

AGENDA

**SCHOOL DISTRICT OF NEW GLARUS
POLICY, COMMUNICATION & ADVOCACY COMMITTEE MEETING
MONDAY, OCTOBER 28, 2024
HIGH SCHOOL LIBRARY/MEDIA CENTER, ROOM 183 JOIN ZOOM MEETING USING
LINK
HTTPS://US02WEB.ZOOM.US/J/89518449045?PWD=QHDS9NZIWKHAYCQD5AB
1WQCNFCE9D5.1 BY PHONE USING 1-646-568-7788 MEETING ID 895 1844 9045
& PASSWORD 724710
1701 2ND STREET
NEW GLARUS, WISCONSIN 53574
6:30 PM**

- I. **Call to Order**
- II. **NEOLA Policy Updates**
 - A. PO152 - Officers

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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	April 11, 2022

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~~**seated** Board members present at a Board meeting. Secret ballots may be utilized only for the 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.

The Board shall, in addition to other statutory requirements, designate an administratorAdministrator to assume specified responsibilities of the Treasurer and of the Clerk

Revised 6/5/18

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



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of MEETINGS
Code	po0164
Status	Policy Committee Review
Adopted	September 25, 2023

0164 - MEETINGS

Regular Meetings

The Board shall hold a meeting at least once each month on a date and at a time and place determined annually by a resolution of the Board.

Change of Regular Meetings

If the Board adopts a resolution changing the date, time, or place of a regularly scheduled meeting, the meeting notice shall state the date, time, place, and subject matter of the rescheduled meeting, as well as the name and address of the District. Said notice shall be posted at the school office and at such places as the Board may determine. Meeting notices of scheduled Board meetings shall be posted in accordance with State law. (see also Policy 0166 - Agenda)

Special Meetings

A special meeting of the Board shall be held upon the written request of any Board member provided there is compliance with the following notice provisions and State law.

The School District Clerk or, in the School District Clerk's absence, the President shall fix a reasonable date, time, and place for the meeting. The School District Clerk or, in the School District Clerk's absence, the President shall notify each Board member of the date, time, and place of the meeting, in a manner likely to give the Board member notice of the meeting, at least twenty-four (24) hours before the meeting. If the School District Clerk or, in the School District Clerk's absence, the President determines that providing notice at least twenty-four (24) hours before a special Board meeting is, for good cause, shown by the School District Clerk or President, impossible or impractical, the School District Clerk or President may notify each Board member of the date, time, and place of the meeting less than twenty-four (24) hours, but not less than two (2) hours, before the meeting. A notice of any special meeting shall be posted at least twenty-four (24) hours before said special meeting at the District office and such other places as the Board may determine unless, for good cause, such notice is impossible or impracticable, but in no case may the notice be less than two (2) hours in advance of the meeting.

A special meeting may be held without prior notice if all Board members are present and consent, or if each member consents in writing even if the Board member does not attend, provided appropriate notice is provided as defined under Chapter 19.

The District Administrator and those administrators directed by the District Administrator shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

Notice of 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



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of ANNUAL REPORT
Code	po0174.1
Status	Policy Committee Review
Adopted	March 13, 2017

0174.1 -**ANNUAL REPORT**

The Board of Education clerk, **or an Administrator if authorized in accordance with Bylaw 0152 - Officers,** shall file with the Department of Public Instruction **(DPI)** (publish) an annual school district report by September 1st in the format prescribed by the **Department of Public Instruction-DPI** as required by law.

120.18, Wis. Stats.

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Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of EDUCATIONAL OUTCOME GOALS AND EXPECTATIONS
Code	po2131
Status	Policy Committee Review
Adopted	October 8, 2018

2131 - EDUCATIONAL OUTCOME GOALS AND EXPECTATIONS

In fulfillment of the District's mission to provide a quality education for all of the students, the Board believes the mission is being accomplished when students confirm that they have achieved the following educational goals.

Academic Skills and Knowledge

- A. Basic skills including the ability to read, write, spell, perform basic arithmetical calculations, learn by reading and listening, and communicate by speaking and writing.
- B. Analytical skills including the ability to think rationally, solve problems, use various learning methods, gather and analyze information, make critical and independent judgements and argue persuasively.
- C. A basic body of knowledge that includes information and concepts in literature, fine arts, mathematics, natural sciences, including knowledge of the elements of agriculture and the conservation of natural resources, and social sciences, including knowledge of the right and responsibilities of the family as a consumer, cooperative marketing and consumers' cooperatives.
- D. The skill and attitudes that will further lifelong intellectual activity and learning.
- E. Knowledge in computer science, including problem-solving, computer applications, and the social impact of computers.

Vocational Skills

- A. An understanding of the range and nature of available occupations and the required skills and abilities.
- B. Preparation to compete for entry-level jobs not requiring postsecondary school education.
- C. Preparation to enter job-specific vocational training programs.
- D. Positive work attitudes and habits.

Citizenship

- A. An understanding of the basic workings of all levels of government, including the duties and responsibilities of citizenship.
- B. A commitment to the basic values of our government, including by appropriate instruction and ceremony the proper reverence and respect for and the history and meaning of the American flag, the Declaration of Independence, the U.S. Constitution, and the constitution and laws of the State.

- C. The skills to participate in political life.
- D. An understanding of the functions of organizations in society.
- E. Knowledge of the role and importance of biological and physical resources.
- F. Knowledge of State, National, and world history.
- G. An appreciation and understanding of different value systems and cultures.
- H. An understanding, at all grade levels, of human relations, particularly with regard to American Indians, Black Americans, and Hispanics, Hmong Americans, and Asian Americans.

Personal Development

- A. The skills needed to cope with social change.
- B. Knowledge of the human body and the means to maintain lifelong health, including:
 - 1. knowledge of the theory and practice of physical education, including the development and maintenance of physical fitness.
 - 2. knowledge of the nutritive value of foods, as outlined in the Dietary Guidelines of Americans, and knowledge of the role of a nutritious diet in promoting health, preventing chronic disease, and maintaining a healthy weight.
 - 3. knowledge of physiology and hygiene, sanitation, the effects of controlled substances consistent with ch. 961 and alcohol upon the human system, symptoms of disease and the proper care of the body. No student may be required to take instruction in human growth and development, self-esteem, responsible decision-making, interpersonal relationships, sexual activity, human sexuality, reproduction, contraception, family life, parenting, sex stereotypes and protective behavior if his/her parent files with the teacher or principal a written request that the student be exempted. Instruction in physiology and hygiene shall include instruction on sexually transmitted diseases and shall be offered in every high school.
 - 4. awareness about drug abuse, including prescription drug abuse, and prevention.
- C. An appreciation of artistic and creative expression and the capacity for self-expression.
- D. The ability to construct personal ethics and goals.
- E. Knowledge of morality and the individual's responsibility as a social being, including the responsibility and morality of family living and the value of frugality and other basic qualities and principles referred to in article I, section 22, of the constitution insofar as such qualities and principles affect family and consumer education.
- F. Knowledge of the prevention of accidents and promotion of safety on the public highways, including instruction on the relationship between highway safety and the use of alcohol and controlled substances under ch. 961.
- G. The skills needed to make sound decisions, knowledge of the conditions which may cause and the signs of suicidal tendencies, knowledge of the relationship between youth suicide and the use of alcohol and controlled substances consistent with chapter 961 and knowledge of the available community youth suicide prevention and intervention services. Instruction shall be designed to help prevent suicides by students by promoting the positive emotional development of students.
- H. Knowledge of effective means by which students may recognize, avoid, prevent and halt physically or psychologically intrusive or abusive situations which may be harmful to students, including child abuse, sexual abuse, and child enticement. Instruction shall be designed to help students develop positive psychological, emotional, and problem-solving responses to such situations and avoid relying on negative, fearful, or solely reactive methods of dealing with such situations. Instruction shall include information on available school and community prevention and intervention assistance or services and shall be provided to students in elementary schools.

The Board believes that all students in this District will be able to demonstrate these learnings at a level that is commensurate with their age and capabilities.

Legal

118.01, Wis. Stats.



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of FIELD AND OTHER DISTRICT-SPONSORED TRIPS
Code	po2340
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	April 22, 2024

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 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.

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 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.

International field trips present special considerations that need to be taken into account when planning these activities. The Board must approve these trips to be considered District-sponsored trips. The Board will only approve international field trips that are affiliated with a sponsoring or commercial organization that specializes in international travel and that are responsible for establishing the cost of such programs and for collecting payment directly from participating students or their parents.

Approval of international travel shall also take into account travel warnings for Americans to avoid travel to specified countries. These warnings are issued by the United States Department of State based on current conditions around the world and are updated as deemed necessary.

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 as a District-sponsored trip unless the trip has been approved in the manner prescribed in this policy.

Any staff member may propose a trip by presenting details of the proposed trip to the principal.

Proposals shall include the details of the trip, the cost of the trip, identify any third-party entities that will be involved in the trip, identify the curriculum-based purpose of the trip, identify what students will be eligible to participate, and any other pertinent information. If overnight, the proposal must describe how accommodations will be provided and how such arrangements will be properly supervised.

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.

Trips Not Sponsored by the District

No staff member, volunteer, coach, or other individual acting in some capacity for the District may solicit students of this District to participate in any trip not sponsored by the District unless that staff individual has received approval of the principal to promote such trips within the facilities or on the school grounds. This includes summer trips abroad or other trips offered through a third-party organizer in which a staff member, volunteer, coach, or other individual acting in some capacity for the District is participating, as well as athletic activities outside the District's athletic program.

If approval is granted to solicit students to participate, that individual must clearly communicate to parents that the trip is not District-sponsored and that that individual is not participating within the staff individual's role representing the District. Coordination and/or participation in such a program shall be consistent with Policy 3210 - Staff Ethics/Policy 4210 - Support Staff Ethics.

Transportation for Field and other District Sponsored Trips

The transportation for all field and other District-sponsored trips is to be by vehicles owned or approved by the District and driven by approved drivers.

Transportation may be limited by the availability of vehicles, drivers, and scheduling and will not be available when needed for general school purposes.

All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception.

District students not affiliated with the trip activity, nondistrict students, and/or children of preschool age shall not be permitted to ride on the trip vehicle without the approval of Administration.

No student is allowed to drive on any trip. An exception may be made by the principal on an individual basis provided the student has written parental permission.

Transportation by private vehicle shall be in accordance with Policy 8660 - Transportation by Private Vehicle for District-Sponsored Activities or Trips.

Revised 9/9/19

T.C. 12/5/22

T.C. 4/22/24

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Legal

121.54(7), Wis. Stats.



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of EMPLOYMENT OF SUBSTITUTES
Code	po3120.04
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 8, 2018

3120.04 - **EMPLOYMENT OF SUBSTITUTES**

The Board recognizes the need to procure the services of substitutes in order to continue the operation of the schools as a result of the absence of regular personnel.

The District Administrator shall employ substitutes for assignment as services are required to replace temporarily-absent regular staff members and fill new positions. Such assignment of substitutes may be terminated, including permanent removal from the substitute teaching roster, when their services are no longer required or for other reasons as determined by the District Administrator that are not arbitrary, capricious, or discriminatory.

Substitutes must possess appropriate certification to teach as a substitute. The District Administrator may determine what licensure is required and make allowances for the use of alternative forms of certification, emergency certification, and other such options as the District Administrator deems appropriate. There must also be verification that a satisfactory background check has been conducted by the Department of Public Instruction or appropriate State agency.

In order to retain well-qualified substitutes for service in this District, the Board will offer competitive compensation at a rate set annually by the Board. A person will be considered a long-term substitute if the person is appropriately certified and the staff member for whom the person has been hired to replace has a leave which extends for more than forty-five (45) consecutive school days. The long-term substitute position will be terminated by the end of the school year.

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Legal	118.19, Wis. Stats. P.I. 3.03(8), Wis. Adm. Code
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G. PO3120.08 - Employment of Personnel for Co-Curricular-Extra-Curricular Activities

19



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES
Code	po3120.08
Status	Policy Committee Review
Adopted	March 13, 2017

3120.08 - **EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES**

The Board of Education may find it necessary to employ, on a part-time basis, coaches or activity sponsors. Employment of coaches in sports governed by the WIAA shall be consistent with WIAA rules and guidelines.

Members of the district professional staff will be afforded first opportunity for coaching positions, provided they are qualified for the position.

The District Administrator shall make a recommendation to the Board for approval.

The District Administrator shall require that each person employed as a coach or activity sponsor has the appropriate qualifications, has been properly interviewed, and receives a co-curricular appointment letter which specifies the assignment and the stipend associated with the assignment. Any such appointment may be terminated by the District Administrator for any reason that is not arbitrary or capricious. There must also be verification that the District through appropriate State agencies or other applicable means has conducted a satisfactory background check.

Coaching/advisory duties accepted by a ~~member of the teaching staff or administrative staff~~ **teaching or administrative staff member** shall not be incorporated into the staff member's regular teaching or administrative contract. There shall be no guarantee or reasonable expectation that a coach/advisor will receive an offer to coach/advise in the same position the following school year. Compensation for coaching/advising duties shall be determined by the Board. Nonrenewal procedures are not applicable to coaching/advising assignments.

Any coach/advisor not offered similar duties in any subsequent year may not pursue a grievance through Policy 3340 - Grievance Procedure or Policy 4340 - Grievance Procedure.

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Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of EMPLOYMENT OF SUBSTITUTES
Code	po4120.04
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	December 5, 2022

4120.04 - **EMPLOYMENT OF SUBSTITUTES**

The Board of Education recognizes its responsibility to procure the services of substitute support staff in order to prevent the interruption of the operation of the schools.

The names of potential substitute personnel and the positions in which they may substitute shall be maintained by the District Office.

Proper certification shall be on file if the position requires certification. A satisfactory background check shall be conducted consistent with Policy 4121 - Criminal History Record Check and Employee Self-Reporting Requirements.

Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which s/he is supervised directly by the relative staff member.

The employment of substitute support staff prior to approval by the Board is authorized when their employment is required to maintain continuity of services in the District.

Retroactive employment shall be recommended to the Board at the next meeting. Prior to the end of the school year, District employed substitutes, who the District intends to employ for the ensuing school year, will receive a letter of reasonable assurance of continued employment.

Revised 10/11/21

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Legal	118.19, Wis. Stats. P.I. 3.03(8), Wis. Adm. Code
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- I. PO4162 - (Rescind) Controlled Substance and Alcohol Policy for Employees That Transport Students

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Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Rescind Policy - Vol. 33, No. 2, May 2024 - CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR EMPLOYEES THAT TRANSPORT STUDENTS
Code	po4162
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	October 11, 2021

4162 - CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR EMPLOYEES THAT TRANSPORT STUDENTS

Purpose

The Board believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with District vehicles, must be mentally and physically alert at all times while on duty. In addition, the Board recognizes that a drug-free and alcohol-free school and work environment is vital to workplace and school safety and to the quality of the District's educational services.

To that end, the Board has established this policy, which includes an alcohol and controlled substances testing program. The Board expects all Drivers to comply with Board Policy 4122.01 on Drug-Free Workplace which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times.

Further, the Board concurs with the Federal requirement that all Drivers should be free of any influence of alcohol or controlled substance while on duty. Therefore, participation in the alcohol and controlled substances testing program is a condition of employment for all Drivers.

Covered Employees

This policy covers all commercial driver's license (CDL) holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty. The policy also applies to other staff members who drive students in District vehicles or inspect, service, or condition District vehicles. The District views these as "safety-sensitive" functions.

Definitions

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply:

- A. The term *alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol. This term is a volume breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test as described herein.
- B. The term *controlled substance* includes any illegal drug, the possession or use of which is unlawful pursuant to Federal, State and local laws and regulations, and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions. This term includes, but is not limited to, marijuana metabolites, cocaine metabolites, amphetamines, opiate metabolites, phencyclidine (PCP).

- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety-sensitive functions* includes waiting to be dispatched, inspecting equipment, servicing, driving, loading or unloading District vehicles, as well as repairing, obtaining assistance, or remaining in attendance upon a disabled District vehicle. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.
- E. The term *Driver* means all CDL holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty, as well as other staff members who may drive students in District vehicles or inspect, service, and condition District vehicles.
- F. The term *while on duty* means all time from the time the Driver begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

Procedures

The District Administrator shall establish a drug and alcohol testing program whereby each driver is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opioids
- D. Amphetamines
- E. Phencyclidine (PCP)

The alcohol and controlled substances tests are to be conducted in accordance with Federal and State regulations:

- A. prior to employment (Controlled Substances only);
- B. reasonable suspicion;
- C. upon return to duty after any alcohol or drug rehabilitation;
- D. after any accident, whenever the District determines that an employee may have contributed to an accident involving a fatality, bodily injury, or damage to property, the District may require the employee to be tested for drugs or alcohol, or both;

In addition, Department of Transportation regulations require that drivers submit to post-accident testing for drugs and alcohol under the following circumstances:

1. When the driver is involved in an accident involving the loss of a human life, regardless of who was at fault; or
 2. When the driver is involved in an accident in which s/he is issued a citation for a moving traffic violation, and the accident involves an injury to any person who, as a result of the injury, immediately receives medical treatment away from the accident scene, or involves disabling damage (i.e., must be towed away or cannot be driven from the accident scene) to any vehicle.
- E. on a random basis; and
 - F. on a follow-up basis.

Any staff member who tests positive as defined in the guidelines shall be:

- A. immediately prohibited from driving any District vehicle or conducting a safety-sensitive function;
- B. evaluated by a substance abuse professional;
- C. provided information regarding drug/alcohol counseling;

- D. subject to discipline, up to and including discharge, in accordance with District guidelines and the terms of any applicable collective bargaining agreements.

No staff member who has tested positive for alcohol or a controlled substance may be returned to a safety-sensitive position without having been evaluated by a qualified substance abuse professional (SAP), completed any required treatment program, and passed a retest.

Prior to the beginning of the testing program, the District shall provide a training for all employees, including Drivers and their supervisors about:

- A. the dangers and adverse effects of drug and alcohol use;
- B. indicators of probable alcohol misuse and controlled substance abuse;
- C. Board Policy 4122.01 – Drug-Free Workplace and Policy 4161 – Unrequested Leaves of Absence/Fitness for Duty;
- D. the sanctions that may be imposed for violations of Policy 4122.01.

The District Administrator shall arrange for periodic retraining of supervisors and staff members as necessary. The District Administrator shall provide a copy of this policy and testing guidelines to all Drivers and will include available resources to assist employees with problems related to the use of alcohol and controlled substances.

The District Administrator shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples
- B. clear and consistent communication with the District's Medical Review Officer (MRO)
- C. methodology and procedures for conducting random tests for controlled substances and alcohol
- D. preparation and submission of all required reports to the District, the MRO, and to Federal and State governments

The District Administrator shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.

Return to Duty (Safety Sensitive Positions)

Employees who are removed from performing safety-sensitive functions as a result of this policy must take and pass a return-to-duty test before returning to performing safety-sensitive functions. The return-to-duty test will not occur until after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties.

Subject to any legal requirements, employees who are eligible to return to performing safety-sensitive functions may not do so without the approval of the District Administrator.

Revised 10/8/18

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Legal 49 C.F.R. 382.101 et seq.



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of ATTENDANCE
Code	po5200
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	September 25, 2023

5200 - **ATTENDANCE**

The Board will enforce regular student attendance in the District's program in which each student is enrolled as required pursuant to State law. Further, the Board recognizes that the District's educational program is predicated upon the participation of each student in the program of instruction in which the student is enrolled and required to attend. Student success requires continuity of instruction and program participation. For purposes of this policy, the regular period and hours of instruction including both those periods and hours a student's program require that they are in school as well as any attendance requirements defined as part of a course of virtual instruction, or a combination of the more than one type of instructional delivery.

All children between six (6) and eighteen (18) years of age shall attend school regularly during the full period and hours, religious holidays excepted, that the school in which the child is enrolled is in session until the end of the term, quarter, or semester of the school year in which the child becomes eighteen (18) years of age unless they fall under an exception under State law, this policy, or administrative guideline issued under this policy. A child who is enrolled in five (5) year-old kindergarten shall attend school regularly, religious holidays excepted, during the full period and hours that kindergarten is in session until the end of the school term.

Notification Required

The District Administrator shall require, from the parent of each student or from an adult student, who has been absent for any reason either a written or oral notification stating the reason for the absence and the time period covered by the absence, except a parent-excused, pre-planned absence requires written or verbal notification as indicated below. The Board reserves the right to verify such statements and to investigate the cause of each:

- A. single absence;
- B. prolonged absence;
- C. repeated unexplained absence and tardiness.

School Attendance Officer

The District Administrator shall designate an administrator at each school to be the School Attendance Officer. The School Attendance Officer shall perform any duties and responsibilities as required by State law, this policy, and any administrative guidelines issued by the school. The duties of the School Attendance Officer shall include, but not be limited to, the following:

- A. Determining daily from attendance reports submitted by teachers which students enrolled in the school, or failed to fulfill the attendance requirements of a virtual instruction program component, are absent from school and whether the absence is excused.

- B. Submitting to the District Administrator, on or before August 1st of each year, a report of the number of students enrolled in the school who were absent in the previous year and whether the absences were excused. The District Administrator shall then submit this information to the State Superintendent.
- C. Providing student attendance information to individuals and agencies for purposes authorized by State law and the Board's Policy 8330 - Student Records.

Excused Absences

As required under State law, a student shall be excused from school for the following reasons:

A. Physical or Mental Condition

The student is temporarily not in proper physical or mental condition to attend a school program. Absences for this reason may be excused by oral or written notification to the attendance officer by the adult student or minor student's parent. The attendance officer in appropriate circumstances may require a written statement from a health care provider describing the condition and excusing the student for a period not to exceed thirty (30) calendar days.

B. Obtaining Religious Instruction

To enable the student to obtain religious instruction outside the school during the required school period (see Policy 5223 - Absences for Religious Instruction).

C. Parent-Excused Pre-Planned Absence

The student has been excused verbally or in writing by their parent before the absence for any reason. A student may not be excused for more than ten (10) days per school year under this paragraph and must complete any coursework missed during the absence.

D. Religious Holiday

For observance of a religious holiday consistent with the student's creed or belief.

E. Suspension or Expulsion

The student has been suspended or expelled.

F. Program or Curriculum Modification

The Board has excused the student from regular school attendance to participate in a program or curriculum modification leading to high school graduation or a high school equivalency diploma as provided by State law.

G. High School Equivalency – Secured Facilities

The Board has excused a student from regular school attendance to participate in a program leading to a high school equivalency diploma in a secured correctional facility, a secured child caring institution, a secure detention facility, or a juvenile portion of a county jail, and the student and the student's parent(s) agree that the student will continue to participate in such a program.

H. Child at Risk

The student is a "child at risk" as defined under State law and is participating in a program at a technical college on either a part-time or full-time basis leading to high school graduation, as provided under State law.

I. Election Day Official

A high school student, including students enrolled in private schools and students, enrolled in home-based private education, age sixteen (16) or seventeen (17) is permitted to be excused to serve as an election official provided that the following criteria are met: 1) the student has the permission of their parent to serve as an election official on election day; 2) the student has signed up and the municipal clerk has informed the principal that the student has been assigned to serve in this capacity; and 3) the student has at least a 3.0-grade point average or equivalent or has met alternative criteria established by Board, if any. The principal shall promptly notify the municipal clerk or the board of election commissioners of the municipality that appointed the child as an election official if the child no

longer has at least a 3.0 grade point average or the equivalent, or no longer meets the established alternative requirements. A student's absence to serve as an election official under this policy shall be treated as an excused absence. Where possible students are encouraged to provide advance notice as much as possible. Students are responsible for completing any missed school work and responsible for making appropriate arrangements to do so.

J. **Virtual Access**

The student is unable to access virtual instruction programming due to a temporary disruption in the student's access to necessary technological systems (i.e. internet outage, computer failure, software malfunction, etc.) as communicated by the student's parent.

A student may be excused from school, as determined by the School Attendance Officer, or the School Attendance Officer's designee, for the following reasons:

A. **Quarantine**

Quarantine of the student's home by a public health officer.

B. **Illness of an Immediate Family Member**

The illness of an immediate family member.

C. **Emergency**

An emergency that requires the student to be absent because of familial responsibilities or other appropriate reasons.

D. **Work at Home Due to Absence of Parents**

To work at home due to the absence of the student's parents. Absences under this section shall not exceed ____ () days nor be granted to any student younger than ____ () years of age.

E. **Severe Weather Conditions**

In the parent's reasonable judgment, weather conditions are a danger to the health and welfare or safety of the student.

F. **Sounding Taps**

A student in grades 6-12 may be excused for the purpose of sounding "Taps" during military honors funeral for a deceased veteran.

Unexcused Absences

Unexcused absences are absences from school for part or all of one (1) or more days from school without an acceptable excuse. Unexcused absences demonstrate a deliberate disregard for the educational program and are considered a serious matter.

Definitions

A. **Truancy**

A student will be considered truant if the student is absent part or all of one (1) or more days from school during which the School Attendance Officer, principal, or a teacher has not been notified of the legal cause of such absence by the parent of the absent student. A student who is absent intermittently for the purpose of defeating the intent of the Wisconsin Compulsory Attendance Statute 118.15, Wis. Stats., will also be considered truant.

B. **Habitual Truant**

A student will be considered a habitual truant if the student is absent from school without an acceptable excuse for part or all of five (5) or more days on which school is held during a school semester.

C. **Part of a School Day**

Part of a school day is any time period within a school ²⁹ day, which is from the time the first class period of that day

begins until the end of the last class period of that day.

Tardiness/Late Arrival and Early Dismissal

It is necessary that a student be in attendance throughout the school day, or as required by the student's virtual instruction program, in order to benefit fully from the educational program of the District. Unless excused per this policy, tardiness, or late arrival, occurs when a student arrives at the student's registered class location after the bell that signals the start of the class period has sounded. Unless excused, early dismissal occurs when a student leaves the student's registered class location before the bell has rung signaling the end of the class period or the end of the school day. Tardiness and early dismissal can occur more than once per day. Tardiness and early dismissal constitute being absent for part of a school day.

The Board recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

Truancy Plan

The Board will issue a Truancy Plan based upon the recommendations of the County Truancy Committee convened under State law, the Board's policies and procedures, and applicable provisions of State law. The Board will review and, if appropriate, revise the Truancy Plan at least once every two (2) years.

The Truancy Plan will include, at a minimum, the following:

- A. procedures to be followed for notifying the parents of the unexcused absences of a student who is truant or a habitual truant and for meeting and conferring with such parents
- B. plans and procedures for identifying truant children of all ages and returning them to school, including the identity of school personnel to whom a truant child shall be returned
- C. methods to increase and maintain public awareness of and involvement in responding to truancy within the school district
- D. a provision addressing the immediate response to be made by school personnel when a truant child is returned to school
- E. the types of truancy cases to be referred to the District Attorney and the time periods within which the District Attorney will respond to and take action on the referrals
- F. plans and procedures to coordinate the responses to the problems of habitual truants, as defined under **Sec. 118.16(1)(a)**, Wis. Stats., with public and private social services agencies
- G. methods to involve the truant child's parent in dealing with and solving the child's truancy problem.

Notice of Truancy

The School Attendance Officer shall notify a truant student's parent of the student's truancy and direct the parent to return the student to school no later than the next day on which school is in session or to provide an excuse for the absence. The notice under this paragraph shall be given before the end of the second school day after receiving a report of an unexcused absence. The notice may be made by electronic communication, personal contact, telephone call, or 1st class mail, and a written record of this notice shall be kept. This notice must be given every time a student is truant until the student becomes a habitual truant.

Notice of Habitual Truancy

When a student initially becomes a habitual truant, the School Attendance Officer shall provide a notice to the student's parent, by registered or certified mail, or by 1st class mail. The School Attendance Officer may simultaneously notify the parent of the habitually truant student by an electronic communication. The notice must contain the following:

- A. a statement of the parent's responsibility under State law to cause the student to attend school regularly;
- B. a statement that the parent or student may request program or curriculum modifications for the student under State law and that the student may be eligible for enrollment in a program for children at risk
- C. a request that the parent meet with the appropriate school personnel to discuss the student's truancy;

place for the meeting, and the name, address, and telephone number of a person to contact to arrange a different date, time, or place. The date for the meeting shall be within five (5) school days after the date that the notice is sent, except that with the consent of the student's parent the date for the meeting may be extended for an additional five (5) school days.

- D. a statement of the penalties, under State law or local ordinances that may be imposed on the parent upon failure to cause the child to attend school regularly as required by State law.
- E. if the student is attending the District through the Open Enrollment Program, each notification shall also inform the parent: 1) that the student's open enrollment may be terminated if the student is habitually truant; and 2) the process described in Board Policy 5113 - Open Enrollment Program (Inter-District), which the parent or student may follow if they believe the student was erroneously marked truant.

The School Attendance Officer will also continue to notify the parent of a habitual truant's subsequent unexcused absences.

Referral to the District Attorney

Truancy cases will be referred to the District Attorney as provided in the County Truancy Committee Plan. The School Attendance Officer will ensure that appropriate school personnel have done the following before any case is referred to the District Attorney:

- A. met with the student's parent to discuss the student's truancy or attempted to meet with the student's parent and received no response or were refused;
- B. provided an opportunity for educational counseling to the student to determine whether a change in the student's curriculum would resolve the student's truancy and have curriculum modifications under State law
- C. evaluated the student to determine whether learning problems may be a cause of the student's truancy and, if so, have taken steps to overcome the learning problems, except that the student need not be evaluated if tests administered to the student within the previous year indicate that the student is performing at grade level;
- D. conducted an evaluation to determine whether social problems may be a cause of the student's truancy and, if so, have taken appropriate action or made appropriate referrals.

Note that paragraph A. is not required if the meeting between school personnel, the student, and the student's parent, which was requested in the Notice of Habitual Truancy to the parent, did not occur within ten (10) school days after the Notice was sent. Paragraphs B., C., and D. are not required if appropriate school personnel were unable to carry out the activity due to the student's absences from school.

Excused Absences

A student whose absence from school was excused, except for an expelled student, shall be permitted to make-up course work and any quarterly, semester, or grading period examinations missed during the absences when they return to school. It is the student's responsibility to contact their teachers to determine what coursework and examinations must be made-up. Teachers shall have the discretion to assign substitute coursework and examinations. Teachers shall also have the discretion to specify where and when examinations and coursework shall be completed, including outside regular school hours. The time for completing the work shall be commensurate with the length of the absence unless extended by the principal based upon extenuating circumstances.

Unexcused Absences

Credit in a course or subject shall not be denied solely because of a student's unexcused absences from school.

Students with unexcused absences shall be permitted to make-up coursework and any trimester or grading period examinations missed during the absence if the student is at risk of receiving no credit in a course or subject if the work is not made up.

Subject to the immediately preceding two (2) paragraphs, credit may, but is not required to be given for the completion of make-up work. Further, credit for make-up work may be given only after the student has satisfied consequences imposed for unexcused absences. The extent to which make-up credit is given shall be determined on a case-by-case basis by the principal and the respective teachers.

If make-up work has been assigned, it is the student's responsibility to contact their teachers to determine what coursework and examinations must be made-up. Teachers shall have the discretion to assign substitute coursework and examinations. Teachers shall also have the discretion to specify where and when examinations and coursework shall be



Book	Policy Manual
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Title	Copy of ADMINISTRATION OF MEDICATION/EMERGENCY CARE
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5330 - ADMINISTRATION OF MEDICATION/EMERGENCY CARE

The Board shall not be responsible for the diagnosis and treatment of student illness. The administration of medication to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication were not administered during school hours, or If the child is a student with a disability and a student with disabilities requires medication to benefit from their the student's educational program.

For purposes of this policy, the following definitions shall be used:

"**Practitioner**" shall include any physician, naturopathic doctor, dentist, podiatrist, optometrist, physician assistant, and advanced practice nurse prescriber who is licensed in any state.

"**Medication**" shall include all drugs including those prescribed by a practitioner and any nonprescription drug products.

"**Administer**" means the direct application of a nonprescription drug product or prescription drug, whether by injection, ingestion, or other means, to the human body.

"**Nonprescription drug product**" means any nonnarcotic non-narcotic drug product which may be sold without a prescription order and which is prepackaged for use by consumers and labeled in accordance with the requirements of State and Federal law.

Administration of Prescription Drug Products by School Staff

Before any prescribed medication may be administered to any student during school hours, the Board shall require the written instructions from the child's practitioner accompanied by the written authorization of the parent. Such documentation shall be kept on file in the school office. Prescription medication must be provided in the original container with the prescription label showing the name and telephone number of the pharmacy, the student's name, the name of the physician, the name of the drug, and the dosage to be administered.

All prescription medication shall be secured and appropriately stored (allowing for quick access and retrieval before, during, and after school hours), unless the medication is an emergency medication that the student is authorized to carry by Administration and self-administer by authorization of both the student's parent(s) and practitioner, and the possession of such medication by the student in school is not prohibited by law or regulation.

Administration of Nonprescription Drug Products by School Staff

Nonprescription drug products may be administered to any student during school hours only with the prior written consent of the parent. Such documentation shall be kept on file in the school office. Substances, which that are not FDA approved (i.e. natural products, food supplements) will not be administered by District staff. Nonprescription drugs that are

provided by the parent may be administered **by school staff only** if **they** **the nonprescription drugs** are supplied in the original manufacturer's package which lists the ingredients and recommended therapeutic dosage in a legible format, **and the student's name**. If a parent has completed the appropriate form authorizing the school to administer nonprescription drugs (e.g., acetaminophen, ibuprofen, diphenhydramine), the student may receive such drugs from the school's supply consistent with the parental authorization and the nonprescription drug dosage information.

High school students may possess and self-administer their own nonprescription medications and prescription medications at school, if the appropriate medication authorization form is filed in the school office, provided the student is in possession and self-administers in compliance with relevant District policies. Responsible students in grades K-8 may be permitted to possess and self-administer nonprescription medications with parental permission and prescription medications with a medication order signed by the medical provider and parent. Permission must be obtained every school year.

No CBD products **or essential oils will be** permitted for use at school **or school-sponsored events** without permission District Administrator.

Use of Essential Oils

All students wishing to use essential oils in the school must seek prior approval from the Principal

General Provision

~~The document authorizing the administration of both prescribed medication and nonprescription drug products shall be kept on file in the administrative offices.~~

~~Only medication in its original container; labeled with the date, if a prescription; the student's name; and the exact dosage will be administered. Parents or students authorized in writing by their practitioner and parents, may administer medication~~ **at school or at school-sponsored events.**

No student is allowed to provide or sell any type of medication to another student. Violations of this rule will be considered violations of **the Student Code of Conduct and Policy 5530 - Drug Prevention** ~~and of the Student Code of Conduct. Student Use or Possession of Intoxicants, Drugs, or Paraphernalia.~~

~~Medications will be administered and the instruction and consent forms will be maintained in accordance with the District Administrator's guidelines.~~

Any bus driver, staff member or volunteer, authorized in writing by the District Administrator or a principal is immune from liability for their acts or omissions in administering medication including, but not limited to glucagon, an opioid antagonist, and epinephrine, unless the act or omission constitutes a high degree of negligence and, in the case of any staff member or volunteer who administers an opioid antagonist, the staff member or volunteer contacts emergency medical services as soon as practicable after administering the drug to report the suspected overdose. Such immunity does not apply to healthcare professionals.

~~All prescription medication shall be secured and appropriately stored (allowing for quick access and retrieval before, during, and after school hours), unless the medication is an emergency medication that the student is authorized to carry and self-administer by authorization of both the student's parent(s) and practitioner, and the possession of such medication by the student in school is not prohibited by law or regulation.~~

The Board shall permit the administration by staff of any medication requiring a delivery method other than oral ingestion when both the medication and the procedure are prescribed by a practitioner and the delivery is under the supervision of a licensed nurse, provided that the staff member has completed any necessary training and that staff member voluntarily agrees to deliver the medication. No staff member, other than a health care professional, shall be required to administer medications that are administered by means other than oral ingestion.

Any staff member or volunteer who, in good faith, renders emergency care to a student is immune from civil liability for their acts or omissions in rendering such emergency care.

Any administrator or principal who authorizes an employee or volunteer to administer a nonprescription drug product or prescription drug to a student is immune from civil liability for the act of authorization unless it constitutes a high degree of negligence or the administrator or principal authorizes a person who has not received the required Department of Public Instruction training to administer the nonprescription drug product or prescription drug to a student. School nurses, as district employees, are regulated by the Wisconsin Nurse Practice Act and are therefore not necessarily immune from civil liability.

assistance in the development of this policy and will also provide a periodic review of the written instructions, and consent forms, and the Medications Administration Daily Log(s). The plan shall state whether and to what extent the District or individual schools will retain opioid antagonists for use in the event an authorized employee or volunteer observes an apparent overdose.

Opioid Antagonist Plan

The District's Emergency Nursing Service Plan shall state whether and to what extent the District will retain opioid antagonists for use in the event an authorized employee or volunteer observes an apparent overdose.

Epinephrine Auto-Injectors

The Board intends to adopt and maintain a plan for managing students with life-threatening allergies so as to permit each school to obtain a school prescription for epinephrine auto-injectors and to permit each school nurse and designated school personnel to administer them. Accordingly, the Board directs the school nursing staff in consultation with the District Administrator to develop a plan that meets the following:

- A. specifies those designated school personnel that have agreed to receive training and that will be trained and authorized to perform the functions of the plan;
- B. identifies the specific training program that will be implemented to prepare each school nurse and designated school personnel to identify the signs of anaphylaxis and to provide or administer epinephrine auto-injectors accordingly;
- C. delineates the permissible scope of usage to include providing District-owned epinephrine auto-injectors to students who have a prescription on file with the school in the event the student is experiencing an anaphylactic event and/or administering epinephrine auto-injectors to such students, and/or administering epinephrine auto-injector treatment to any student, regardless of whether the student has a prescription on file or the staff member so trained is not aware of whether the student has a prescription on file, but believes in good faith the student is suffering from anaphylaxis, provided that the staff member immediately contacts emergency medical services;
- D. identifies the number and type of epinephrine auto-injectors each school will keep on site and identifies a member of the nursing staff or other school official who will be responsible for maintaining the epinephrine auto-injectors supply;
- E. is approved by a physician licensed in the State of Wisconsin;
- F. notes that the school and any school nurse or designated school personnel that provide or administer epinephrine auto-injectors under this plan are immune from civil liability for any harm that may result, regardless of whether there is a parental or medical provider authorization, unless the administration was a result of gross negligence or willful or wanton misconduct;
- G. is published on the District's website.

Revised 10/9/17

Revised 8/6/18

Revised 2/1/21

Revised 10/11/21

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Legal 118.29, 118.291, 118.292, 118.2925, 121.02 Wis. Stats.
 PI 8.01(2)(g)
 Wis. Admin. Code N 6.03
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Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of GRADUATION REQUIREMENTS
Code	po5460
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	February 1, 2021

5460 - **GRADUATION REQUIREMENTS**

It shall be the policy of the Board of Education to acknowledge each student's successful completion of the instructional program appropriate to the achievement of District goals and objectives as well as personal proficiency by the awarding of a diploma at fitting graduation ceremonies.

Graduation diplomas awarded by the District shall be based on learning achievements rather than on the amount of time students spend in attendance. Specific achievement information shall be available on transcripts to those who will assist the learner in his/her development in a post-secondary institution or career.

Each student successfully completing a prescribed high school program and other requirements outlined below shall, upon the recommendation of the high school principal and approval of the Board of Education, be presented a diploma certifying graduation. All students must complete twenty-eight (28) credits including the seventeen (17) credits of Specific Course Requirements. All students must take a minimum of four (4) periods of classes per trimester while Juniors and Seniors in an approved work experience or co-op program are to take a minimum of three (3) periods of classes per trimester. Only in special cases, after consultation with the counselor and approval of the high school principal, will students be allowed to take less than the normal load.

A student who has not met the above credit requirements may be eligible for a diploma if the student is enrolled in an approved alternative education program and has demonstrated a level of proficiency in English, social studies, mathematics, science, physical education and health education equivalent to the proficiency which a student would have attained if s/he had completed the credit requirements. Credits earned in other schools or educational programs shall be evaluated by the High School Principal in accordance with established District procedures.

The Board may waive graduation requirements, except for the core requirements, in exceptional cases to suit the needs of a student subject to Wis. Admin Code, §§ PI 18.03 and PI 18.04.

Middle School Students Enrolled in High School Classes

Middle school students enrolled in a course(s) at the high school will not be counted towards high school credit, GPA, or class rank. It will appear on the middle school report card and in the student's cumulative file. A notation will be made in the comment section of the student's high school transcript that this course was taken while the student was in middle school.

Students may be provided the option to retake the class when enrolled in high school for high school credit, GPA, and class rank.

A. Specific High School Course Requirements:

1. Four (4) credits of English

2. Three and a half (3.5) credits of Social Studies
3. Three (3) credits of Science
4. Four (4) credits of Mathematics
5. One and a half (1.5) credits of Physical Education – taken through district approved Physical Education curriculum
6. Half (.5) credits of Employability Skills
7. Half (.5) credits of Health
8. Eleven (10.5-11) credits electives in Career and Technical Education, World Language, Fine Arts, and other courses.
9. Half (.5) credits of Personal Financial Literacy (Class of 2028 and beyond)

In order to be granted a high school diploma a student must successfully complete a civics assessment ~~and have~~
 A student graduating prior to 2028 must also have participated in curriculum related to financial literacy in accordance with State Statute.

B. One (1) Credit Courses:

All one-credit courses, except those specifically marked otherwise, must be taken for the equivalent of two (2) trimesters. A student dropping a one (1) -credit course at the end of one trimester will receive one-half (.5) credit for the trimester work completed.

C. Retaking Classes:

Classes may be retaken for credit. However, a class, when retaken, cannot be counted toward graduation requirement unless the grade for the class the first time it was taken was a failure. All classes retaken will appear on the student's transcript. However, the most recent grade will be utilized in computing the student's grade point average.

D. Credit and Graduation Requirement Determination:

The High School Principal shall determine if a student has met all requirements for graduation. This includes an evaluation of courses taken at other schools and institutions and accommodations made for students with exceptional educational needs, interest or requirements.

E. Option for Meeting Physical Education Requirement:

Students may complete one-half (.5) credit in English, social studies, mathematics, or science in lieu of one-half credit (.5) of physical education when they participate in a WIAA-sanctioned sport as part of the District's athletic program. A required course or credit may not count for the one-half (.5) credit substitution course; the one-half (.5) credit substitution course must be in addition to the minimum graduation credit requirement for the English, social studies, mathematics, or science subject areas. Participation in the sport itself does not constitute a course and does not qualify for any high school graduation credit.

The following criteria must be met for participation in a sport to be eligible for substituting an English, social studies, mathematics, or science course for one-half (.5) credit of physical education:

1. The student must be an athlete who is eligible to compete for the entire season.
2. The student must not have had any violation of the Co-Curricular Code resulting in a suspension of one (1) or more competitions during the sport season.
3. The student must not have been out for more than two (2) weeks for injury or illness during the sport season.
4. The student must submit to the Principal confirmation of regular attendance at practices and participation in competitions.

5. The student must participate in the sport for the entire season

Courses Taken at Other Institutions

Courses taken at other institutions or schools must have the prior approval of the high school principal to be granted credit at New Glarus High School. This prior approval stipulation applies only to students enrolled in the New Glarus School District and not to transfer students. Transfer students' records will be evaluated by the High School Principal upon the student's acceptance into New Glarus High School and the student and his/her parents/guardians will be informed of the remaining credits necessary to meet graduation requirements.

The decision of the High School Principal may be appealed to the District Administrator within ten (10) calendar days of the above notification. Appeals to the Board of Education must be made within ten (10) days of the notification of the District Administrator's decision.

Graduation Activities and Ceremony

A student may be denied participation in graduation activities for disciplinary reasons and/or for non-payment of fees. The District Administrator and high school principal may establish additional requirements for participation in the graduation activities and may organize said activities to have the appearance and decorum deemed reflective of the District.

Policy Reporting and Review

The principal of the high school shall prepare a report describing the District's policies on high school graduation standards, including a list of courses required under State law and the number of hours in each school term required to earn one (1) credit for those courses. Additionally, any change to the District's policies shall also be reported to the Department of Public Instruction or other appropriate agency after it has been approved by the Board and signed by the Board president, the District Administrator, and the principal.

Wis. Admin. Code PI 18 - PI 5

Revised 4/10/18

Revised 10/14/19

Revised 9/28/20

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Legal

115.28, 118.30, 118.33, Wis. Stats.



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Section	Policies Ready for Policy Committee
Title	Copy of ACADEMIC HONESTY
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5505 – ACADEMIC HONESTY

The Board values honesty and expects integrity in the District's students. Violating academic honesty expectations erodes the trust between teachers and students as well as compromises the academic standing of other students. So that each student learns the skills being taught and is judged solely on their own merits, the Board prohibits any student from presenting someone else's work as their own, using artificial intelligence platforms in place of one's own work, providing unauthorized assistance to another student, and cheating in all its forms any manner.

All school work submitted for the purpose of meeting course requirements must be the individual student's original work or the original work of a group of students for group projects. It is prohibited for any student to unfairly advance their own academic performance or that of any other student. Likewise, no student may intentionally limit or impede the academic performance or intellectual pursuits of other students.

Academic dishonesty includes, but is not limited to:

- A. plagiarism (of ideas, work, research, speech, art, music, etc.);
- B. forgery of another's work;
- C. presenting the results from that are the product of an (AI) artificial intelligence platform as one's own where the use of AI was not specifically allowed by the teacher as part of the assignment (See Policy 7540.08 – Artificial Intelligence (AI));
- D. downloading or copying information from other sources and presenting it as one's own;
- E. using language translation work of someone else or using technology when the expectation is doing one's own translation;
- F. copying another person's work;
- G. allowing another person to copy one's own work;
- H. stealing another person's work;
- I. doing another person's work for them;
- J. distributing copies of one's work for use by others;
- K. distributing copies of someone else's work for use by others for academic gain or advantage;
- L. intentionally accessing another's work for the purpose of presenting it as one's own;

M. distributing or receiving answers to assignments, quizzes, tests, assessments, etc.

N. distributing or receiving questions from quizzes, tests, assessments, etc.

Use of Artificial Intelligence/Natural Language Processing Tools For School Work

In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence (AI) and Natural Language Processing (NLP) tools (collectively, "AI/NLP tools") is strictly prohibited for the completion of school work. The use of AI/NLP tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct. (See Policy 7540.08 - Artificial Intelligence (AI))

Notwithstanding the preceding, students can use AI/NLP tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI/NLP tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI/NLP tools for the following uses:

- A. Research assistance: AI/NLP tools can be used to help students quickly and efficiently search for and find relevant information for their school projects and assignments.
- B. Data Analysis: AI/NLP tools can be used to help students to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments – e.g., scientific experiments and marketing research.
- C. Language translation: AI/NLP tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language.
- D. Writing assistance: AI/NLP tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.
- E. Accessibility: AI/NLP tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts and AI-powered translation tools can help students with hearing impairments understand spoken language.

Faculty Staff and Administration have the responsibility for monitoring students' work for compliance with this policy.

All teachers, beginning in the elementary grades, will educate students as to what constitutes academic dishonesty and what is acceptable and unacceptable behavior in District schools regarding academic integrity.

Students who violate this policy are subject to disciplinary consequences.

Parents shall be contacted as soon as practicable to report any alleged acts of academic dishonesty by their child.

Repeated violations of this policy at the high school level will result in additional disciplinary consequences, up to and including suspension and expulsion.

Student and/or parent appeals of disciplinary consequences resulting from violation of this policy may be made within five (5) business days to the Principal whose decision shall be final. If the Principal was the staff member responsible for the disciplinary consequence being appealed, then student and/or parent appeals should be directed within five (5) business days to the District Administrator whose decision shall be final.

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Legal

118.01, 118.164, 120.12, Wis. Stats.



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of SUSPENSION AND EXPULSION
Code	po5610
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	April 22, 2024

5610 - **SUSPENSION AND EXPULSION**

The Board of Education recognizes that exclusion from educational programs of the School District, by suspension or expulsion, is a substantial sanction and that such action must comply with the student's due process rights. **Exclusionary discipline is appropriate to address serious misconduct or when alternatives, such as in-school discipline or restorative practices, have been ineffective to address a student's repeated refusal or neglect to obey school rules.**

SUSPENSION

For purposes of this policy, "suspension" shall be the short-term exclusion of a student from a regular District program.

The District Administrator, any principal, or a teacher designated by the District Administrator may suspend a student for up to five (5) school days or, if a notice of expulsion hearing has been sent, for up to fifteen (15) consecutive school days, ~~or ten (10) consecutive school days for each incident if the student is eligible for special education services under Chapter 115, Wis. Stats.~~

The suspension must be reasonably justified based upon the grounds authorized under ~~Sec.~~ 120.13, Wis. Stats., which include, but are not limited to: noncompliance with school rules or Board rules; knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives; conduct by the student while at school or while under the supervision of a school authority that endangers the property, health, or safety of others; conduct while not at school or while not under the supervision of a school authority that endangers the property, health, or safety of others at school or while under the supervision of a school authority; or conduct while not at school or while not under the supervision of a school authority that endangers the property, health, or safety of any employee or School Board member of the District in which the student is enrolled.

The District Administrator, any principal, or a teacher designated by the School District Administrator shall suspend a student if the student possessed a firearm, as defined in 18 U.S.C. 921(a)(3), while at school or while under the supervision of a school authority.

The parent of a suspended minor must be given prompt notice of the suspension and the reason for the suspension. The student's suspension from school shall be entered in the student's record as required by the rules adopted by the Board concerning the content of ~~the~~ student records. The suspended student or the student's parent may, within five (5) school days following the commencement of the suspension, have a conference with an administrator, who shall be someone other than a principal, administrator, or teacher in the suspended student's school, to discuss removing reference to the suspension from the student's records. Reference to the suspension on the student's school record shall be removed if the **designated** administrator finds that the student was suspended unfairly or unjustly; the suspension was inappropriate, given the nature of the alleged offense; or the student suffered undue consequences or penalties as a result of the suspension. The administrator shall make a finding within fifteen (15) days of the conference.

A suspended student shall not be denied the opportunity to take any quarterly, semester, or grading period examinations or

to complete coursework missed during the suspension period. Such work shall be completed pursuant to the procedures established by the Board.

In the event a student is classified as Homeless, the building principal shall consult with the Homeless Coordinator to determine whether the conduct is a result of homelessness. The Homeless Coordinator will assist administration and the student's parents in correcting conduct subject to disciplinary action that is caused by homelessness.

EXPULSION

Under this policy, expulsion shall mean the Board will not permit a student to attend school at all, including any school-sponsored events or activities, for a specified period of time. If the student is expelled, the Board will determine the length of the expulsion period, which may extend at a maximum to the student's 21st birthday. The Board's expulsion order may include the opportunity for the student to return to school prior to expiration of the term of expulsion under a specified set of early reinstatement condition(s) which are related to the conduct for which the student was expelled. The condition(s), once set forth in an expulsion order, shall be administered at the discretion of the District Administrator who shall have the authority to deny early reinstatement if any early reinstatement condition is not met prior to reinstatement or to revoke it for the remainder of the expulsion period if any enrollment conditions applicable to the student's attendance during a period of expulsion under early reinstatement, or conditional enrollment, are deemed by the District Administrator to have been violated. The decision to revoke a student's conditional enrollment shall be explained in writing. The student or student's parent may request a conference with the District Administrator within five (5) school days of a decision to revoke early reinstatement. The District Administrator shall meet with the student and/or parents within five (5) school days of a request. The District Administrator's decision is final.

The District Administrator may designate another School District employee to perform the functions pertaining to a student's early reinstatement, but may not designate someone that is an administrator or teacher in the student's school.

The Board may expel a student only when it is satisfied that the interest of the school demands the student's expulsion and only when the student: repeatedly refused or neglected to obey the rules established by the School District; knowingly conveyed or caused to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives; engaged in conduct while at school while under the supervision of a school authority that endangered the property, health, or safety of others; engaged in conduct while not at school or while not under the supervision of a school authority that endangered the property, health, or safety of others at school or under the supervision of a school authority or endangered the property, health, or safety of any employee or Board member of the District in which the student is enrolled; or was at least sixteen (16) years old and had repeatedly engaged in conduct while at school or while under the supervision of a school authority that disrupted the ability of school authorities to maintain order or an educational atmosphere at school or at an activity supervised by a school authority and that such conduct did not otherwise constitute grounds for expulsion. For purposes of this policy, conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

The School Board shall hold an expulsion hearing in the event a student is in possession of a firearm while at school or under the supervision of school authorities and shall expel a student from school for not less than one (1) year whenever it finds that the student brought a firearm to school or, while at school or while under the supervision of a school authority, possessed a firearm, as defined in 18 U.S.C. 921(a) (3), unless the Board finds that the punishment should be reduced based upon the circumstances of the incident. Any such finding by the Board shall be in writing. This does not include any circumstance in which a student possessed a firearm while lawfully hunting on school forest land.

The District shall refer any student who brings a firearm (as defined in 18 U.S.C. 921(a)(3)) or a weapon to school to law enforcement.

As required by 20 U.S.C. 7151, the District Administrator will ensure that the following information is sent to the Wisconsin Department of Public Instruction: a copy of this policy; a description of the circumstances surrounding any expulsion(s) for violating the above-stated firearms policy; the name of the school; the number of students expelled; and the types of firearms involved.

Prior to expelling a student, the Board shall provide the student with a hearing. Prior written notice of the hearing must be sent separately to both the student and if the student is a minor, to their parent(s). The notice must be sent at least five (5) days prior to the date of hearing, not counting the date notice is sent. The notice must also satisfy the requirements of Sec. 120.13(1) (c)4, Wis. Stats.

An expelled student or, if the student is a minor, the student's parent(s) may appeal the Board's expulsion decision to the Wisconsin Department of Public Instruction. An appeal from the decision of the Department may be taken within thirty (30) days to the circuit court for the county in which the school is located.

In the event a student is classified as Homeless, the building principal shall consult with the Homeless Coordinator to determine whether the conduct is a result of homelessness. The District will not expel a homeless student for conduct that

is caused by the student's homelessness. The Homeless Coordinator will assist administration and the student's parents in correcting conduct subject to disciplinary action that is caused by homelessness. If the conduct in question is determined not to be caused by the student's homelessness, the District shall proceed with expulsion proceedings as outlined in this policy.

Revised 10/9/17
T.C. 6/6/23

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Legal

- 119.25, Wis. Stats.
- 120.13, Wis. Stats.
- 18 U.S.C. 921(a)(3)
- 20 U.S.C. 7151
- 42 U.S.C. 11431 et seq.



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of New Policy - Vol. 33, No. 2, May 2024 - ALTERNATIVES TO EXPULSION AND RE-ENTRY PLANS
Code	po5610.03
Status	Policy Committee Review

New Policy - Vol. 33, No. 2

5610.03 - ALTERNATIVES TO EXPULSION AND RE-ENTRY PLANS

Pre-Expulsion Conference

In lieu of taking certain disciplinary cases to an expulsion hearing before the Board, the District Administrator, or designee, may conduct a pre-expulsion conference with the student and parent. The meeting will be scheduled during the student's initial suspension. Participation in this process to avoid an expulsion hearing is voluntary. If the student and the parent of a minor student refuse to participate, the District Administrator may instead move forward with the expulsion hearing.

Disciplinary cases that may be taken to a pre-expulsion conference include the following:

- A. being under the influence, or in possession of alcohol as a first-time offender while on school premises, while in any Board-owned or contracted vehicle, or at school-sponsored activities;
- B. being under the influence, or in possession of small amounts of marijuana or any other illegal drug as a first-time offender while on school premises, while in any Board-owned or contracted vehicle, or at school-sponsored activities;
- C. being in the possession of drug paraphernalia (as defined by local, State, and Federal statutes) as a first-time offender while on school premises, while in any Board-owned or contracted vehicle, or at school-sponsored activities;
- D. repeated refusal to obey Board Policy or school rules;
- E. other conduct that meets the criteria for potential expulsion, but which the administration believes is appropriately addressed through a pre-expulsion process and appropriate re-entry plan.

Conduct specified above may still, at the discretion of the District Administrator, be referred to the Board for an expulsion hearing without providing for the option of pre-expulsion procedures described in this policy.

If a pre-expulsion conference is held, the conference shall be scheduled by the administration for the purpose of exchanging facts related to the incident, ensuring the rights of the student and parent, making a decision concerning the incident, and establishing a re-entry plan for the student in lieu of expulsion. The pre-expulsion conference, conducted by the District Administrator, will include the following:

- A. a presentation by the building administrator outlining the school rule violations and evidence supporting the allegations;
- B. an opportunity for the student and/or parent to present testimony on their behalf;
- C. a review of the stipulations of the facts of the incident;

- D. a discussion to determine the willingness on the part of the student and parent to accept a voluntary opportunity to avoid expulsion; and
- E. an agreement by the student and parent, if the student is less than eighteen (18) years of age, to complete a re-entry plan.

Re-entry Plan

For any student who participates in this expulsion alternative process, the District Administrator, in collaboration with appropriate administrators and professional staff, shall create a plan for the student for re-entry to school. The plan shall be designed to address behavioral concerns involved in the circumstances and to provide support to the student to mitigate the likelihood of similar conduct recurring. The plan may include the following requirements:

- A. require the student to undertake an alcohol or other drug assessment that must include a urine drug screen, a comprehensive drug/alcohol history, a review of specific adverse consequences resulting from use, full student and parent cooperation with the Board, including the release of information regarding this assessment to the building principal. The student/parent will assume full cost of this drug assessment and subsequent treatment, if recommended;
- B. demonstrate compliance with alcohol and other drug assessment recommendations;
- C. attend an alcohol or other drug class at the expense of the student and or parent;
- D. submit to mandatory, unannounced drug screens as requested by the Principal with the student/parent assuming the cost and presenting the evidence of the screen to the Principal;
- E. participation in mentorship programs;
- F. participation in extra-curricular activity;
- G. participation in community service;
- H. participation in appropriate counseling (ex. anger management/conflict resolution);
- I. restitution;
- J. attendance of all classes;
- K. following all school rules;
- L. restrictions on hall pass and/or parking lot privileges;
- M. refrain from engaging in similar behavior for the remainder of the student's enrollment in the District; and/or
- N. other provisions specific to the student that are designed to achieve the purpose of the plan.

The conditions and timeframe for these conditions will be included in the plan of re-entry. The student and parent of a minor student will be required to sign the plan at the pre-expulsion conference, signifying their willingness to agree to the stipulations and conditions of the agreement.

If at any time during re-entry period, the parent and/or student choose not to fully participate with all aspects the re-entry plan, as presented in the pre-expulsion meeting conference, the District Administrator may proceed with an expulsion hearing before the Board. The Board will issue an expulsion hearing notice extending the student's suspension not to exceed a total of fifteen (15) school days as permitted by Wisconsin law.

Any record of the pre-expulsion conference and conditions will be expunged from the student's behavior record if the student does not violate the conditions of the entry plan during the specified time of re-entry. Should there be a records request from another district before the end of the re-entry period, the record of the pre-expulsion conference and re-entry plan and conditions will be included in the behavior record.

Students with Disabilities

A manifestation determination review will be conducted in accordance with Board Policy 5605 - Suspension/Expulsion of Students with Disabilities before offering and implementing a re-entry plan in accordance with the Individuals with

Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act (Section 504).

If a student with a disability and parent(s) choose not to avail themselves of the option outlined in the re-entry plan, the Board will proceed with the expulsion process, in accordance with procedures laid out in IDEA and Board Policy 5605 - Suspension/Expulsion of Students with Disabilities.

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120.13(1)(e), Wis. Stats.



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of SEARCH AND SEIZURE
Code	po5771
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	June 26, 2023

5771 - **SEARCH AND SEIZURE**

The Board has charged school authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search school property such as lockers used by students or the person or property, including vehicles, of a student, in accordance with the following policy.

School Property

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Desks and lockers are public property and school authorities may make reasonable regulations regarding their use. The District retains ownership and possessory control of student desks and lockers and the same may be searched at random by school personnel at any time. A showing of reasonable cause or suspicion is not a necessary precondition to a search under this paragraph. Students shall not have an expectation of privacy in lockers, desks, or other school property as to prevent examination by a school official. The Board directs the Principal to provide students with written notice of this policy at least annually and that routine inspections be done at the discretion of the Principal of all such storage places.

The Board directs that the searches may be conducted by the District Administrator, Police Officer, and Dean of Students.

Student Person and Possessions

The Board recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion that the search will turn up evidence that the student has violated or is violating either a particular law or a particular rule of the school. Any search under this paragraph must be reasonable in scope and reasonable in the manner in which it is conducted. The extent of the search will be governed by the seriousness of the suspected infraction, the student's age and gender, the student's disciplinary history, and any other relevant circumstances or information.

The Principal may arrange for a breath test for blood-alcohol to be conducted on a student whenever they have individualized reasonable suspicion to believe the student has consumed or is under the influence of an alcoholic beverage while on school premises or while participating in a school-sponsored activity. If the result indicates a violation of school rules as described in the student handbook, the disciplinary procedure described in the student handbook will be followed. If the student refuses to take the test, the Principal will inform the student that refusal to participate implies an admission of guilt leading to disciplinary action consistent with the student handbook.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

In a situation in which a search of a student's person or possessions is appropriate, school administrators should first attempt to contact the school resource officer to conduct the search under the administrator's direction. If the officer is not available, the administrator may proceed with the search, unless the information justifying the search suggests that the

student is in possession of dangerous materials whereby the expertise of law enforcement is necessary. In such a case, the school official shall contact law enforcement and request their assistance.

Under no circumstances shall a school official ever conduct a strip search of a student.

Except as provided below (Use of Dogs), a request for the search of a student or a student's possessions will be directed to the Principal or an available Administrator. The Administrator shall attempt to obtain the freely-offered, consent, in writing if possible, of the student to the inspection; however, provided there is reasonable suspicion pursuant to the above paragraphs, the search may be conducted without such consent. Whenever possible, a search will be conducted by the Principal in the presence of the student and a staff member other than the administrator conducting the search. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property. Whenever feasible, the Administrator may secure the assistance of law enforcement in conducting searches.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and in a manner that is minimally intrusive to the student based on the reasonable suspicion justifying the search.

Parking Permit Required

Permission for a student to bring a vehicle on school property shall be conditioned upon written consent of the search of the vehicle and all containers inside the vehicle by a school administrator an Administrator with reasonable suspicion to believe the search will produce evidence of a violation of a particular law, a school rule, or a condition that endangers the safety or health of the student driver or others. If an administrator Administrator determines a search is necessary, he or she should request consent to search the vehicle and all containers inside the vehicle. If consent is not given, a school administrator an Administrator may proceed with the search. An administrator Administrator may contact a law enforcement agency for assistance in conducting a search.

~~Except as provided below, a request for the search of a student or a student's possessions will be directed to the Principal. The Principal shall attempt to obtain the freely-offered, written consent of the student to the inspection; however, provided there is reasonable suspicion pursuant to the above paragraphs, they may conduct the search without such consent. Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member other than the principal. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.~~

~~Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and in a manner that is minimally intrusive to the student based on the reasonable suspicion justifying the search.~~

Use of Dogs

The Board authorizes the use of specially-trained dogs to detect the presence of drugs and devices such as bombs on school property under the following conditions:

- A. ~~The~~the presence of the dogs on school property is authorized in advance by the District Administrator, except in emergency situations, or is pursuant to a court order or warrant.;
- B. ~~The~~the dog must be handled by a law enforcement officer or certified organization specially trained to safely and competently work with the dog.;
- C. ~~The~~the dog is represented by the Sheriff or Chief of the law enforcement agency providing the service as capable of accurately detecting drugs and/or devices.

The Administration shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found and the disposition made of them; and any subsequent action taken. The principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The District Administrator may request the assistance of a law enforcement agency in implementing any aspect of this policy. Where law enforcement officers participate in a search on school property or at a school activity pursuant to a request from the District Administrator, the search shall be conducted by the law enforcement officers at the direction of a District official. Law enforcement searches conducted independent of any District official request or direction shall be

conducted based on standard applicable to law enforcement.

Anything found in the course of a search pursuant to this policy which constitutes evidence of a violation of a particular law or school rule or which endangers the safety or health of any person shall be seized and properly cataloged for use as evidence if appropriate. Seized items shall be returned to the owner if the items may be lawfully possessed by the owner. Seized items that may not lawfully be possessed by the owner shall be turned over to law enforcement.

Revised 10/9/17

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Legal

- 118.32, Wis. Stats.
- 118.325 Wis. Stats.
- 118.45, Wis. Stats.
- 948.50, Wis. Stats.
- Wisconsin Const. Art. 1 Section 11
- U.S. Constitution, 4th Amendment



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of ASSISTIVE TECHNOLOGY AND SERVICES
Code	po7540.05
Status	Policy Committee Review
Adopted	March 13, 2017

7540.05 - **ASSISTIVE TECHNOLOGY AND SERVICES**

Students with disabilities have special challenges and may need assistive technology in order to more fully participate in their classrooms, homes, communities and workplaces. Through the use of assistive technology and services these students will have the opportunity to become more independent and self-reliant.

Each IEP team must include in their deliberations consideration of whether the use of assistive technology devices and services to aid students with disabilities is appropriate for each specific student. The Board also directs that students who qualify under Section 504 of the Rehabilitation Act be provided with assistive technology devices and services when deemed necessary.

Students having special needs but not requiring a formal IEP or 504 Plan according to law, which may include but are not limited to migrant students, homeless students, students living with poverty, and English Language Learners, will also be considered for assistive technology devices and/or services.

"Assistive technology device" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of a child with a disability. The term does not include a medical device that is surgically implanted, or the replacement of such device.

"Assistive technology service" means any service that directly assists a child with a disability in the selection, acquisition, or use of assistive technology devices. Assistive technology services include:

- A. the evaluation of needs including a functional evaluation, in the child's customary environment;
- B. purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices;
- C. selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices;
- D. coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- E. training or technical assistance for a child with disabilities, or where appropriate that child's family;
- F. training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers or other(s) who provide services to employ, or are otherwise, substantially involved in the major life functions of that child.

The Board encourages the faculty to develop the appropriate skills necessary to effectively access, analyze, evaluate, and utilize assistive technology resources and assistive technology services.

communication or recording function disabled, except as provided for in the student's IEP.

The Board designates the District Administrator and the Director of Special Education as the administrator(s) responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to the use of assistive technology and services in the District.

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Legal

20 U.S.C. 1401

Individuals with Disabilities Education Act (IDEA), as amended

Section 504 Rehabilitation Act of 1973

Assistive Technology Act (P.L. 105 – 394) 1998



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of FOOD SERVICES
Code	po8500
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	April 22, 2024

8500 - **FOOD SERVICES**

The Board shall provide cafeteria facilities in all school buildings where space permits, and will provide food service for the purchase and consumption of lunch for all students.

The Board shall also provide a breakfast program in accordance with procedures established by the ~~Department of Public Instruction~~ **United States Department of Agriculture (USDA) School Breakfast Program**.

The food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current **USDA** school meal pattern requirements ~~of the United States Department of Agriculture (USDA)~~ and the USDA's Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. Further, the food-service program shall comply with Federal and State regulations pertaining to the fiscal management of the program as well as all the requirements pertaining to food service hiring and food service manager/operator licensure and certification. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

The Board shall approve and implement nutrition standards governing the types of food and beverages that may be **provided and** sold on the premises of its schools and shall specify the time and place each type of food or beverage may be sold. In adopting such standards, the Board shall:

- A. consider the nutritional value of each food or beverage;
- B. consult and incorporate to the maximum extent possible the Dietary Guidelines for Americans jointly developed by the USDA and the United States Department of Health and Human Services; and
- C. consult and incorporate the USDA's Smart Snacks in School nutrition guidelines.

The District's food service program shall serve only food items and beverages determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Any competitive food items and beverages that are available for sale to students a la carte in the dining area between midnight and thirty (30) minutes following the end of the school day shall also comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, and may only be sold in accordance with Board Policy 8550 - Competitive Food Sales. Foods and beverages not associated with the food-service program may be vended in accordance with the rules and regulations set forth in Board Policy 8540 - Vending Machines.

The District Administrator will require that the food service program serve foods in the schools of the District that are wholesome and nutritious and reinforce the concepts taught in the classroom.

The District Administrator is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report to the Board at one of its regular meetings, annually, regarding the District's compliance with the standards.

No food or beverage may be sold on any school premises except in accordance with the standards approved by the Board.

Dietary Modifications

Modifications Based on Compliant Medical Documentation

An adult student or student's parent requesting special dietary accommodations for a student with a disability that restricts the diet must provide the Medical Statement for Special Dietary Needs signed by a State authorized medical authority, which is a medical professional authorized in the State of Wisconsin to write prescriptions. The request must contain the following information:

- A. an explanation of how the student's physical or mental impairment restricts the diet;
- B. the food(s)/type(s) of foods to be avoided;
- C. the food(s)/type(s) of foods to be substituted;
- D. additional pertinent information, if any, that will assist in accommodating the student's needs.

If a Medical Statement for Special Dietary Needs is incomplete, unclear, or lacks sufficient detail, the special dietary accommodation coordinator or food service director shall request that the student or parent/guardian request that the medical authority supplement the response so that a safe meal can be provided.

A special dietary accommodation for a student who has a disability that restricts the student's diet must be supported by a Medical Statement for Special Dietary Needs, which should be submitted to the Food Service Director who shall serve as the Special Dietary Accommodation Coordinator.

A student with a disability may have an IEP or 504 plan that requires specific instruction, services, or accommodation related to the student's nutritional needs. If a student's IEP or 504 plan contains the same information that is required on a Medical Statement for Special Dietary Needs, then it is not necessary to obtain and submit a separate Medical Statement for Special Dietary Needs. Form PI-6314 can be obtained from the Department of Public Instruction (<https://dpi.wi.gov/sites/default/files/imce/forms/pdf/f6314-english.pdf>) or upon request to the District's Food Service Director.

~~Substitutions to the standard meal requirements shall be made, at no additional charge, for students who have received, from a health care provider with prescriptive authority in the State of Wisconsin, medical certification that the student's medical condition restricts their diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b.~~

The individual making an initial request for such substitutions must inform the Food Service Director or Special Dietary Accommodation Coordinator that the student has a ~~medical condition~~ disability that restricts the student's diet, ~~in accordance with the criteria set forth in 7 C.F.R. Part 15b.~~ The School District will honor the request for the remainder of the school year. Within ten (10) school days after receiving the initial request, a health care provider with prescriptive authority in the State of Wisconsin must submit medical certification that the student's medical condition restricts their diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b. ~~The substitutions may be discontinued until such medical certification is received upon receipt of the required documentation from a State authorized medical authority.~~ If the Special Dietary Accommodation Coordinator is unable to grant a requested accommodation following receipt of the medical authority's statement, the student or parent shall be provided with an explanation of the basis for the decision. Compliant requests shall be immediately implemented.

~~The medical certification must identify:~~

- A. ~~the student's disability and the major life activity affected by the disability;~~
- B. ~~an explanation of why the disability affects the student's diet; and~~
- C. ~~the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g.,~~

~~caloric modifications or use of liquid nutritive formula).~~

Disability Accommodation Grievance Procedure

The following procedure is intended to provide prompt and equitable resolution to any concern or disagreement regarding the food service program's administration of meal modifications made or requested on the basis of a student's disability. None of the procedures described in this policy section shall prevent a student or parent from pursuing a complaint with any State or Federal agency, including the USDA, using the procedures described at the end of this policy.

- A. If an initial request for accommodation in the form of substituted meals is denied, the student or parent may request review of that decision by the District's Compliance Coordinator and shall provide any communications between the student or parent and food service officials concerning the accommodation request, any documentation provided by a medical authority, and any additional information the student or parent believes is pertinent to the decision. A review of the materials provided and of the initial decision shall be completed and a response provided to the student or parent as soon as practicable following receipt of the request for review. If the initial decision is reversed, including due to additional information provided on review, the dietary accommodations shall be implemented without delay. If the initial decision is affirmed the decision may be appealed to the District Administrator whose decision is final.
- B. Any other complaint or disagreement with the food service administration concerning implementation of special dietary accommodations based on a student's disability shall be presented to the Special Dietary Accommodation Coordinator. The student or parent shall specify the nature of the concern and any requested remedy in writing. The Coordinator shall promptly review the grievance and either contact the student or parent for any required clarification of the request or to seek to reach an agreement regarding how to best address the concern. If no agreement is reached, the Coordinator shall make a determination and notify the student or parent in writing as soon as practicable. If the grievance is affirmed in any respect, the Coordinator shall propose a plan for implementing appropriate remedial measures. If the student or parent is dissatisfied with the Coordinator's determination, the student or parent may submit a written request to the Building Principal or District Administrator for review. The administrator's determination shall be final.

IMPLEMENTATION AND DISCONTINUATION

Review

Upon receipt of a request for a special dietary accommodation, the Food Service Director or Special Dietary Accommodation Coordinator shall review the request to ensure it is supported as required by Federal law and District policy and if not, shall request additional or clarifying information from the student or parent making the request.

Implementation

When the need for a special dietary accommodation is supported by a Medical Statement for Special Dietary Needs signed by a State authorized medical authority, the District will offer a reasonable modification that effectively accommodates the student's disability. Following USDA Child Nutrition Program regulations, the School District may consider factors such as cost and efficiency and is not required to prepare a specific meal, provide a specific brand of food, or provide a meal beyond the meals provided to other students.

For students who have an IEP or 504 plan that requires specific food-related accommodations, the School District shall provide the accommodation as required by law, seeking clarifying medical information, as necessary.

A special dietary request will be approved and implemented upon submission of a completed authorized Medical Statement.

Notification

~~Parents will be notified of clarifications needed or approval of a special dietary request.~~

Student Absence

If a student receiving a special dietary accommodation is absent or does not wish to participate in school lunch on a day an accommodation is planned, contact the Food Service Director or Special Dietary Accommodation Coordinator by 9:00 a.m. the same day.

Renewing A Special Dietary Request

An authorized Medical Statement does not need to be updated annually. However, the Food Service Director or Special Dietary Accommodation Coordinator may annually seek clarification or updates on special dietary requests.

Discontinuation of a Special Dietary Request

A special dietary request or part of a request may be discontinued by a parent by submitting the request in writing to the Food Service Director or Special Dietary Accommodation Coordinator **or shall be discontinued consistent with the medical authority's recommendation provided with the Medical Statement for Special Dietary Needs.**

~~The District may provide a student with a substitute meal without any certification provided that the meal still meets the USDA meal pattern for reimbursement.~~

Meal Charges

Lunches sold by the school may be purchased by students and staff members and community residents in accordance with the rules of the District's school lunch program.

Guidelines will be developed by the District Administrator regarding delinquent lunch accounts and the threshold for alternate meals.

The operation and supervision of the food-service program shall be the responsibility of the Business Manager. Food services shall be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program.

A periodic review of the food-service accounts shall be made by the Business Manager. Any surplus funds from the National School Lunch Program shall be used **in a manner permitted by law to support the operation and improvement of the school meal program(s) through allowable expenditures** as determined by the Business Manager. Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

Bad Debt

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable. District efforts to collect bad debt shall be in accordance with Policy 6152 - Student Fees, Fines, and Charges.

Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable no sooner than the end of the school year in which the debt was incurred. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFS for the total amount of the bad debt. The funds may come from the District general fund, State or local funding, school or community organizations such as the PTA, or any other non-federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 CFR 210.9(b) (17) and 7 CFR 210.15(b).

Negative Account Balances

Students will be permitted to purchase meals from the District's food service using a food service account. A student may be allowed to accumulate a negative food service account balance as determined by the District Administrator. The District Administrator shall determine the manner of determining permissible account balances.

Students that are receiving free or reduced-price meals will be permitted to purchase a USDA-approved meal if the student has the necessary funds with him/her to purchase the meal, regardless of whether the student has a negative account balance.

Students will be permitted to purchase meals from the District's food service using either cash on hand or a food service account. A student may be allowed to incur a negative food service account balance subject to the following conditions.

Students may be permitted to accumulate negative food service account balance as determined by the District Administrator. A student shall not be permitted to purchase a la carte items once their account balance reaches -\$50.

If a student has a negative lunch account balance, they shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to a negative lunch account balance.

This policy and any implementing guidelines shall be provided in writing to all households at the start of each school year and to households transferring to the school or School District during the school year. The policy and implementing guidelines will also be provided to all District staff with responsibility for enforcing the policies.

The food-service program may participate in the "Farm to School Program" using locally grown food in school meals and snacks.

No foods or beverages, other than those associated with the District's food-service program, are to be sold during food-service hours.

The District's food service program shall serve only food items and beverages determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Any competitive food items and beverages that are available for sale to students a la carte in the dining area between midnight and thirty (30) minutes following the end of the school day shall also comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, and may only be sold in accordance with Board Policy 8550 – Competitive Food Sales. Foods and beverages unassociated with the food-service program may be vended in accordance with the rules and regulations set forth in Board Policy 8540 – Vending Machines.

The District Administrator will require that the food-service program serve foods in the schools of the District that are wholesome and nutritious and reinforce the concepts taught in the classroom.

The District Administrator is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report regarding the District's compliance with the standards at one of its regular meetings annually.

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. The District's nondiscrimination statement below is complementary to the District's nondiscrimination policies, including Policy 2260 - Nondiscrimination and Access to Equal Opportunity and Policy 1422/Policy 3122/Policy 4122 - Nondiscrimination and Equal Employment Opportunity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf> <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf> or <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sfa-civil-rights-complaints-procedure-template.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. Mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. Fax:
(833) 256-1665 or (202) 690-7442; or
3. E-mail:
program.intake@usda.gov.

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Revised 6/26/17
Revised 10/8/18
Revised 2/1/21
Revised 10/22/21
T.C. 12/5/22

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SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

SP 59-2016 Modifications to Accommodate Disabilities in the School Meal Program

OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

42 U.S.C. 1758

15.137, 93.49, 115.34 -115.345, 120.10(16), 120.13(10), Wis. Stats.

7 C.F.R. Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245

42 U.S.C. Chapter 13



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of WELLNESS
Code	po8510
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	April 22, 2024

8510 - **WELLNESS**

As required by law, the Board of Education **for the New Glarus School District** establishes the following wellness policy ~~for the New Glarus School District as a part of a comprehensive wellness initiative.~~

Policy Preamble

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the District's students. Furthermore, research suggests that there is a positive correlation between a student's health and well-being and their ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

Schools alone, however, cannot develop in students healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition choices to:

- A. promote nutrition education with the objective of improving students' health ~~and reducing childhood obesity~~;
- B. improve the health and well-being of our children, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits;
- C. promote nutrition guidelines, a healthy eating environment, child nutrition programs, and food safety and security on each school campus with the objective of promoting student health and reducing childhood obesity;
- D. provide opportunities for every student to develop the knowledge and skills for specific physical activities, maintain physical fitness, regularly participate in physical activity, and understand the short and long-term benefits of a physically active lifestyle;
- E. promote the health and wellness of students and staff through other school-based activities.

Wellness Policy Leadership

The designated official for oversight of the wellness policy is the Director of Student Services. The official shall convene the Wellness Committee and lead the review, updating, and evaluation of the policy. The Wellness Committee shall convene at least one time during the school year to establish goals and oversee school health policies and programs, including development, implementation, and periodic review and update ~~of~~ this Wellness Policy.

Public Involvement - The District Administrator, or designee, shall obtain the input of District stakeholders, to include collaborators to participate in the development, implementation, and periodic review and update of the policy. The collaborators may include parents, students, representatives of the school food authority, educational staff (including physical education teachers), school health professionals, members of the public, medical/health care professionals, and other school administrators in the development, implementation, evaluation, and periodic update, if necessary, of the wellness policy.

The wellness committee shall be an administrative committee with members recruited and appointed by the District Administrator. The District Administrator shall be responsible for accomplishing the following:

- A. assess the current environment in each of the District's schools;
- B. measure the implementation of the District's wellness policy in each of the District's schools;
- C. review the District's current wellness policy;
- D. present the wellness policy, with any necessary revisions, to the Board for approval or re-adoption if revisions are necessary.

Fundraising - The District adheres to the Wisconsin Department of Public Instruction fund-raiser exemption policy and allows two (2) exempt fund-raisers per student organization per school per year. All other fund-raisers sold during the school day will meet the Smart Snacks nutrition standards. No restrictions are placed on the sale of food/beverage items sold outside of the school day.

- A. Schools will restrict food and beverage marketing to only those foods and beverages that meet the nutrition standards set forth by USDA's Nutrition Standards for All Foods Sold in Schools (Smart Snacks) rule.
- B. The District adheres to the Wisconsin Department of Public Instruction fund-raiser exemption policy and allows two (2) exempt fund-raisers per student organization per school per year. All other fund-raisers sold during the school day will meet the Smart Snacks nutrition standards. No restrictions are placed on the sale of food/beverage items sold outside of the school day.

Marketing - Schools will restrict food and beverage marketing to only those foods and beverages that meet the nutrition standards set forth by USDA's Nutrition Standards for All Foods Sold in Schools (Smart Snacks) rule. Marketing includes brand names, trademarks, logos, or tags except when placed on a food or beverage product/container; displays, such as vending machine exteriors; corporate/brand names, logos, trademarks on cups, posters, school supplies, education materials, food service equipment, and school equipment (e.g. message boards, scoreboards, uniforms); advertisements in school publications/mailings; sponsorship of school activities, fundraisers, or sports teams; educational incentive programs such as contests or programs; and free samples or coupons displaying advertising of a product.

Nutrition Education - Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives. Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.

Physical Activity - The District shall provide students with age and grade-appropriate opportunities to engage in physical activity. All students in grades 7-12 shall have the opportunity to participate in interscholastic sports programs.

Physical Education - A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the physical education academic content standards and benchmarks adopted by the State.

~~Other School-Based Strategies for Wellness~~ **Activities That Promote School Wellness** - As appropriate, schools shall support students, staff, and parents' efforts to maintain a healthy lifestyle. Additionally, the district will implement optional wellness activities for staff.

Staff Wellness - The District will promote healthy eating, physical activity, and general wellness among school staff.

Nutrition Promotion - The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events. The school shall provide attractive, clean environments in which the students eat.

School Meals Programs

The District is committed to serving healthy meals to our students. The school meal programs aim to improve the diet and health of school children, model healthy eating patterns, and support healthy choices while accommodating cultural food preferences and special dietary needs.

- A. In accordance with Policy 8500 - ~~Food Service~~, ~~entitled Food Service~~, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program.
- B. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).
- C. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well.

Foods sold outside of the school meals program:

- A. All food and beverages sold and served outside of the school meal programs ("competitive" foods and beverages) shall, at a minimum, meet the standards established in USDA's Nutrition Standards for All Foods Sold in Schools (Smart Snacks) rule. The standards are available at <http://www.fns.usda.gov/healthierschoolday/tools-schools-focusing-smart-snacks>. <https://fns-prod.azureedge.us/sites/default/files/resource-files/smartsnacks.pdf>.
- B. The District allows up to two exempt fundraisers per school per year. All other fundraisers sold during the school day will meet the Smart Snacks nutrition standards. No restrictions are placed on the sale of food/beverage items sold outside of the school day

Foods Provided but Not Sold

The District encourages foods offered on the school campus meet or exceed the USDA Smart Snacks in School nutrition standards including those provided at celebrations and parties and classroom snacks brought by staff or family members. **Non-food celebrations will be promoted and a list of ideas is available.**

Monitoring and Evaluation - A review of this policy shall occur no less than once every three (3) years using a procedure developed and implemented by the District Administrator. The District shall notify school staff, students, and households/families of the availability of the wellness report via newsletters and website postings. **The District will evaluate compliance with the Wellness Policy no less than once every three years. The assessment will include the extent to which each school is in compliance with the policy, progress towards meeting policy goals, and how the policy compares to a model policy, as established by the USDA. The District will use the Wisconsin Local Wellness Policy Triennial Assessment Report Card to fulfill the triennial assessment requirement. The results of the triennial assessment will be made available to the public.**

Public Notice/Update/Inform the Public - **The District will inform and update the public about the content of and any updates to the policy through the District website and Board meetings.** The District Administrator shall be responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. ~~In order to inform the public, the District Administrator shall post the wellness policy on the District's website, including the assessment of the implementation of the policy prepared by the District.~~

Record Retention - The District Administrator shall require that the District retains documentation pertaining to the development, review, evaluation, and update of the policy.

Nondiscrimination Statement

~~The following statement applies to all programs administered by the District that are funded in whole or in part by the U.S. Department of Agriculture (USDA):~~

~~In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex (including gender status, change of sex, sexual orientation, or gender identity), disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.~~

~~Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.~~

~~To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:~~

1. Mail: U.S. Department of Agriculture



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of FREE AND REDUCED-PRICE MEALS
Code	po8531
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	September 25, 2023

8531 - FREE AND REDUCED-PRICE MEALS

The Board of Education recognizes the importance of good nutrition to each student's educational performance. The Board shall provide eligible children with breakfast and lunch at a reduced rate or at no charge to the student, as well as free milk for qualifying students.

Children, eligible for free or reduced-price meals, shall be determined by the criteria established by the Child Nutrition Program. These criteria are issued annually by the Federal government through the Wisconsin Department of Public Instruction's (DPI) administration of the School Nutrition Programs.

The Board designates the District Administrator to determine in accordance with Board standards, the eligibility of students for free and/or reduced-price meals.

The schools shall ~~at least annually~~ at least once annually close to the beginning of the school year notify all families of the availability, eligibility requirements, and/or application procedure for free and reduced-price meals by distributing an application to the family of each student enrolled in the school. The notice shall contain all information required by State and Federal regulation.

Any student identified as homeless, a foster child, a runaway, a migrant, or who is enrolled in Head Start shall be considered eligible for free meals and free milk.

Students receiving free or reduced meals or milk shall not be subjected to any of the following actions related to their receipt of meal service:

- A. the District shall not publish or otherwise publicize names of children receiving free or reduced meals or milk;
- B. the District's meal service will not use special tokens or tickets that identify students as receiving free or reduced meals or milk;
- C. no student shall be required to work or perform any service in order to receive food service;
- D. students receiving free or reduced price meal service shall not be required to use a separate line or separate eating area, nor shall they be required to receive meals at a different time based on eligibility for the free or reduce program;
- E. all students shall have the same choices for meals and milk regardless of whether the student is paying full price or receiving free or reduced meal service benefits.

The District Administrator shall regularly evaluate the free and reduced lunch program to determine whether the District or school may qualify for special assistance certification or Community Eligibility Provision (CEP) to reduce the paperwork burden on families qualifying for free and reduced meals. Any schools identified as CEP eligible shall be notified.

Nondiscrimination Statement

The following statement applies to all programs administered by the District that are funded in whole or in part by the U.S. Department of Agriculture (USDA):

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. This institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. The District's nondiscrimination statement below is complementary to the District's nondiscrimination policies, including Policy 2260 - Nondiscrimination and Access to Equal Opportunity and Policy 1422/Policy 3122/Policy 4122 - Nondiscrimination and Equal Employment Opportunity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. Mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. Fax:
(833) 256-1665 or (202) 690-7442; or
3. E-mail:
program.intake@usda.gov.

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Revised 6/26/17
Revised 2/1/21
T.C. 6/6/23

115.34-115.345, 120.10(16), 120.13(10), Wis. Stats.

42 U.S.C. 1771 et seq.

7 C.F.R. Part 245

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Legal 115.34-115.345, 120.10(16), 120.13(10), Wis. Stats.
42 U.S.C. 1771 et seq.
7 C.F.R. Part 245



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of VENDING MACHINES
Code	po8540
Status	Policy Committee Review
Adopted	March 13, 2017

8540 - VENDING MACHINES

The Board of Education recognizes that vending machines can produce revenues which are useful to augment programs and services to students and staff. It will, therefore, authorize their use in District facilities providing that the following conditions are satisfied:-

- A. No food or beverages are to be sold or distributed which will compete with the District's food-service program.
- B. Food items and beverages available for sale to students in vending machines for consumption on campus shall comply with the current USDA Dietary Guidelines for Americans and Smart Snack Rules.

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. The District's nondiscrimination statement below is complementary to the District's nondiscrimination policies, including Policy 2260 - Nondiscrimination and Access to Equal Opportunity and Policy 1422/Policy 3122/Policy 4122 - Nondiscrimination and Equal Employment Opportunity.

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2. Fax:
(833) 256-1665 or (202) 690-7442; or

3. E-mail: program.intake@usda.gov.

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42 U.S.C. 1779



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of COMPETITIVE FOOD SALES
Code	po8550
Status	Policy Committee Review
Adopted	March 13, 2017

8550 - **COMPETITIVE FOOD SALES**

The food-service program will comply with the provisions set forth in Federal law regarding sale of competitive food and foods of minimal nutritional value.

The food-service program shall be the sole provider of food and beverage items sold in all schools until thirty (30) minutes following the last lunch period, at which time student clubs and organizations and/or District support organizations may request approval to sell foods and beverage items in accordance with the Board's policies and guideline. Accordingly, all food items and beverages for sale to students for consumption on campus from vending machines, from school stores, or as fundraisers by student clubs and organizations and/or District support organizations shall comply with the current USDA Dietary Guidelines for Americans and Smart Snack Rules, and shall only be available between thirty (30) minutes following the last school lunch period and thirty (30) minutes after the close of the regular school day.

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. The District's nondiscrimination statement below is complementary to the District's nondiscrimination policies, including Policy 2260 - Nondiscrimination and Access to Equal Opportunity and Policy 1422/Policy 3122/Policy 4122 - Nondiscrimination and Equal Employment Opportunity.

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1400 Independence Avenue, SW
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2. Fax: (833) 256-1665 or (202) 690-7442; or
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Title 7 C.F.R. 210.11



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of TRANSPORTATION
Code	po8600
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	June 26, 2023

8600 - **TRANSPORTATION**

It is the policy of the Board of Education to provide transportation for those students, of any age, whose distance from their school makes this service necessary within the limitations established by State law and the regulations of the Department of Public Instruction or other appropriate agency.

School buses and student-transportation vehicles shall be purchased, housed, and maintained by the District or the District shall contract for transportation services in accordance with Policy 8680 - **Bus Service Contract** for the transportation of resident students between their home areas and the schools of the District to which they are assigned. In accordance with State law, the District shall not transport students by alternative transportation methods of vehicles carrying more than nine (9) passengers and the operator. This prohibition does not apply to school buses operated in compliance with the Wisconsin Department of Transportation's regulations.

All school buses and student-transportation vehicles, whether purchased, leased, or contracted for as provided in Policy 8680 - **Bus Service Contract** shall comply with specifications defined in State and Federal law. Each operator of a school vehicle used to transport students of the District shall be licensed for the purpose for which the vehicle is being used and shall operate the vehicles in accordance with Federal and State laws.

Transportation for private school students, eligible for transportation under State law, shall be provided on the same basis as for District students.

Transportation of eligible students with exceptional educational needs or attending a technical education program shall be arranged through the use of District-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner.

Transportation privileges may be revoked if the student's conduct is in violation of the District guidelines or the Code of Conduct pertaining to student transportation. Such revocation shall be in accord with statutorily-required procedures.

Surveillance on School Buses

The Board authorizes the District Administrator to install and operate video and audio surveillance on District buses to enhance student safety and well-being.

District-Owned Vehicles Used for Transporting Students

All drivers of motor vehicles owned by the District and used for transportation of students shall be under written contract with the Board as required by 121.52, Wis. Stats.

All operators of motor vehicles owned by the District and used for transportation of students shall be subject to the provisions of 121.555, Wis. Stats. and may be subject to the District's employee drug testing policy in accordance with Policy 8601 - Controlled Substance and Alcohol Policy for Employees that Transport Students.

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120.13(27m), 121.52, 121.53, 121.54 et seq., 121.555(1)(a) Wis. Stats.
Wis. Admin. Code Trans 300.81

X.	PO8601 - Controlled Substance and Alcohol Policy for Employees That Transport Students	84
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Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of Renum./Revised Policy - Vol. 33, No. 2, May 2024 - CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR EMPLOYEES THAT TRANSPORT STUDENTS
Code	po8601
Status	Policy Committee Review

Renum./Revised Policy - Vol. 33, No. 2

41628601 - CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR EMPLOYEES THAT TRANSPORT STUDENTS

Purpose

The Board believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with District vehicles, must be mentally and physically alert at all times while on duty. In addition, the Board recognizes that a drug-free and alcohol-free school and work environment is vital to workplace and school safety and to the quality of the District's educational services.

To that end, the Board has established this policy, which includes an alcohol and controlled substances testing program. The Board expects all Driversdrivers to comply with Board Policy 3122.01/Policy 4122.01 on Drug-Free Workplace which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times.

Further, the Board concurs with the Federal requirement that all Driversdrivers should be free of any influence of alcohol or controlled substancesubstances while on duty. Therefore, participation in the alcohol and controlled substances testing program is a condition of employment for all Driversdrivers.

Covered Employees

This policy covers all commercial driver's license (CDL) holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty. The policy also applies to other staff members who drive students in District vehicles or inspect, service, or condition District vehicles. The District views these as "safety-sensitive" functions.

Definitions

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply:

- A. The term *alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol. This term is a volume breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test as described herein.
- B. The term *controlled substance* includes any illegal drug, the possession or use of which is unlawful pursuant to Federal, State and local laws and regulations, and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions. This term includes, but is not limited to, marijuana metabolites, cocaine metabolites, amphetamines, opiate metabolites, and/or phencyclidine (PCP).

- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for

prescribed purposes, in a prescribed manner, or in the prescribed quantity.

- D. The term *safety-sensitive functions* includes waiting to be dispatched, inspecting equipment, servicing, driving, loading or unloading District vehicles, as well as repairing, obtaining assistance, or remaining in attendance upon a disabled District vehicle. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.
- E. The term *Driver* means all CDL holders and regular and substitute bus drivers who operate a commercial motor vehicle while on duty, as well as other staff members who may drive students in District vehicles or inspect, service, and condition District vehicles.
- F. The term *while on duty* means all time from the time the Driver begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

Procedures

The District Administrator shall establish a drug and alcohol testing program whereby each driver is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opioids
- D. Amphetamines
- E. Phencyclidine (PCP)

The alcohol and controlled substances tests are to be conducted in accordance with Federal and State regulations:

- A. prior to employment (Controlled Substances only);
- B. reasonable suspicion;
- C. upon return to duty after any alcohol or drug rehabilitation;
- D. after any accident, whenever the District determines that an employee may have contributed to an accident involving a fatality, bodily injury, or damage to property, the District may require the employee to be tested for drugs or alcohol, or both;

In addition, Department of Transportation regulations require that drivers submit to post-accident testing for drugs and alcohol under the following circumstances:

1. When the driver is involved in an accident involving the loss of a human life, regardless of who was at fault; or
 2. When the driver is involved in an accident in which s/he is issued a citation for a moving traffic violation, and the accident involves an injury to any person who, as a result of the injury, immediately receives medical treatment away from the accident scene, or involves disabling damage (i.e., must be towed away or cannot be driven from the accident scene) to any vehicle.
- E. on a random basis; and
 - F. on a follow-up basis.

Any staff member who tests positive as defined in the guidelines shall be:

- A. immediately prohibited from driving any District vehicle or conducting a safety-sensitive function;
- B. provided information regarding drug/alcohol counseling; or referred to the District's Employee Assistance Program;
- C. subject to discipline, up to and including discharge, in accordance with District guidelines.

No staff member who has tested positive for alcohol or a controlled substance may be returned to a safety-sensitive position without having been evaluated by a qualified substance abuse professional (SAP), completed any required treatment program, and passed a retest.

Prior to the beginning of the testing program, the District shall provide a training for all employees, including Drivers and their supervisors about:

- A. the dangers and adverse effects of drug and alcohol use;
- B. indicators of probable alcohol misuse and controlled substance abuse;
- C. Board Policy **3122.01/Policy 4122.01** - Drug-Free Workplace and Policy **3161/Policy 4161** - Unrequested Leaves of Absence/Fitness for Duty;
- D. the sanctions that may be imposed for violations of Policy **3122.01/Policy 4122.01 - Drug-Free Workplace**.

The District Administrator shall arrange for periodic retraining of supervisors and staff members as necessary. The District Administrator shall provide a copy of this policy and testing guidelines to all ~~Drivers~~ **drivers** and will include available resources to assist employees with problems related to the use of alcohol and controlled substances.

The District Administrator shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples;
- B. clear and consistent communication with the District's Medical Review Officer (MRO);
- C. methodology and procedures for conducting random tests for controlled substances and alcohol;
- D. preparation and submission of all required reports to the District, the MRO, and to Federal and State governments.

The District Administrator shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.

Return-to-Duty (Safety Sensitive Positions)

Employees who are removed from performing safety-sensitive functions as a result of this policy must take and pass a return-to-duty test before returning to performing safety-sensitive functions. The return-to-duty test will not occur until after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties.

Subject to any legal requirements, employees who are eligible to return to performing safety-sensitive functions may not do so without the approval of the District Administrator.

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49 C.F.R. 382.101 et seq.

Y. PO8640 - (Rescind) Transportation for Field and Other District-Sponsored Trips

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Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of TRANSPORTATION FOR FIELD AND OTHER DISTRICT-SPONSORED TRIPS
Code	po8640 rescind
Status	Policy Committee Review
Adopted	March 13, 2017

~~8640 — TRANSPORTATION FOR FIELD AND OTHER DISTRICT-SPONSORED TRIPS~~

~~It shall be the policy of the Board of Education to use regular or special-purpose school vehicles for transportation on field and other District-sponsored trips.~~

~~The transportation for all field and other District-sponsored trips is to be by vehicles owned or approved by the District and driven by approved drivers. Exceptions must have the approval of the District Administrator.~~

~~Transportation may be limited by the availability of vehicles, drivers, and scheduling and will not be available when needed for general school purposes.~~

~~All field trips shall be supervised by members of the staff. All other District-sponsored trips shall be supervised by either staff members or adults from the sponsoring organization. Any time students are on the vehicle, at least one (1) sponsor, chaperone, or staff member is expected to ride in the vehicle as well as to supervise students upon return to the District and while they are waiting for rides home.~~

~~All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception.~~

~~District students not affiliated with the trip activity, nondistrict students, and/or children of preschool age shall not be permitted to ride on the trip vehicle without the approval of the principal.~~

~~No student is allowed to drive on any trip. An exception may be made by the principal on an individual basis provided the student has written parental permission and does not transport any other student.~~

Legal	121.54(7), Wis. Stats.
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Z. PO8651 - (Rescind) Nonroutine Use of School Buses

90



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of NONROUTINE USE OF SCHOOL BUSES
Code	po8651 rescind
Status	Policy Committee Review
Adopted	March 13, 2017

~~8651~~ **~~NONROUTINE USE OF SCHOOL BUSES~~**

~~The Board of Education will not permit the school buses owned or leased by this District to be used for purposes other than school-related use.~~

Legal 120.13(27), Wis. Stats.



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of TRANSPORTATION BY PRIVATE VEHICLE
Code	po8660
Status	Policy Committee Review
Adopted	March 13, 2017
Last Revised	April 11, 2022

8660 -

TRANSPORTATION BY PRIVATE VEHICLE FOR DISTRICT-SPONSORED ACTIVITIES OR TRIPS

When the Board provides transportation for District-sponsored activities or District-sponsored trips, students are expected to use such transportation for the duration of the activity or trip.

Transportation by private vehicle for District-sponsored activities or trips can only occur when the District's procedures for notification are followed and authorization for private vehicle transportation is issued. Otherwise, the Board does not allow the transportation of students in a private vehicle for District-sponsored activities or trips unless authorized by the District Administrator.

The Board authorizes the transportation by a private vehicle of students of the District in a vehicle transporting nine (9) or fewer passengers in addition to the operator unless emergency permission to use a larger capacity vehicle is obtained in writing from the Wisconsin Department of Transportation.

Any transportation of students in a private vehicle must be approved in advance and in writing by the Principal.

The parent of a participating student will be given, on request, the name of the driver and the description of the vehicle.

A person may be approved for the transportation of students in a private vehicle if the person is an employee of this Board, an approved volunteer, and the holder of a currently valid license to operate a motor vehicle in the State of Wisconsin, and is at least twenty-one (21) years of age. An approved driver must also be physically capable of operating a vehicle including use of both hands and foot required to operate the vehicle, or has medical certification or has such requirement waived by the Board upon proof of a modified vehicle and Department of Transportation driving test completion, and has signed the form provided by the District.

Any person otherwise qualified to transport students shall agree not to carry a concealed weapon while transporting students, other than the person's own children, even if they are a holder of a concealed carry permit. This does not apply to law enforcement personnel.

No person shall be permitted to transport students who is not only if that person is the holder of automobile liability and personal injury insurance in the amount required applicable law. The District Administrator may withdraw the authorization of any private vehicle driver or vehicle whose insurance is not adequate.

Any private vehicle used for the transportation of students must be owned or leased by the approved driver or the spouse of the approved driver and must conform to the registration requirements of the State.

The responsibility of professional staff members for the discipline and control of students will extend to their transportation of students in a private vehicle. Drivers who are not professional staff members are requested to report student misconduct to the Principal/principal.

Revised 9/9/19

Revised 2/1/21

T.C. 4/11/22

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121.52, 121.53, Wis. Stats.

III.	District Policy Update	
A.	PO2105 - Mission, Vision and Beliefs of the New Glarus School District	95



Book	Policy Manual
Section	Policies Ready for Policy Committee
Title	Copy of MISSION, VISION, AND BELIEFS OF THE NEW GLARUS SCHOOL DISTRICT
Code	po2105
Status	Policy Committee Review
Adopted	March 13, 2017

2105 - MISSION, VISION, AND **CORE VALUES** BELIEFS OF THE NEW GLARUS SCHOOL DISTRICT

All Achieving, Always Growing!

Vision

To be a leader in 4K-12 education and prepare all students for future success

CULTURE *that is respectful, creative, and continuously improving*

LEADERSHIP *that is collaborative, accountable for student learning, and fiscally responsible*

INSTRUCTION *that is rigorous, engaging and effectively uses data*

FACILITIES *that are technologically progressive and that foster academic and emotional growth*

STUDENTS *who are all achieving, always growing, good communicators and problem solvers*

Mission – The mission of the New Glarus School District is... *Educating each student to contribute and succeed in our global community by fostering a passion for learning and the pursuit of excellence*

Core Values:

- We will recruit and retain high-quality staff
- We will provide a safe learning environment
- We will create a culture that is respectful and values diversity
- We will develop students of good character who are strong and engaged citizens
- We will develop practical, life skills of students, which includes the ability to be flexible and adapt to change
- We will develop students who have strong academic skills, can think critically and creatively, and can communicate effectively
- We will provide instruction that is rigorous, engaging and effectively uses data
- We will partner with families and the community in the education of our students
- We will provide leadership that is collaborative, responsible for student learning, and fiscally responsible
- We will take responsibility to prevent student failure and ensure student growth

Beliefs – **Our key beliefs are...**

- We believe in modeling and teaching the qualities of **good character** so every student grows intellectually, socially, and emotionally*
- We believe in developing students who are strong and **engaged citizens***
- We believe students learn best when **engaged, challenged, and respected***

- D. We believe in developing **practical, life skills** of students as well as academic skills
- E. We believe in providing a **safe** learning environment
- F. We believe in developing students who can **think critically** and speak and write effectively
- G. We believe in **involving families** and the **community** in the education of our students

IV.	Legal Status of Title IX Policies - No Change Since July	
A.	PO2264 - Nondiscrimination on the Basis of Sex in Education Programs or Activities	98



Book	Policy Manual
Section	2000 Program
Title	NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2264
Status	Active
Last Revised	July 15, 2024

2264 - **NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES**

This policy pertains to sex discrimination, including sex-based harassment, which occurs on or after August 1, 2024. Allegations of sex-based harassment that occur on or before July 31, 2024, shall be addressed pursuant to Policy 2266. Throughout this policy, unless expressly stated otherwise, reference to "Title IX" includes and incorporates the 2024 Title IX regulations (also known as the "2024 Final Rule"). The Title IX regulations are found at 34 C.F.R. Part 106. References solely to Title IX (20 U.S.C. §§ 1681 – 1688) are denoted as "Title IX (Statute)." In this policy, unless the context otherwise requires, words importing the singular include the plural and vice versa.

For purposes of this policy, both Policy 2264 - Nondiscrimination on the Basis of Sex in Education Programs or Activities and Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities are frequently referenced herein and shall only be referred to by the policy number. As identified in Policy 2266, that policy shall be used for allegations of sex discrimination, including Sexual Harassment, that is based on conduct alleged to have occurred prior to August 1, 2024.

NONDISCRIMINATION

Overview:

The Board of the New Glarus School District (hereinafter referred to as "the Board" or "the District") does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

The Board is committed to maintaining an education and work environment that is free from sex discrimination (including sex-based harassment), responding promptly and effectively when it has knowledge of conduct that reasonably may constitute sex discrimination, and addressing sex discrimination in its education program or activity. Persons who commit sex-based harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced sex-based harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education program or activity.

KEY DEFINITIONS

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

Complainant means:

- A. a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination

under Title IX; or

- B. a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.

Complaint means: an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX.

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).

Disciplinary sanctions means: consequences imposed on a respondent following a determination under Title IX that the respondent violated the Board's prohibition on sex discrimination.

Education program or activity refers to: all the District's operations including, but not limited to, in-person and online/ remote 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 but over which the District asserts disciplinary authority.

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

Exculpatory evidence means: evidence that is favorable to a respondent because it helps excuse, justify, or absolve a respondent of alleged wrongdoing and tends to establish a respondent did not engage in sex discrimination.

Inculpatory evidence means: evidence that links a respondent to alleged wrongdoing and tends to establish a respondent engaged in sex discrimination (i.e., has culpability).

Parental status means: the status of a person who, with respect to another person who is under the age of eighteen (18) or who is eighteen (18) or older but is incapable of self-care because of a physical or mental disability, is:

- A. a biological parent;
- B. an adoptive parent;
- C. a foster parent;
- D. a stepparent;
- E. a legal custodian or guardian;
- F. in loco parentis with respect to such a person; or
- G. actively seeking legal custody, guardianship, visitation, or adoption of such a person.

Party means: a complainant or respondent.

Peer retaliation means: retaliation by a student against another student.

Pregnancy or related conditions means:

- A. pregnancy, childbirth, termination of pregnancy, or lactation;
- B. medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
- C. recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Relevant means: related to the allegations of sex discrimination under investigation as part of the Board's grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision-maker in determining whether the alleged sex discrimination occurred.

Remedies means: measures provided, as appropriate, to a complainant or any other person the District identifies as

having had their equal access to the District's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the District's education program or activity after the District determines that sex discrimination occurred.

Respondent means: a person who is alleged to have violated the Board's prohibition on sex discrimination.

Retaliation means: intimidation, threats, coercion, or discrimination against any person by the District, a student, a Board employee, or any other person authorized by the Board to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the 2024 Title IX regulations.

Sex-based harassment prohibited under this policy and the 2024 Title IX regulations is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex – including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity – that is:

- A. Quid pro quo harassment. An employee, agent, or other person authorized by the Board to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

OR

- B. Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

1. the degree to which the conduct affected the complainant's ability to access the District's education program or activity;
2. the type, frequency, and duration of the conduct;
3. the parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
4. the location of the conduct and the context in which the conduct occurred; and
5. other sex-based harassment in the District's education program or activity.

OR

- C. Specific offenses.

1. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
2. Dating violence meaning violence committed by a person:
 - a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 1. the length of the relationship;
 2. the type of relationship; and
 3. the frequency of interaction between the persons involved in the relationship.
3. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - a. is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction in which the District is located, or a person similarly situated to a spouse of the victim;

- b. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - c. shares a child in common with the victim; or
 - d. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the applicable jurisdiction.
4. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- a. fear for the person's safety or the safety of others; or
 - b. suffer substantial emotional distress.

Student means: a person eligible to enroll in, attend, or participate in an elementary (including preschool) or secondary school in the District and who is enrolled in, attending, or participating in, or is seeking/attempting to enroll in, attend, or participate, in the District's education program or activity.

Student with a disability means: a student who is an individual with a disability as defined under Section 504 of the Rehabilitation Act of 1973, as amended ("Section 504"), or a child with a disability as defined under the Individuals with Disabilities Education Improvement Act ("IDEA").

Supportive measures means: individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- A. restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or the District's educational environment; or
- B. provide support during the Board's grievance procedures or an informal resolution process.

Parental, Family, or Marital Status

The Board will not adopt or apply any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats such student differently on the basis of sex.

Pregnancy or Related Conditions

Students:

The Board prohibits discrimination in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. The Board will permit a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of the District's education program or activity provided the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions. A student who is pregnant or experiencing related conditions shall receive comparable treatment to those with temporary medical conditions.

The District will not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the District's class, program, or extra-curricular activity unless:

- A. the certified level of physical ability or health is necessary for participation in the class, program, or extra-curricular activity;
- B. the District requires such certification of all students participating in the class, program, or extra-curricular activity; and
- C. the information obtained is not used as a basis for discrimination prohibited by Title IX or this Policy.

District's Responsibilities with Respect to a Student's Pregnancy or Related Conditions

When a Board employee is informed of a student's pregnancy or related conditions by the student or a person who has a legal right to act on behalf of the student, the employee shall promptly provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex

discrimination and ensure the student's equal access to the District's education program or activity, unless the employee reasonably believes the Title IX Coordinator has already been notified.

Once a student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions, the Title IX Coordinator shall promptly take the following specific actions to effectively prevent sex discrimination and ensure equal access to the District's education program or activity:

- A. Inform the student and, if applicable, the person who notified the Title IX Coordinator of the District's obligations to:
 1. prohibit sex discrimination under this policy, including sex-based harassment;
 2. provide the student with the option of reasonable modifications to the Board's policies, practices, or procedures because of pregnancy or related conditions;
 3. allow access, on a voluntary basis, to any separate and comparable portion of the District's education program or activity;
 4. allow a voluntary leave of absence;
 5. provide lactation space; and
 6. maintain grievance procedures that provide for the prompt and equitable resolution of complaints of sex discrimination, including sex-based harassment.
- B. Provide the student with voluntary reasonable modifications to the Board's policies, practices, or procedures because of pregnancy or related conditions.
- C. Allow the student to take a voluntary leave of absence from the District's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a Board maintains a leave policy for students that allows a greater period of time than the medically necessary period, the Board shall permit the student to take leave under that policy instead if the student so chooses. When the student returns to the District's education program or activity, the student will be reinstated to the academic status and, as practicable, to the extra-curricular status that the student held when the leave began.
- D. Provide lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

See Policy 5751 – School-Age Parents and Married Status of Students

Employees:

The Board will not adopt or implement any policy, practice, or procedure, or take any employment action, on the basis of sex:

- A. concerning the current, potential, or past parental, family, or marital status of an employee or applicant for employment, which treats persons differently; or
- B. that is based upon whether an employee or applicant for employment is the head of household or principal wage earner in such employee's or applicant's family unit.

The Board also will not make a pre-employment inquiry as to the marital status of an applicant for employment, including whether such applicant is a "Miss or Mrs."

Similarly, the Board will treat pregnancy or related conditions as any other temporary medical conditions for all job-related purposes, including commencement, duration, and extensions of leave; payment of disability income; accrual of seniority and any other benefit or service; and reinstatement; and under any fringe benefit offered to employees by virtue of employment.

If an employee has insufficient leave or accrued employment time to qualify for leave under the Board's leave policy, the Board will treat pregnancy or related conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status held when the leave began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

The Board will provide reasonable break time for an employee to express breast milk or breastfeed as needed and will

provide the employee with access to a lactation space, which must be a space other than a bathroom that is clean, shielded from view, free from intrusion from others, and may be used by an employee for expressing breast milk or breastfeeding as needed. See Board Policy 6700 – Fair Labor Standards Act.

TITLE IX COORDINATOR(S)

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Title IX:

Jen Talarczyk
 Director of Student Services
 1701 2nd Street
 New Glarus, WI 53574
 (608)527-2410

Nita Duerst
 Director of Human Resources
 1701 2nd Street
 New Glarus, WI 53574
 (608)527-2410

Jeff Eichelkraut
 Middle School Principal & Curriculum Director
 1701 2nd Street
 New Glarus, WI 53574
 (608)527-2410

The Board designates the Director of Student Services as the coordinator who is ultimately responsible for oversight over the Board's compliance with its responsibilities under Title IX.

The Title X Coordinator may delegate specific duties to one (1) or more designees.

The Title IX Coordinator shall report directly to the District Administrator except when the District Administrator is a party to a complaint (i.e., either the complainant or the respondent). Under such circumstances, the Title IX Coordinator shall report directly to the Board's Legal Counsel until the matter in which the District Administrator is a party is concluded.

Questions about this policy and Policy 2266 should be directed to the Title IX Coordinator.

The Title IX Coordinator shall monitor the District's education programs and activities for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX, and take steps reasonably calculated to address such barriers

Notice of Nondiscrimination

The District Administrator shall provide a notice of nondiscrimination to students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; and applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the District Administrator shall post the notice of discrimination on the District's website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to the persons listed above, or which are otherwise used in connection with the recruitment of students or employees.

GRIEVANCE PROCEDURES

Overview:

The Board adopts the following grievance procedures to provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the District's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX.

These grievance procedures shall be used for all complaints of sex discrimination, including sex-based harassment, involving conduct alleged to have occurred on or after August 1, 2024. These grievance procedures also may be used, at the discretion of the Title IX Coordinator, to investigate, address, and remedy (as necessary) conduct alleged to have occurred before August 1, 2024, that does not involve sex-based harassment, but some other form of sex discrimination prohibited by Title IX (Statute) – e.g., claims of unequal athletic opportunities, admissions discrimination, discrimination in courses or academic programs (i.e., excluding students from gain classes or programs based on their sex), pregnancy discrimination, unequal treatment based on parental, family, or marital status, discrimination in employment (including in

hiring, promotion, and compensation), and retaliation. If the Title IX Coordinator elects not to use these grievances procedures to investigate and resolve such claims, the Title IX Coordinator will still need to implement some procedures to assess – in a prompt, effective, and equitable manner – whether Title IX (Statute) was violated, and, if it was, how best to end the sex discrimination in the District’s education program or activity, prevent its recurrence, and remedy its effects.

Reports and Formal Complaints of “Sexual Harassment” (as defined in Policy 2266) involving conduct alleged to have occurred prior to August 1, 2024, are subject to the grievance procedures outlined in Policy 2266.

Under all circumstances, the Title IX Coordinator shall offer and coordinate supportive measures, as appropriate, in accordance with this policy or Policy 2266, if the Report or Formal Complaint involves “Sexual Harassment” alleged to have occurred prior to August 1, 2024.

If the conduct giving rise to a report or complaint of sex discrimination is alleged to have occurred both before **and** after August 1, 2024 (i.e., is part of a pattern of sex discrimination), the Title IX Coordinator shall determine, after consulting with the Board’s Legal Counsel, whether to use the grievance procedures contained in this policy or the grievance procedures contained in Policy 2266. The Title IX Coordinator will notify, in writing, the parties of the determination and the rationale for it. Under no circumstances, however, will a party be denied the due process to which the party is entitled based on the U.S. Department of Education-issued regulations in effect at the time the conduct alleged to violate Title IX (Statute) took place. Nothing herein shall prevent the Title IX Coordinator from using a hybrid grievance procedure that contains aspects of the grievance procedures contained in both this policy and Policy 2266, so that the parties receive all of the due process to which they are entitled.

Complaints:

The following people may make a complaint of sex discrimination – i.e., request that the District investigate and make a determination about whether sex discrimination as prohibited under Title IX occurred:

A. a “complainant,” which includes:

1. a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
2. a person other than a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the District’s education program or activity;

B. a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant;

C. the District’s Title IX Coordinator.

A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person who was subjected to the sex-based harassment, or if the Title IX Coordinator initiates a complaint consistent with the requirements of the 2024 Title IX regulations.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

A. any student or employee of the District; or

B. any person other than a student or employee who was participating or attempting to participate in the District’s education program or activity at the time of the alleged sex discrimination.

The District may consolidate complaints of sex discrimination against more than one (1) respondent, or by more than one (1) complainant against one (1) or more respondents, or by one (1) party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one (1) complainant or more than one (1) respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

Basic Requirements:

The District will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects of Policy 2264, including the Title IX Coordinator, the investigator, the decision-maker, and the appeal decision-maker of the informal resolution process, shall be free from any conflicts of interest or bias for or against complainants or respondents generally or an individual

complainant or respondent.

The Title IX Coordinator may serve simultaneously as an investigator and/or a decision-maker.

If the Title IX Coordinator does not intend to serve as the investigator and decision-maker in a specific case, the Title IX Coordinator shall designate one (1) or more administrators who are appropriately trained to serve in the role. Likewise, the Title IX Coordinator shall appoint an appeal decision-maker when an appeal is filed.

In circumstances when the Title IX Coordinator and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons that impair the Title IX Coordinator and other trained administrators from serving as an investigator and/or decision-maker in a specific case, the Title IX Coordinator shall, in consultation with and approval of the District Administrator secure one (1) or more independent third parties to serve as the investigator and/or decision-maker. Similarly, the Title IX Coordinator has authority, in consultation with and approval of the District Administrator to secure an independent third party to serve as the appeal decision-maker.

The District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

Under ordinary circumstances, the Board expects to complete the major stages of the grievance procedures within the timeframe specified below:

- A. **Evaluation** – The Title IX Coordinator will determine whether to dismiss a complaint or investigate it within ten (10) days of receiving the complaint.
- B. **Investigation** – The Title IX Coordinator, or designated investigator, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) within thirty (30) days of the Title IX Coordinator determining the charges require investigation. If, however, the Title IX Coordinator, or designated investigator, determines that the investigation is going to take longer, the Title IX Coordinator will so notify the parties and the District Administrator and will thereafter keep the parties and the District Administrator informed of the status of the matter on a regular basis. Once the Title IX Coordinator, or designated investigator, provides the parties with “access” to either the relevant and not otherwise impermissible evidence and/or an accurate description of the evidence, the parties will have five (5) days to respond to the evidence or the description of the evidence unless the Title IX Coordinator approves a party’s written request for more time. If the Title IX Coordinator approves such a request, both parties will be afforded an equal amount of time to submit their response.
- C. **Determination** – After the parties either submit responses to the evidence/description of the evidence, or the deadline for submitting such responses expires, the Title IX Coordinator, or designated decision-maker, will consider the relevant and otherwise not impermissible evidence and issue a determination as to whether sex discrimination occurred. The determination shall be issued within ten (10) days of the deadline for the parties to submit responses to the evidence/description of the evidence unless the District Administrator.
- D. **Appeal** – A party filing an appeal of the Title IX Coordinator’s decision to dismiss a complaint, or the Determination, must do so within five (5) days of receiving the Dismissal or Determination

The Title IX Coordinator, or the District Administrator if the Title IX Coordinator is the individual requesting an extension, may approve reasonable extensions of the preceding timeframes on a case-by-case basis for good cause with notice to the parties.

The District will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

The Title IX Coordinator, or designated decision-maker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible – including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person’s status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the District to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- A. evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- B. a party’s or witness’s records that are made or maintained by a physician, psychologist, or other recognized

professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and

- C. evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent shall not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude a determination that sex-based harassment occurred.

Notice of Allegations:

Upon initiation of the Board's grievance procedures, the Title IX Coordinator shall notify the parties of the following:

- A. the Board's Title IX grievance procedures and informal resolution process;
- B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- C. retaliation is prohibited; and
- D. the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the Title IX Coordinator, or designated investigator, provides the parties with a description of the evidence, any party may request access to the relevant and not otherwise impermissible evidence. The Title IX Coordinator will provide the requesting party with the relevant and not otherwise impermissible evidence in a timely manner.

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

Dismissal of a Complaint:

The Title IX Coordinator may dismiss a complaint of sex discrimination if:

- A. the District is unable to identify the respondent after taking reasonable steps to do so;
- B. the respondent is not participating in the District's education program or activity and is not employed by the Board;
- C. the complainant voluntarily withdraws any or all the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- D. the District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the Title IX Coordinator will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the Title IX Coordinator will promptly notify, in writing, the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also simultaneously notify, in writing, the respondent of the dismissal and the basis for the dismissal.

The Title IX Coordinator will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- C. the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, the Title IX Coordinator will:

- A. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- B. implement appeal procedures equally for the parties;
- C. ensure that the appeal decision-maker did not take part in an investigation of the allegations or dismissal of the complaint;
- D. ensure that the appeal decision-maker has been trained consistent with the 2024 Title IX regulations
- E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- F. notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the Title IX Coordinator will, at a minimum:

- A. offer supportive measures to the complainant as appropriate;
- B. if the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- C. take other prompt and effective steps, as appropriate, to ensure that sex discrimination does not continue or recur within the District's education program or activity.

Informal Resolution Process:

In lieu of resolving a complaint through the Board's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. The District will not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Adding Allegations and/or Consolidating Complaints:

If, in the course of an investigation, the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the original Notice of Allegations provided or that are included in a complaint that is consolidated, the Title IX Coordinator will notify the parties of the additional allegations.

Investigation:

The District will provide for an adequate, reliable, and impartial investigation of complaints.

The burden is on the District — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

The Title IX Coordinator, or the designated investigator and/or decision-maker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The Title IX Coordinator, or the designated investigator and/or decision-maker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

The District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- A. the District will provide the parties with an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence;

If the Title IX Coordinator, or designated investigator, provides a description of the evidence, the Title IX Coordinator, or designated investigator, will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

- B. the District will provide a reasonable opportunity to the parties to respond to the evidence or the accurate description of the evidence; and
- C. the District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Questioning the Parties and Witnesses:

If the investigator and decision-maker are two (2) separate individuals, the decision-maker will have an opportunity to question the parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one (1) or more allegations of sex discrimination.

If the investigator and the decision-maker are the same person, the decision-maker will have an opportunity to question the parties and witnesses in individual meetings as part of the investigation.

Determination of Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Title IX Coordinator or designated decision-maker will:

- A. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This standard of proof requires the decision-maker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision-maker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that sex discrimination occurred, regardless of the quantity of the evidence, the decision-maker will not determine that sex discrimination occurred.
- B. Notify the parties, in writing, of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal.
- C. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- D. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - 1. coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education program or activity limited or denied by sex discrimination;
 - 2. coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - 3. take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity.
- E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred.

Appeal of Determinations:

If a party disagrees with the decision-maker's determination as to whether sex discrimination occurred, the party may file an appeal. Appeals must be submitted, in writing, within five (5) days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the Determination was made; and

- C. the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

The complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed.

If a party appeals the decision-maker's determination, the Title IX Coordinator will:

- A. notify the parties of any appeal;
- B. implement appeal procedures equally for the parties;
- C. designate an appeal decision-maker, who will be a person who did not conduct the Investigation or render the Determination, and is appropriately trained
 1. the Title IX Coordinator will designate the District Administrator to be the appeal decision-maker, provided the District Administrator has not been otherwise involved in the grievance procedures (i.e., did not serve as the investigator, decision-maker, or informal resolution process facilitator) and is appropriately trained;
 2. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the decision-maker's determination;
 3. provide the appeal decision-maker with the relevant and not otherwise impermissible evidence along with the accurate description of the relevant evidence (if one was prepared and shared with the parties), any responses the parties submitted to the investigator related to the evidence and/or the description of the evidence (if one was prepared), and the decision-maker's determination; and
 4. notify the parties, in writing, of the result of the appeal and the appeal decision-maker's rationale for the outcome.

After a party files an appeal, both parties will have five (5) days to submit to the appeal decision-maker a statement in support of their position that they want the appeal decision-maker to consider in rendering a decision. Once the decision-maker receives each parties' statement, or the timeline for submitting such statements expires, the appeal decision-maker will have ten (10) days to issue a decision on the appeal.

No new or additional evidence may be submitted during the appeal process.

The appeal decision-maker shall determine the outcome of the appeal based on the appeal decision-maker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence, the feedback the parties provided to the investigator and/or decision-maker based on their review of the relevant evidence and any description of the relevant evidence that was prepared and shared with the parties, and the decision-maker's written determination) and the appeal decision-maker's application of the law and Board policy to the facts in the record. The appeal decision-maker must give due deference and due weight to the decision-maker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record read in its entirety compels a contrary conclusion. Generally, the appeal decision-maker is expected to uphold the decision-maker's determination unless the appeal decision-maker determines the decision-maker's determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the decision-maker's determination.

The appeal decision-maker shall simultaneously notify the parties, in writing, of the result of the appeal and the rationale for the outcome.

Supportive Measures:

The District will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the District's education program or activity or provide support during the Board's grievance procedures or during the informal resolution process. For allegations of sex discrimination other than sex-based harassment or retaliation, the District's provision of support measures does not require the District, Board employees, or any other person authorized to provide aid, benefit, or service on the District's behalf to alter the alleged discriminatory conduct for the purpose of providing a supportive measure.

The Title IX Coordinator shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the Title IX Coordinator deems to be reasonably available. Supportive measures may include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; school/campus escort services; increased security and monitoring of certain areas of the campus (including school buildings and facilities); restrictions on contact between the parties; leaves of absence; changes in class, work, or extra-curricular or any other

activity, regardless of whether there is or is not a comparable alternative; training and education programs related to sex-based harassment; referral to Employee Assistance Program; and other similar measures.

Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties and/or the District's educational environment, or to provide support during the Board's grievance procedures or the informal resolution process.

The District will not impose such measures for punitive or disciplinary reasons.

The Title IX Coordinator may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures, or at the conclusion of the informal resolution process, or the District may continue them beyond that point.

The District will provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures as set forth in the Key Definitions section of this policy.

A party may seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

The District will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the District's education program or activity, or as otherwise permitted pursuant to the 2024 Title IX regulations.

If the complainant or respondent is an elementary or secondary student with a disability, the Title IX Coordinator shall consult with one (1) or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one (1) or more members, as appropriate, of the student's Section 504 team, if any, to determine how to comply with the requirements of the IDEA and/or Section 504, in the implementation of supportive measures.

The District Administrator may place an employee respondent on administrative leave from employment responsibilities during the pendency of the Board's grievance procedures.

Disciplinary Sanctions and Remedies:

Following a determination that sex-based harassment occurred, the District may impose disciplinary sanctions, which may include:

For Students

A. Informal Discipline

1. writing assignments;
2. changing of seating or location;
3. pre-school, lunchtime, after-school detention;
4. in-school discipline;

B. Formal Discipline

1. suspension of bus riding/transportation privileges;
2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
3. emergency removal;
4. suspension for up to five (5) school days;
5. suspension for up to fifteen (15) consecutive school days if a notice of expulsion hearing has been sent;
6. suspension for up to ten (10) consecutive school days for each incident if the student is eligible for special

education services under Chapter 115, Wis. Stats.;

7. expulsion;
8. permanent exclusion from co-curricular and/or extra-curricular activity(ies), including athletics or current class enrollment; and
9. any other sanction authorized by the Student Code of Conduct.

For Employees

- A. oral or written warning;
- B. written reprimands;
- C. required training or education;
- D. demotion;
- E. suspension with pay;
- F. suspension without pay;
- G. termination and any other sanction authorized by any applicable Board Policy and/or Employee/Administrator Handbook.

The District may also provide remedies, which may include disciplinary sanctions/consequences. The Title IX Coordinator will notify the District Administrator of the recommended remedies, so an authorized administrator can consider the recommendation and implement appropriate remedies in compliance with applicable due process procedures, whether statutory or contractual.

With respect to student respondents, the Title IX Coordinator will notify the District Administrator of the recommended remedies (including disciplinary sanctions/consequences), 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. 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 ("Section 504"), and their respective implementing regulations.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant employee handbooks.

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 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 initiating a disciplinary process against a person for a code of conduct violation that does not involve sex discrimination but arises out of the same facts and circumstances as a complaint or information reported about possible sex discrimination, for the purpose of interfering with the exercise of any right or privilege secured by Title IX constitutes retaliation. Peer retaliation is also prohibited. Retaliation against a person for making a 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 District shall initiate its grievance procedures upon receiving any complaint alleging retaliation.

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 that sex discrimination occurred, 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 complaint of sex discrimination, 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 regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. 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 related to the investigation and determination of whether sex discrimination occurred).

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 sex discrimination based on expressive conduct that is protected by the First Amendment.

Training

All employees, investigators, decision-makers, facilitators of informal resolution process, the Title IX Coordinator(s) and designees, and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under Title IX and this Policy. The training shall be provided promptly upon hiring or change of position that alters their duties under Title IX or this policy, and annually thereafter. The training shall not rely on sex stereotypes.

Training materials must be made available for inspection upon request by members of the public.

Recordkeeping

The District shall maintain for a period of seven (7) calendar years the following records:

- A. for each complaint of sex discrimination, records documenting the informal resolution process and/or the grievance procedures followed and the resulting outcome;
- B. for each notification that the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX, including notifications under 34 C.F.R. § 106.44(c)(1) or (2), records documenting the actions the District took to meet its obligations under 34 C.F.R. §106.44; and
- C. all materials used to provide the required training.

Outside Appointments, Dual Appointments, and Delegations

The Board retains 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, appeal decision-maker, or facilitator of the informal resolution process.

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

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, appeal decision-maker, and facilitator of the informal resolution process to any suitably qualified individual and such delegation may be rescinded by the District Administrator at any time.

Discretion in Application

The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific complainant and/or respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right or as part of any other express or implied contract. Accordingly, the Board retains discretion to ~~repeal~~ ^{revise} this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

T.C. 7/15/24

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Legal

19.21(6), Wis. Stats.

120.13, Wis. Stats.

948.01, Wis. Stats., et. seq.

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

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

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

34 C.F.R. Part 106

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

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

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

42 U.S.C. 1983

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.

OCR's Revised Sexual Harassment Guidance (2001)

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

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Book	Policy Manual
Section	2000 Program
Title	NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2266
Status	Active
Adopted	August 3, 2020
Last Revised	July 15, 2024

2266 – NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES (The Board’s Policy and Grievance Procedures for Responding to Sexual Harassment Alleged to Have Occurred Prior to 8/1/2024)

Effective August 1, 2024, this policy shall only pertain to reports or formal complaints of Sexual Harassment that are based on conduct alleged to have occurred on or before July 31, 2024.

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 (1) 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 948.095, Wis. Stats.
 - 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, 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 a 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:

Jen Talarczyk
Director of Student Services
1701 2nd Street
New Glarus, WI 53574
608-527-2410

Nita Duerst
Director of Human Resources
1701 2nd Street
New Glarus, WI 53574
608-527-2410

Jeff Eichelkraut
Middle School Principal & Curriculum 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:

*Jen Talarczyk
Director of Student Services
1701 2nd Street
New Glarus, WI 53574
608-527-2410*

*Nita Duerst
Director of Human Resources
1701 2nd Street
New Glarus, WI 53574
608-527-2410*

*Jeff Eichelkraut
Middle School Principal & Curriculum 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 shall determine who will 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 purpose 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 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

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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 (1) 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 (1) 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 (1) Respondent, or by more than one (1) Complainant against one (1) or more Respondents, or by one (1) party against the other party, where the allegations of sexual harassment arising out of the same facts or circumstances.

Where a grievance process involves more than one (1) Complainant or more than one (1) 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 includes 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.

Revised 10/11/21
 T.C. 4/11/22
 Revised 12/5/22
 T.C. 6/6/23
 T.C. 7/15/24

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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.
	120.13, Wis. Stats.
	948.01 et. seq., Wis. Stats.
	OCRs 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)

V. **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.