatic waiver of textbook rental fee, athletic user fee, club user fee, music instrument rental fee (if District-owned instrument is issued), and required material fee (not including resale) shall be granted to all students who have been approved by the District for free meals. The above fees will automatically be reduced by fifty percent (50%) for students who have been approved by the District for reduced meals.

A parent/guardian who is unable to pay the full amount of student fees may request relief in the form of a payment plan, a reduction or waiver of eligible fees for their child(ren). The request shall be submitted in writing to the Principal. To determine the ability to pay fees, the Principal shall consider factors that include, but are not limited to, recent job loss, recent divorce, or other family hardships.

This policy and the established fees apply to all students attending the District, including open enrollment and tuition students. Part-time open enrollment students will pay a prorated general fee.

Fines

When school property, equipment, or supplies are damaged, lost, or taken by a student, a fine will be assessed. The fine will be reasonable, seeking only to compensate the school for the expense or loss incurred.

The late return of borrowed books or materials from the school libraries will be subject to appropriate fines. Items, such as fine, yearbook fees, and student parking, are not eligible for waiver or reduction.

Any fees or fines collected by members of the staff are to be turned into the Business Office within twenty-four (24) hours after collection.

In the event the above course of action does not result in the fee being collected, the Board authorizes the Business Manager to take the student and/or his/her parents to Small Claims Court for collection. The District shall not permit or elicit the assistance of volunteers in efforts to collect unpaid student fees or expenses, including food service balances.

Nothing in this policy restricts the right of access of a parent or student to school records or to receive copies of such records, as required by Federal and State laws.

Students Experiencing Homelessness - McKinney-Vento Act

No fine or fee shall be charged to a student identified as a student experiencing homelessness unless it is determined that the student has the ability to pay the fee or fine and that its imposition does not create a barrier to the student's ability to enroll, attend school, achieve academic success, or be identified as experiencing homelessness. Any dispute regarding a fine or a fee that is imposed, shall not delay the student's enrollment or serve as a barrier to enrollment by delaying the transfer of student records to another school or school district if applicable.

Immediate enrollment notwithstanding fines or fees shall be extended to extra-curricular and co-curricular activities as well as to academic programming.

Revised 6/26/17

118.55(5), Wis. Stats.
120.12(11), Wis. Stats.
120.12(17), Wis. Stats.
120.12(22), Wis. Stats.
121.54(8), Wis. Stats.

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Z. PO6152.01 - Waiver of School Fees or Fines 86

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of WAIVER OF SCHOOL FEES OR FINES
Code	po6152.01
Status	Policy Committee Review
Adopted	October 11, 2021

6152.01 - **WAIVER OF SCHOOL FEES OR FINES**

The Board shall waive fees or fines assessed only for students whose parent(s) are unable to afford them and such fees and fines are barriers to the educational program. The District Administrator may, as deemed necessary, establish additional procedures to supplement the procedures established in this policy regarding requests for the waiver of fees.

Eligibility Standards

S**ubject to completion of required forms or direct certification through the Wisconsin Division of Children and Families database, s**tudents eligible for a waiver of school fees or fines include, but are not limited to, the following:

A. Students who qualify for free lunches or breakfasts under the School Free Lunch Program Act **and after submission and approval of the income-based application or direct certification through the Division of Children and Families State database**.

B. Students who are experiencing homelessness pursuant to Policy 5111.01 - Homeless Students.

Notification to Parents

A. Annually the substance of this policy shall be communicated in writing to the parent(s) of all students in the District.

B. The first bill or notice sent to parent(s) who owe fees shall state:

1. The District will waive fees or fines for persons unable to afford them in accordance with this policy.

2. The procedure for applying for a waiver, and the name, address, and telephone number of the person to contact for information concerning a fee waiver.

Procedures for Resolution of Disputes

A. An individual who cannot pay school fees or fines may write a letter requesting a waiver of fees to the District Administrator. The letter must contain the following:

1. name(s) of student(s)

2. name of parent(s)

3. address of parent(s)

4. phone number of parent(s)

5. school where child(ren) attend(s)

6. reason for request for waiver of fees

The District Administrator shall have the authority to review the waiver request and request such further information, if any, as ~~s/he deems~~**deemed** necessary in order to make a decision on that request.

B. No fee or fine shall be collected from any individual who is seeking a fee waiver in accordance with the District's policy until the District has acted on the initial request or appeal (if any is made), and the individual has been notified of the decision.

C. If the District Administrator denies a request for a waiver, then within fifteen (15) school days of receipt of the request, a copy of the decision shall be mailed or provided in an appropriate method for those without a fixed residence or experiencing homelessness.

The decision shall state the reason for the denial and shall include the right to appeal, including the process and timelines for that action. The denial notice shall also include a statement indicating that reapplication may be made for a waiver any time during the school year if circumstances change.

D. Students experiencing homelessness shall be immediately enrolled, scheduled for transportation, or otherwise registered for school programming regardless of outstanding fines or fees. The waiver review process shall be reviewed accordingly. If the imposition of a fine or fee is not a barrier to educational program access, the student may be assessed the fine or fee.

E. An appeal of the District Administrator's decision must be made to the Board within seven (7) calendar days after receipt of the decision. An appeal shall be decided within thirty (30) calendar days of the receipt of the request for an appeal.

Nondiscrimination

The Board expects all staff members to exercise the utmost care to see that, as a result of their actions or comments, students cannot differentiate between those students whose parents are unable to purchase required instructional materials, pay required fees and/or fines and those whose parents can.

118.55(5), Wis. Stats.
120.12(11), Wis. Stats.
120.12(17), Wis. Stats.
120.12(22), Wis. Stats.
121.54(8), Wis. Stats.

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Legal	National School Lunch Act, 60 Stat. 230 (1946), 42 U.S.C. 1751 (as amended)
	Child Nutrition Act of 1966, 80 Stat. 885, 42 U.S.C. 1771
	42 U.S.C. §11432(g)(1)

AA. PO8450 - Control of Casual-Contact Communicable Diseases 89

Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES
Code	po8450
Status	Policy Committee Review
Adopted	March 13, 2017

8450 - **CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES**

The Board ~~of Education~~ recognizes that control of the spread of communicable disease spread through casual-contact is essential to the well-being of the school community and to the efficient District operation

For purposes of this policy, "casual-contact communicable disease" shall include diphtheria, scarlet fever and other strep infections, whooping cough, mumps, measles, rubella, and others designated by the Wisconsin Department of Health Services (hereinafter referred to as DHS).

In order to protect the health and safety of the students, District personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling casual-contact communicable disease spread through normal interaction in the school setting.

Initial Exposure - Suspected Communicable Disease

If a student exhibits symptoms of a communicable disease, **a teacher, school nurse, or** the **building** principal will isolate the student in the building and contact the parents~~/guardians~~ **and may choose to send the student home**. **The staff member shall contact the Green County Health Department to report the incident. The health department officials shall be responsible for conducting any investigation deemed necessary and directing the District to follow specific protocols, including those**~~Protocols~~ established by the Wisconsin Department of Health Services**.**

Protocols During a Pandemic/Epidemic

The procedure described above pertains to an initial and/or isolated identification of the possible presence of a communicable disease in a school. In the event of an ongoing pandemic or endemic outbreak of a communicable disease, the Administration and Board shall develop protocols to manage school during a pandemic or epidemic.

Protocols shall be developed with consideration for the following resources:

A. **Statewide declaration of emergency and related orders;**

B. **guidance provided by medical and/or public health officials, such as the Centers for Disease Control and Prevention (CDC); Wisconsin Department of Health Services (DHS); Wisconsin Department of Public Instruction (DPI); American Pediatrics Association;**

C. **local health department officials and local medical professionals;**

D. **parent and/or student groups; and**

E. **other resources developed for and specific to the circumstances facing the District.**

252.10, 252.19, 252.21, Wis. Stats.

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Legal	252.19, 252.21, Wis. Stats.

III. **Other Policy Considerations Requested by Board Members or Administration**
A. PO2340 - Field and Other District Sponsored Trips 91

Book	Policy Manual
Section	Policies Ready for Policy Committee - Board Requested
Title	Copy of FIELD AND OTHER DISTRICT-SPONSORED TRIPS
Code	po2340
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	September 9, 2019

2340 - **FIELD AND OTHER DISTRICT-SPONSORED TRIPS**

The Board recognizes the value of organized trips or other excursions away from the classroom as a valuable part of the District's educational programming and a valuable opportunity to obtain additional educational experiences not offered directly in the curriculum offerings. These opportunities occur in four (4) primary forms addressed in this policy: (a) field trips; (b) extra-curricular/co-curricular program related trips; (c) overnight trips; and (d) other District-sponsored trips.

Field Trips

The Board of Education recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. For purposes of this policy, a field trip shall be defined as any planned journey by one (1) or more students away from District premises, which is under the supervision of a professional staff member, approved by the school administration and furthers or supplements an integral part of a course of study as planned for and incorporated into that course of study by the teacher. Properly planned and executed field trips should:

A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the schools;

B. arouse new interests among students;

C. help students relate school experiences to the reality of the world outside of school;

D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience;

E. afford students the opportunity to study real things and real processes in their actual environment.

~~**Out-of-state field trips that do not include an overnight stay must be approved by the Board.**~~

Extra-Curricular/Co-Curricular Trips

The Board recognizes that student trips will occur for reasons that are not directly incorporated into the curriculum as part of a class, but rather are part of the extra-curricular/co-curricular activities offered by the District. For example, a District athletic team may travel to away games, or take a trip to an out of town tournament. Any such trips must be identified at the beginning of the activity for the school year, or for the particular season. Extra-curricular or co-curricular trips shall be approved by the school administration in accordance with the same procedures used for approving field trips. In cases where such advance notice is not possible (such as travel to State tournament competition), the staff member responsible for such activity shall notify the building administrator of the activity and pertinent information.

Extra-curricular trips that extend to an overnight stay are considered overnight travel, other than WIAA athletic teams participating in State tournaments/meets.

Overnight Travel

Overnight travel is defined as a field trip that involves one (1) or more overnight stays. Overnight travel includes foreign travel. The District views overnight travel outside of the District related to the curriculum/program as an adjunct to that curriculum/program. As such it is an important feature of the overall educational program. The District recognizes the importance of overnight travel outside of the District to amplify and enhance studies that occur in the schools' classrooms through unique enrichment opportunities that are

not available locally. Overnight travel shall first be approved by the principal in accordance with the District's overnight travel guidelines, and then must be submitted to the Board for final approval.

Other District-Sponsored Trips

Other District-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the District's total educational program, but not a part of a particular course and not expressly connected to an established extra-curricular/co-curricular activity. These trips may include such trips as summer trip programs, youth service trips, and other types of day trips that are organized by or through school staff or facilitated in some fashion through the District.

Trip Approval Process

No staff member may offer or lead any trip no matter the type unless the trip has been approved in the manner prescribed in this policy.

General Trip Provisions

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the District who takes students on trips not approved by the Board or District Administrator. No staff member may solicit students of this District for such trips within the facilities or on the school grounds of the District without permission from the District Administrator. Permission to solicit neither grants nor implies approval of the trip.

The District Administrator shall ensure the implementation of guidelines which address:

A. the safety and well-being of students;

B. parental permission is sought and obtained before any student leaves the District on a trip;

C. each trip is properly planned and monitored;

D. student behavior while on all field trips complies with the Student Code of Conduct and on all other trips complies with an approved code of conduct for the trip;

E. a copy of each student's Emergency Medical Authorization Form is available to the staff member in charge.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

The distance traveled outside the State and the use of nondistrict vehicles shall be consistent with Chapter 121 Wis. Stats.

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Legal 121.54(7), Wis. Stats.

B. PO7510 - Use of District Facilities 94

Book	Policy Manual
Section	Policies Ready for Policy Committee - Board Requested
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7510 - **USE OF DISTRICT FACILITIES**

The Board of Education believes that the school facilities of this District should be made available for lawful non-school purposes, provided that such use does not interfere with use for school purposes, by school-related groups, or for school-related functions. No non-school related group or entity may promote an activity to occur on school grounds under this policy in any manner that conveys the impression that the School District supports, endorses, or is a partner with the group or individual's cause.

The Board will permit the use of school facilities when such permission has been requested in writing by a responsible, individual, organization or a group of citizens and has been approved by the Principal.

General conditions relating to school use are as follows:

A. Application for the use of a school building or any part of the building or grounds is to be made at least seven days in advance. School program-related applications should be made to the building Principal. Community program-related applications should also be made to the building Principal.

B. A "Facilities Schedule" shall be kept by each school Principal or his/her designee and be available for inspection and review. A District schedule will be kept in the building Principal's office.

C. Every non-school group using a facility must have an adult (non-K-12 student) designated as in charge of the activity or event.

D. Non-school events which take place on a Saturday may be charged custodial time if there is a need for custodial set-up, take-down, or clean up.

E. Every non-school individual, group, and/or organization using a school facility, by accepting a use permit, must agree to guarantee orderly behavior and to indemnify the District for any damages to the school and its property caused by any participant and public involved as well as provide a signed liability waiver document.

F. Individuals, groups and/or organization using school facilities are required to file a certificate of insurance with the District insurance naming the District as an additional insured. The certificate of insurance must be in the possession of the Superintendent or his/her designee before school facilities may be used.

G. ~~**The District discourages the use of facilities for youth groups after 9:00 p.m. on nights before a school day, Wednesdays after 6:30 p.m., and Sundays before 2:00 p.m. Exceptions can only be made for one-time events.**~~

H. School facilities shall exist primarily to serve school District educational, co-curricular, recreational and administrative activities. Upon the satisfaction of the public school District's need and use, District facilities shall then be made available to other groups based on the structure outlined below.

I. The Village Recreation Program shall enjoy a priority status among non- school facility users in scheduling events that utilize school District facilities for recreational purposes only. No rental fee shall be charged to the Village Recreation Program for these programs. All youth and adult members of the school District participating in village recreation programs which utilize school District facilities shall be treated equally in all aspects of program participation. Such programs shall not be in direct conflict with programs conducted by the school District. The Building Principal shall determine compatibility of programming. The director of the village recreation program and his/her designee(s) shall be granted access to District buildings and grounds including the appropriate keys to said individuals and approval of them to have security codes where needed. The

Village Recreation Program will be subject to all Board of Education policies in the operation of all of its programs that take place on school District property.

J. Exemptions

In the event of multiple requests to use the same facility, requests will honored in the following priority order: New Glarus School District Groups; New Glarus Non-Profit Groups; New Glarus Profit Groups; Non-Resident Non-Profit Groups; and Other Profit Groups. If two entities within a category request to use the same facility, the earliest request will be honored. Facilities can be scheduled up to one year in advance. Appeals may be made to the Superintendent.

K. Any group that believes it should be exempted from a rental fee has the option of filing a written request with the Superintendent. The Board shall consider the circumstances and stated reasons for seeking an exemption and make a decision at the next regularly scheduled Board meeting where the request can be placed on the agenda in time for proper meeting notification. Exemptions shall only be granted for good cause and shall only be for one year. Groups or individuals may re-apply annually for consideration for an exemption.

CUSTODIAL CHARGES:

When a custodian is not scheduled to be on duty and one needs to be assigned there will be a $30/hour charge to the group. This fee applies to ALL GROUPS.

No Rental Charge:

A. School District of New Glarus Groups

B. New Glarus Non-Profit Groups

C. New Glarus Profit Groups (Groups comprised of 75% of more New Glarus Students, Staff, or Community)

D. Non-Resident Non-Profit Groups

Regular Rental Fee:

For-Profit Groups Not Listed Above

Negotiated Rental Rate

The Principal has the discretion to determine rental rates for groups or individuals not covered by the above categories. The Principal also makes a determination as to which category the applicants are assigned.

The Principal may refuse to allow or may cancel the use of facilities to any group due to conflicts with school activities, safety, health or liability issues, security concerns, past experience with the proposed user, or other valid reasons. Denial of use may be appealed to the Superintendent.

Equipment, such as tables, chairs and risers, may be made available if they are not needed for other school district related purposes.

Given the nature of existing specialized equipment and security issues, use of the kitchen by a public group to obtain or dispose of water needed for coffee, lemonade, etc., is not permitted without the presence of a custodian or caretaker. In no case is the kitchen to be opened or remain open without supervision.

Uses or conditions not covered in these procedures must be approved by the District Administrator.

The use of District grounds and facilities shall not be granted for any purpose which is prohibited by law.

Recreational Activity

Any non-school sponsored group requesting to use District facilities for recreational activity must complete the District form prior to such usage.

"Recreational activity" includes any indoor or outdoor physical activity, sport, team sport, or game, whether organized or unorganized, undertaken for the purpose of exercise, relaxation, diversion, education, or pleasure.

Should all or any part of the District's community be struck by a disaster, the Board shall make District grounds and/or facilities available, at no charge, for the housing, feeding, and care of victims or potential victims when requested by local, State, or Federal

authorities. The District Administrator should meet with Green County Emergency Management to establish a disaster preparedness plan in order to ensure that proper procedures are established to minimize confusion, inefficiency, and disruption of the educational program.

Each user may be required to present evidence of the purchase of organizational liability insurance Users shall be liable financially for damage to the facilities and for proper chaperonage.

No liability shall attach to this District, any employee, officer, or member of this District specifically as a consequence of permitting access to these facilities.

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Legal	120.13(17), Wis. Stats.
	895.523, Wis. Stats.

C. PO8310 - Public Records 98

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8310 **- PUBLIC RECORDS**

The Board recognizes its responsibility to maintain the public records of this District and to make such records available for inspection and reproduction. The Board designates the **District Administrator** ~~**Human Resource Director**~~ as the District Records Custodian (DRC), to be the legal custodian of records for the District. The DRC shall safely keep and preserve the public records of the District and shall have the authority to render decisions and carry out duties related to those public records. The DRC may deny access to records only in accordance with the law. The DRC is authorized and encouraged to consult with the District's legal counsel to determine whether to deny access to a records request in whole or in part.

Under the Wisconsin Public Records Law, a "record" is defined as any material on which written, drawn, printed, spoken, visual, or electromagnetic information or electronically generated or stored data is recorded or preserved, regardless of physical form or characteristics, that has been created or is being kept by the authority. It includes handwritten, typed, or printed pages, maps, charts, photographs, films, recordings, tapes, optical discs, and any other medium on which electronically generated or stored data is recorded or preserved. A "record" does not include drafts, notes, preliminary computations, and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials that are purely the personal property of the custodian and have no relation to his/her office; materials to which access is limited by copyright, patent, or bequest; and published materials in the possession of an authority other than a public library that are available for sale, or that are available for inspection at a public library. The personal use exception applies to notes created by the originator solely for the purpose of refreshing his/her recollection and as a matter of convenience (not part of his/her job duties), but does not apply to notes that are distributed to others for the purpose of communicating information or notes that are created or retained for the purpose of memorializing agency activity.

In addition, records may be exempted from disclosure as a matter of statute or common law or, under the balancing test, the public interest in disclosure may be outweighed by the public interest in non-disclosure.

Any person may make an oral or written request for any public records of the District. The person may inspect or receive copies of the public record requested. The District will respond as soon as practicable and without delay. The District will either provide the requested documents, subject to any redactions, or inform the requester of the District's decision to deny the request

The District will comply with the Safe at Home/Address Confidentiality Program administered by the Wisconsin Department of Justice. (See Policy 5111 - Eligibility of Resident/Nonresident Students, Policy 8320 - Personnel Records and Policy 8330 - Student Records.)

The District may impose a fee upon the requester of a copy of a record of up to 10 cents per page, which represents the actual, necessary, and direct cost of reproduction of the record. In addition, the District may impose a fee upon a requester for the actual time spent by District employees in locating a record, if the cost is $50.00 or more. In calculating location costs, the District will use the applicable employee's hourly rate for salary and benefits.

The District may also charge the requester for any equipment required to fill the request (such as videotapes, computer disks, etc.) The District may impose a fee upon a requester for the actual, necessary, and direct cost of mailing or shipping of any copies which are mailed or shipped to the requester.

The District may require prepayment of fees if the total amount exceeds $5.00. If payment is required, the District will calculate the actual cost and charge the requester. If advance payment is required, the District will either invoice the requester for the difference between the estimate and actual cost or refund any overpayment.

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

Nothing in this policy shall be construed as preventing a Board member from inspecting in the performance of his/her official duties any record of this District, except student records and certain portions of personnel records.

Records Retention Schedule

The District has adopted the Wisconsin Department of Public Instruction guidelines on School District record retention.

It may be accessed at the following web address:

https://publicrecordsboard.wi.gov/Documents/DPI%20GS-APPROVED%20June%202015%20v8.1.pdf

Revised 11/13/17
Revised 10/8/18

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Legal	19.21, Wis. Stats.
	19.31-39, Wis. Stats.
	120.13(12), Wis. Stats.

IV. **Adjourn**

PURSUANT TO APPLICABLE LAW, NOTICE IS HEREBY GIVEN THAT A QUORUM OR A MAJORITY OF THE NEW GLARUS SCHOOL DISTRICT BOARD MEMBERS MAY ATTEND THIS MEETING. INFORMATION PRESENTED AT THIS MEETING MAY HELP FORM THE RATIONALE BEHIND FUTURE ACTIONS THAT MAY BE TAKEN BY THE NEW GLARUS SCHOOL DISTRICT BOARD.

UPON REQUEST TO THE DISTRICT OFFICE, SUBMITTED TWENTY-FOUR (24) HOURS IN ADVANCE, THE DISTRICT SHALL MAKE REASONABLE ACCOMMODATIONS INCLUDING THE PROVISION OF INFORMATIONAL MATERIAL IN AN ALTERNATIVE FORMAT FOR A DISABLED PERSON TO BE ABLE TO ATTEND THIS MEETING.