

NOTICE

**SCHOOL DISTRICT OF NEW GLARUS
BOARD OF EDUCATION
POLICY, SPORTS, AND CO-CURRICULAR COMMITTEE MEETING
MONDAY, JUNE 26, 2017
ELEMENTARY SCHOOL CONFERENCE ROOM
6:00 PM**

AGENDA

I. CALL MEETING TO ORDER - KEITH STEFFEN

II. NEOLA POLICY UPDATES

A. PO100 - DEFINITIONS	4
B. PO151.2 - REQUIRED PUPIL ACADEMIC STANDARDS AGENDA ITEM (NEW)	7
C. PO1460 - PHYSICAL EXAMINATION	8
D. PO1461 - UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY	9
E. PO1619 - GROUP HEALTH PLANS (NEW)	11
F. PO1619.02 - PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS (NEW)	12
G. PO1619.03 - PATIENT PROTECTION AND AFFORDABLE CARE ACT (NEW)	14
H. PO2370 - EDUCATIONAL OPTIONS	15
I. PO2413 - HEALTH EDUCATION	16
J. PO2460.03 - INDEPENDENT EDUCATIONAL EVALUATION (IEE)	17
K. PO3120 - EMPLOYMENT OF PROFESSIONAL STAFF	19
L. PO3124 - EMPLOYMENT CONTRACT	22
M. PO3140 - TERMINATION, NON-RENEWAL AND RESIGNATIONS	23
N. PO3160 - PHYSICAL EXAMINATIONS	24
O. PO3161 - UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY	25
P. PO3310 - FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS	27
Q. PO3419 - GROUP HEALTH PLANS	28
R. PO3419.02 - PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS (NEW)	29
S. PO3419.03 - PATIENT PROTECTION AND AFFORDABLE CARE ACT	31

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.

T. PO4160 - PHYSICAL EXAMINATION	32
U. PO4310 - FREEDOM OF SPEECH IN NON-SCHOOL SETTINGS	33
V. PO4419 - GROUP HEALTH PLANS	34
W. PO 4419.02 - PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS	35
X. PO4419.03 - PATIENT PROTECTION AND AFFORDABLE CARE ACT (NEW)	37
Y. PO5111.01 - HOMELESS STUDENTS (NEW)	38
Z. PO5111.03 - ESSA CHILDREN AND YOUTH IN FOSTER CARE (NEW)	42
AA. PO5341 - EMERGENCY MEDICAL AUTHORIZATIONS	45
BB. PO5530 - DRUG PREVENTION	46
CC. PO5780 - STUDENT/PARENT RIGHTS	48
DD. PO6145 - BORROWING	50
EE. PO6150 - TUITION INCOME	51
FF. PO6152 - STUDENT FEES, FINES AND CHARGES	52
GG. PO6350 - DELETE PREVAILING WAGE COORDINATOR	54
HH. PO6700 - FAIR LABOR STANDARDS ACT (FLSA)	55
II. PO7540 - COMPUTER TECHNOLOGY NETWORK, AND INTERNET ACCEPTABLE USE AND SAFETY	57
JJ. PO7540.01 - TECHNOLOGY PRIVACY	58
KK. PO7540.02 - DISTRICT WEB PAGE	60
LL. PO8330 - STUDENT RECORDS	62
MM. PO8340 - PROVIDING A REFERENCE (NEW)	67
NN. PO8500 - FOOD SERVICES	68
OO. PO8510 - WELLNESS	71
PP. PO8531 - FREE AND REDUCED-PRICE MEALS	74
QQ. PO8605 - USE OF ELECTRONIC WIRELESS COMMUNICATION DEVICES BY DISTRICT EMPLOYEES WHO OPERATE BOARD OWNED OR OPERATED VEHICLES	76
RR. PO9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS	77

III. ADJOURNMENT

POSTED :

NG HIGH SCHOOL
NG MIDDLE SCHOOL

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.

NG ELEMENTARY SCHOOL
NG POST OFFICE
BANK OF NEW GLARUS
UB&T BANK OF NEW GLARUS
ANCHOR BANK OF NEW GLARUS

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.

Book	Policy Manual
Section	Policies Under Review
Title	Copy of Copy of DEFINITIONS
Number	po0100
Status	
Adopted	March 13, 2017

0100 - DEFINITIONS

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

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

Administrative Guideline

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

Agreement

~~A collectively negotiated contract with a recognized bargaining unit.~~

Apps and Web Services

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

Board

The Board of Education also commonly referred to as the School Board.

Bylaw

Rule of the Board for its own governance.

Clerk

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

District

The School District.

District Administrator

The chief executive officer of the School District sometimes locally referred to as Superintendent. In policy, capitalization of the term District Administrator implies delegation of responsibilities to appropriate staff members

Due Process

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

Full Board

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

Information Resources

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

May

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

Medical Advisor

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

Meeting

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

Parent

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

Personal Communication Devices

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

Policy

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

President

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

Principal

The educational leader and head administrator of one (1) or more District schools. In policy and administrative guidelines, implies authority to delegate responsibilities to appropriate members of his/her staff.

Professional Staff Member

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

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household.

Shall

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

Student

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

Support Staff

Any employee who provides support to the District's program and whose position does not require a professional certificate. This category includes special education paraprofessionals.

Technology Resources

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

Treasurer

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

Vice-President

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

Voting

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

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

© Neola 2016⁵

Last Modified by Jennifer Thayer on May 30, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 New REQUIRED PUPIL ACADEMIC STANDARDS AGENDA ITEM
Number po0151.2
Status

0151.2 - Required Student Academic Standards Agenda Item

At the first school Board meeting in July, the Board shall include an item on the agenda to approve a notice that clearly identifies the student academic standards under §118.30(1g)(a)1 that will be in effect for that school year.

© Neola 2016

Legal 118.30

Last Modified by Steve LaVallee on May 24, 2017

Book Policy Manual
 Section Policies Under Review
 Title Copy of PHYSICAL EXAMINATION
 Number po1460
 Status
 Adopted March 13, 2017

1460 - **PHYSICAL EXAMINATION**

The Board of Education requires ~~any~~ candidates ~~s~~ who has been offered a position in which s/he will come in contact with children or prepare food ~~for children~~, as a condition of employment, to submit to an examination, including a test for tuberculosis, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with ~~118.25 Wis. Stats~~ applicable law.

Employees will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act in order to allow the report of the medical examination to be released to the Board/District Administrator and to allow the District Administrator or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification (see Form 1460 F2).

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 1422.02 the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the Board to conduct the examination, are directed not to collect genetic information or provide any genetic information, including the candidate's family medical history, in the report of the medical examination.

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

In the event of a report of a condition that could influence job performance, the District Administrator shall base a non-employment recommendation to the Board upon a conference with the examining physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities. Freedom from tuberculosis in a communicable form is a condition of employment for positions in which the employee will come in contact with children or prepare food.

The Board shall assume any fees for required examinations.

© Neola 2016

Legal 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
 42 U.S.C. 12101 et seq. Americans with Disabilities Act of 1990, as amended
 T 118.25, Wis. Stats.
 121.52(b), Wis. Stats.
 29 C.F.R., Part 1630
 29 C.F.R. Part 1635

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY
Number	po1461
Status	
Adopted	March 13, 2017

1461 - UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

It is the policy of the Board of Education to protect the students and employees of this District from the effects of contagious diseases and other circumstances that render school administrative employees unable to perform their duties.

The Board authorizes the District Administrator to place an administrative employee on leave for physical or mental condition that affects the employees ability to perform assigned duties in conformance with the law ~~and consistent with any applicable terms of a collective bargaining agreement.~~

The District Administrator shall require that the administrative employee submit to an appropriate examination by a health-care provider designated by the administrative staff member.

Where the healthcare provider designated by the District Administrator disagrees with a healthcare provider designated by the administrative staff member, the two (2) healthcare providers shall agree in good faith on a third impartial healthcare provider who shall examine the staff member and whose medical opinion shall be conclusive and binding on the issue of medical capacity to perform assigned duties. The expenses of a third examination shall be borne by the District.

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

As required by Federal law and regulation and Board Policy 1422.02, the District Administrator shall direct the provider designated by the Board to conduct the examination not to collect genetic information or provide any genetic information, including the individual's family medical history, in the report of the medical examination.

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

If, as a result of his/her such examination, the administrative staff member is found to be unable to perform assigned duties, the administrative staff member shall be placed on leave of absence with such compensation to which s/he is entitled until proof of recovery, satisfactory to the District Administrator, is furnished.

Should an administrative staff member refuse to submit to an examination such action constitutes insubordination.

The District Administrator may designate any period of leave under this policy as qualifying leave under State and/or Federal FMLA leave entitlement consistent with Policy 3430.01 as provided by law.

© Neola 2011

Legal

111.32, et. seq., the Wisconsin Fair Employment Act

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

29 C.F.R., Part 1630

29 C.F.R. Part 1635

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 New GROUP HEALTH PLANS
Number po1619
Status

1619 - **GROUP HEALTH PLANS**

The Board of Education shall have discretion to establish and maintain group health plans for the benefit of eligible employees. These group health plans may provide certain health benefits to employees as permitted by law.

The Board has elected to provide minimum value health coverage for some or all of its eligible employees. The terms and conditions of the health coverage are set forth in the appropriate plan documents.

Eligible employees who have coverage through the employer of a working spouse may receive additional compensation if they waive the District's medical coverage. Eligible employees who waive the medical coverage will be paid an additional amount, as determined by the Board, with the understanding that this additional compensation is subject to FICA, Medicare, and Federal, State and local income tax. To receive this compensation, the eligible employee must have medical coverage provided by the spouse's employer.

© Neola 2016

Legal

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	VOL. 26, NO. 1 New PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS
Number	po1619.02
Status	

1619.02 - **PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS**

The Board of Education provides coverage to eligible employees under fully insured group health plans.

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Fully insured group health plans generally are exempt from many of the requirements imposed upon self-funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic protected health information in accordance with the HIPAA Security Rule.

The Board hereby appoints the Human Resources Director to serve as the Security Official of the group health plans. All of the group health plans' functions are carried out by the insurer and the insurer owns and/or controls all of the equipment and media used to create, maintain, receive, and transmit electronic protected health information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule.

The Security Official does not have the ability to assess or adjust the insurer's policies related to the HIPAA Security Rule. Accordingly, unless otherwise determined by the Security Official, the group health plans shall utilize as administrative guidelines the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information.

The U.S. Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties upon Covered Entities. HHS has not historically imposed these penalties directly upon individuals. Notwithstanding the foregoing, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official in connection with the performance of their delegated duties for the group health plans, except to the extent that any liability is imposed as the result of intentional misconduct or gross negligence by the Privacy Official or Security Official as defined by law.

The fully insured group health plans established by the Board shall:

- A. Refrain from taking any retaliatory action against any individual from exercising any right under the plan, filing a complaint with Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful.
- B. Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.
- C. If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.
- D. Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services, and the media (when required), if the plan or one of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.

Fully insured group health plans established by the Board shall not create or receive protected health information, except for:

- A. Summary health information. Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.

B. Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.

C. Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.

© Neola 2016

- Legal
- 20 U.S.C. 1232g
 - 29 C.F.R. Part 1635
 - 42 U.S.C. 1320d-2
 - 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
 - Health Insurance Portability and Accountability Act (HIPAA)
 - 45 C.F.R. 160.102(a), 164.302, 164.308 (a)(2), 164.404, 164.406, 164.408
 - 45 C.F.R. 164.502, 164.502(a), 164.520(a), 164.530(g), 164.530(h), 164.530(j)
 - 45 C.F.R. 164.530(k)

Last Modified by Steve LaVallee on May 24, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 New Patient Protection and Affordable Care Act
Number po1619.03
Status

1619.03 - Patient Protection and Affordable Care Act

The Board of Education acknowledges that the Patient Protection and Affordable Care Act ("ACA") imposes certain obligations upon the District. Such obligations may include the following:

- A. The District shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee's employment start date. Sample form notices are available from the U.S. Department of Labor at:

<http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>

- B. Employees of the District have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the District enrolls in the Health Insurance Marketplace and receives a subsidy, then the District may be liable for a penalty.

In event that the District concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the District shall incur the potential penalty.

© Neola 2016

Legal 26 USC 4980H
29 USC 218B

Last Modified by Steve LaVallee on May 24, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of EDUCATIONAL OPTIONS
Number	po2370
Status	
Adopted	March 13, 2017

2370 - EDUCATIONAL OPTIONS

The Board of Education recognizes the need to provide alternative means by which students achieve the goals of the District.

Such options shall be consistent with Chapter 118 and may include, but not be limited to, tutorial programs, independent study, correspondence courses, work-study or school work training programs, high school equivalency programs, technical college programs, summer school, early college entrance, etc.

Credit may be granted to the student upon complete evaluation of the program.

The credit shall be placed on the student's transcript. The amount of credit counting toward graduation shall comply with the graduation requirements of the State and the District.

A list of ~~the~~ educational options available to students who reside in the District shall be provided to all parents on an annual basis. The list shall include public schools, private schools participating in a parental choice program, charter schools, virtual schools, full-time open enrollment, youth options, and course options. Such notice shall be published as a Class 1 Notice, pursuant to State law requirements, and ~~the Board shall~~ posted on its website ~~a description of all educational options available to students~~ no later than January 31st each year. This notice shall include the performance category assigned to each school within the District, including charter schools and private schools participating in parental choice and shall inform parents that the full reports described in Policy 2605 are available on the website.

© Neola 2016~~5~~

Legal
115.385(4), 118.15, 118.55, 118.57 Wis. Stats.

Legal 115.385(4), 118.15, 118.55, 118.57 Wis. Stats.

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of HEALTH EDUCATION
Number	po2413
Status	
Adopted	March 13, 2017

2413 - **HEALTH EDUCATION**

The Board of Education, in compliance with State law, has adopted a comprehensive program of health education which will prepare students to maintain good health and enable them to adapt to changing health problems of our society.

The Board recognizes that this program, like others the District offers, may contain content and/or activities that some parents find objectionable. The District shall notify the parents, in advance of the instruction and about the content of the instruction and give the parents an opportunity to review the materials to be used.

Students in grades seven (7) through twelve (12) will be provided instruction in cardiopulmonary resuscitation and cardiocerebral resuscitation including instruction on the psychomotor skills necessary to perform both skills as part of any health education course offered.

Students in grades seven (7) through twelve (12) will be provided instruction about automated external defibrillators as identified in Policy 8452 - Automated External Defibrillators.

In implementing the program, the District Administrator may use whatever District and outside resources, including Wisconsin Department of Public Instruction guidelines and consultants, s/he deems appropriate.

© Neola 2016

Legal
115.35, 118.076, Wis. Stats.

Legal
115.35, Wis. Stats.

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of VOL. 26, NO. 1 New INDEPENDENT EDUCATIONAL EVALUATION (IEE)
Number	po2460.03
Status	

2460.03 - INDEPENDENT EDUCATIONAL EVALUATION (IEE)

An independent educational evaluation (IEE) is an evaluation conducted by a qualified examiner who is not an employee of this District. A parent has the right to an IEE at public expense if the parent disagrees with an evaluation that the District conducted. For purposes of this policy, "evaluation" means the procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs. In the event the District receives a parent request for an IEE, the District must either provide the IEE at District expense pursuant to this policy or request a due process hearing to show that its evaluation is appropriate. The IEE must meet District criteria for IEEs, which is the same criteria that the District uses when it conducts its own evaluations. If the District requests a due process hearing and the hearing officer determines that the District's evaluation is appropriate, the parent still has the right to an IEE, but not at public expense. Parents may only request one publicly funded IEE for each evaluation completed by the District.

Procedures to Obtain an IEE at Public Expense

- A. The parent should submit to the District a written request for an IEE, and should include in such request an explanation of their reasons for objecting to the evaluation obtained by the District. However, the District will not deny parents a publicly funded IEE because they fail to provide the District with such a written request or fail to provide reasons for requesting an IEE.
- B. If a parent requests an IEE, the District will provide the following information:
 1. A list of the names and addresses of IEE examiners located in the area. The list will consist of IEE examiners who, in the District's judgment, are qualified to perform the evaluation requested by the parents. If a qualified examiner is not located in the area, the District will identify a qualified examiner elsewhere in the State of Wisconsin.
 2. A description of the District's criteria for selection of IEE examiners.
- C. Minimum qualifications for IEE examiners. The District will not pay for an IEE unless the IEE complies with the following criteria or the parents can show unique circumstances that justify a publicly funded IEE that does not meet the criteria.
 1. The prospective IEE examiner (the "examiner") must hold a valid license from the State of Wisconsin in the field related to the known or suspected disability. The examiner must have extensive training in the evaluation of the area(s) of concern and be able to interpret instructional implications of the evaluation results. In instances where no "applicable license" exists, the evaluator must provide documentation of extensive and recent training and experience related to the known or suspected disability.
 2. The examiner must be located within 100 miles of the District, and must conduct the evaluation within District boundaries.
 3. The examiner may only charge fees for educational evaluation services that, in the sole judgment of the District, are reasonable.
 4. The examiner must be permitted to directly communicate and share information with members of the IEP Team. The examiner must also agree to release the assessment and results, including parent and teacher surveys, prior to receipt of payment for services.
 5. If the District evaluation included an observation of the child in one (1) or more educational settings, the IEE shall include at least one (1) observation in that setting. Evaluators shall make at least one (1) contact with the child's general education teacher for the purpose of determining how the student is progressing in the general curriculum. In addition, evaluators are encouraged to make additional contacts with other involved general or special education teachers. If the purpose of the evaluation is to address a learning disability, an observation of

the child is a required evaluation component.

6. The same criteria apply to both public and independent examiners.

- D. The maximum allowable cost for an examiner will be the average cost per day or per hour for a similarly qualified staff member employed by the District during the current school year, as determined by the Director of Special Education (not to exceed \$400.00). In the unusual event the examiner is one (1) not typically employed by the District, such as a medical doctor, psychiatrist, clinical psychologist, or other similar professional, reimbursement of costs will be limited to reasonable and customary charges as determined by the District and its insurance carrier. The District shall not be responsible for reimbursement of travel costs or other related costs incurred by the parents in connection with their arrangement of, or their attendance at the IEE, unless the parent can demonstrate that necessary services are not available in the community.
- E. The District will permit parents to show that unique circumstances justify an IEE that exceeds the maximum allowable cost. If the total cost of the IEE exceeds the maximum allowable costs and if, in the District's sole judgment, there is no justification for the excess cost, the cost of the IEE will be funded up to the District's maximum allowable cost and no further. The parents shall be responsible for any remaining cost.

For more information, parents may request a copy of Bulletin 99.02 "Independent Educational Evaluations (IEEs)" from the District or from the Department of Public Instruction, Division of Learning Support: Equity and Advocacy.

© Neola 2016

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of EMPLOYMENT OF PROFESSIONAL STAFF
Number	po3120
Status	
Adopted	March 13, 2017

3120 - **EMPLOYMENT OF PROFESSIONAL STAFF**

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

All employees other than the District Administrator or Support Staff Members (Policy 0100 – Definitions) are considered Professional Employees.

The Board shall approve the employment, for each professional staff member employed by this District.

Such approval shall be given only to those candidates for employment recommended by the District Administrator.

When any recommended candidate has been rejected by the Board, the District Administrator shall make a substitute recommendation.

All applications for employment shall be referred to the WECAN.

Relatives of Board members may be employed by the Board, provided however, if the Board member will benefit financially either directly or indirectly, the Board member may not participate in any way in the discussion or vote on any matter relating to said employment.

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

Any professional staff member's intentional misstatement of fact material to his/her qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

The employment of professional staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

No candidate for employment to the professional staff shall receive recommendation for such employment without having provided visual evidence of proper certification or that application for such certification is in process.

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

Any person who signs a contract to teach in the District must, within ten (10) days after signing the contract, file in the office of the District Administrator a statement showing the date of expiration and the grade and character of the certificate or license held.

The District Administrator shall prepare procedures for the recruitment and selection of all professional staff which includes reporting newly hired employees to the Wisconsin Department of Workforce Development.

DISTRICT SUPPORTED ALTERNATIVE LICENSING PROGRAMS

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

EXPERIENCED-BASED LICENSURE FOR TECHNICAL AND VOCATIONAL EDUCATION

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

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

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

- A. The following points for experience in a technical field (must comprise at least twenty-five (25) of the required 100 points):
1. For a bachelor's degree in any science, technology, engineering, or mathematics field and any teaching license or permit, or in a field related to the vocational subject, 100 points.
 2. For a bachelor's degree in any science, technology, engineering, or mathematics field, or in a field related to the vocational subject seventy-five (75) points.
 3. For a bachelor's degree in a field other than those described in numbers 1. and 2., above, sixty-five (65) points.
 4. For industry or vocational certification, ninety (90) points.
 5. For industry experience in a trade or technical field or in the vocation, five (5) points per forty (40) hours worked up to a maximum of ninety (90) points.
 6. For an internship in a trade or technical field or in the vocation, twenty- five (25) points.
 7. For being mentored in a trade or technical skill or in the vocation by a colleague or a Wisconsin Technology Education Association or a recognized vocational association approved mentor, twenty-five (25) points.
 8. For an apprenticeship in a trade or technical field or in the vocation, five (5) points per forty (40) hours worked up to a maximum of ninety (90) points.
- B. The following points for pedagogical experience (must be at least twenty- five (25) out of the 100 required points):
1. For a bachelor's degree in technical or technology education, 100 points.
 2. For a bachelor's degree in a field other than any science, technology, engineering, mathematics, or technical or technology education field, or in a subject related to the vocation and any teaching license or permit, seventy-five (75) points.
 3. For credit earned at an accredited institution of higher education or technical college, three (3) points per credit up to a maximum of seventy-five (75) points for technical or technology education courses and science, technology, engineering, or mathematics courses or any field related to the vocation and three (3) points per credit up to a maximum of seventy-five (75) points for education and pedagogical courses.
 4. For completing at least 100 hours of training in pedagogy, five (5) points per fifty (50) hours up to a maximum of seventy-five (75) points.

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

PROFESSIONAL TEACHING PERMIT

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

- A. The District is experiencing a shortage in the availability of teachers with professional teaching certification in the subject area and is unable to fill a position with an acceptable licensed teacher.
- B. The individual holds at least a bachelor's degree in engineering, mathematics, science, computer science, art, music, or world languages.
- C. The individual possesses at least five (5) years of verifiable industry experience in the same field as the bachelor's degree.
- D. The individual has completed at least 100 hours of pedagogical training in an alternative teacher licensing program approved by DPI.
- E. The District Administrator shall implement a plan to provide supervision of the teacher by a teacher that holds regular professional teaching licensure during the two (2) year period of the permit.
- F. The hiring of the teacher under this alternative licensure program will not displace a regularly licensed teacher in the District.

© Neola 2016

Legal 118.19, 118.21, 118.21(2), 121.02, Wis. Stats.
 20 U.S.C. 6319
 20 U.S.C. 7801
 34 C.F.R. 200.55-200.56

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of EMPLOYMENT CONTRACT
Number	po3124
Status	
Adopted	March 13, 2017

3124 - **EMPLOYMENT CONTRACT**

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

The District Administrator is authorized to execute employment contracts for the Board of Education upon approval of employment by the Board.

© Neola 2016

Legal 118.21, Wis. Stats.

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of TERMINATION, NON-RENEWAL AND RESIGNATION
Number	po3140
Status	
Adopted	March 13, 2017

3140 - **TERMINATION, NON-RENEWAL AND RESIGNATION**

TERMINATION AND NON-RENEWAL

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

All employees are at will employees ~~who~~ that may be terminated or whose contracts may be non-renewed for any reason provided that the decision is not arbitrary or capricious, or in violation of any applicable law.

In the event the District Administrator intends to recommend the non-renewal of a teacher's contract, s/he shall comply with applicable statutory non-renewal procedures. No teacher may be terminated or non-renewed solely on the basis of the results of mandatory student examinations.

Any decision to terminate or non-renew a staff member's employment contract shall be subject to review consistent with the grievance procedure in Policy 3340 - Grievance Procedure.

RESIGNATION

A professional staff member may resign in accordance with the terms of his/her employment contract. A resignation, once submitted and accepted by the Board, is final and may not be rescinded without approval by the Board.

An administrator who is not employed pursuant to an employment contract governed by Section 118.24, Wis. Stats., may resign by filing a written resignation with the District Administrator, and such resignation once accepted by the District Administrator may not be rescinded.

~~The District Administrator may act for the Board in the acceptance of a resignation.~~

The District Business Manager, Principal, and any assistant principals employed by the District, as well as any other administrator employed pursuant to a contract governed by section 118.24, Wis. Stats. may resign employment with the District in accordance with the terms of his/her contract. A resignation, once submitted and accepted by the Board, may not be rescinded without further action by the Board.

© Neola 2012

Legal	118.22, Wis. Stats.
	118.24, Wis. Stats.

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
 Section Policies Under Review
 Title Copy of VOL. 26, NO. 1 Revised PHYSICAL EXAMINATION
 Number po3160
 Status

3160 - PHYSICAL EXAMINATION

The Board of Education requires ~~any~~ candidates who has been offered a position in which s/he will come in contact with children or prepare food for children, as a condition of employment, to submit to an examination, including a test for tuberculosis, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with ~~118.25 Wis. Stats~~ applicable law.

Employees will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act in order to allow the report of the medical examination to be released to the Board/District Administrator and to allow the District Administrator or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification (see Form 1460 F2).

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 1422.02 the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the Board to conduct the examination, are directed not to collect genetic information or provide any genetic information, including the candidate's family medical history, in the report of the medical examination.

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

In the event of a report of a condition that could influence job performance, the District Administrator shall base a non-employment recommendation to the Board upon a conference with the examining physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities. Freedom from tuberculosis in a communicable form is a condition of employment for positions in which the employee will come in contact with children or prepare food.

The Board shall assume any fees for required examinations.

© Neola 2016~~±~~

Legal 118.25, Wis. Stats.
 29 C.F.R., Part 1630
 29 C.F.R. Part 1635
 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY
Number	po3161
Status	
Adopted	March 13, 2017

3161 - UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

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

The Board authorizes the District Administrator to place a professional staff member on unrequested leave of absence for physical or mental inability to perform assigned duties in conformance with the law ~~and consistent with the terms of the collective bargaining agreement.~~

The District Administrator shall require that the professional staff member submit to an appropriate examination.

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

As required by Federal law and regulation and Board Policy 3122.02, the District Administrator shall direct the provider designated by the Board to conduct the examination not to collect genetic information or provide any genetic information, including the individual's family medical history, in the report of the medical examination.

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

If, as a result of such examination, the professional staff member is found to be unable to perform assigned duties, the professional staff member shall be placed on leave of absence until proof of recovery, satisfactory to the District Administrator, is furnished.

Should a professional staff member refuse to submit to the examination requested by the District Administrator such refusal shall subject the professional staff member to disciplinary action.

The Board may designate any period of leave under this policy as qualifying leave under State and/or Federal FMLA leave entitlement consistent with Policy 3430.01 as provided by law.

© Neola 2013

Legal	42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
	111.32, et seq., the Wisconsin Fair Employment Act
	29 C.F.R., Part 1630
	29 C.F.R., Part 1635

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
Section Policies Under Review
Title Copy of FREEDOM OF SPEECH IN NONINSTRUCTIONAL SETTINGS
Number po3310
Status
Adopted March 13, 2017

3310 - **EMPLOYEE EXPRESSION** ~~FREEDOM OF SPEECH~~ IN NONINSTRUCTIONAL SETTINGS

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

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

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

© Neola 2009

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 Revised GROUP HEALTH PLANS
Number po3419
Status

3419 - **GROUP HEALTH PLANS**

The Board of Education shall have discretion to establish and maintain group health plans for the benefit of eligible employees. These group health plans may provide certain health benefits to employees ~~through insurance or otherwise~~ as permitted by law.

The Board has elected to provide minimum value health coverage for some or all of its eligible employees. The terms and conditions of the health coverage are set forth in the appropriate plan documents.

Eligible employees who have coverage through the employer of a working spouse may receive additional compensation if they waive the District's medical coverage. Eligible employees who waive the medical coverage will be paid an additional amount, as determined by the Board, with the understanding that this additional compensation is subject to FICA, Medicare, and Federal, State and local income tax. To receive this compensation, the eligible employee must provide the District with proof of medical coverage provided by the spouse's employer. **[This policy should be adopted only if the District has established a flexible benefit plan qualified by the Internal Revenue Service].**

© Neola 2016

Legal

Last Modified by Steve LaVallee on May 24, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS
Number	po3419.02
Status	
Adopted	March 13, 2017

3419.02 - **PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS**

The Board of Education provides coverage to eligible employees under fully insured group health plans.

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Fully insured group health plans generally are exempt from many of the requirements imposed upon self-funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic protected health information in accordance with the HIPAA Security Rule.

~~The Board hereby appoints the Human Resources Director to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to perform a risk analysis and to develop risk management procedures, if necessary.~~

The Board hereby appoints the Human Resource Director to serve as the Security Official for the group health plans. ~~Security Official shall review the insurer's internal policies and procedures implementing various security measures required by the HIPAA Security Rule with respect to electronic protected health information.~~ All of the group health plans' functions are carried out by the insurer and the insurer owns and/or controls all of the equipment and media used to create, maintain, receive, and transmit electronic protected health information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule. ~~The Security Official may elect to adopt the insurer's own policies addressing security measures for the group health plans' electronic protected health information, as appropriate.~~

The Security Official does not have the ability to assess or adjust the insurer's policies related to the HIPAA Security Rule. Accordingly, unless otherwise determined by the Security Official, the group health plans shall utilize as administrative guidelines the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information.

The U.S. Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties upon Covered Entities. HHS has not historically imposed these penalties directly upon individuals. Notwithstanding the foregoing, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official in connection with the performance of their delegated duties for the group health plans, except to the extent that any liability is imposed as the result of intentional misconduct or gross negligence by the Privacy Official or Security Official as defined by law.

The fully insured group health plans established by the Board shall:

- A. Refrain from taking any retaliatory action against any individual from exercising any right under the plan, filing a complaint with Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful.
- B. Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.
- C. If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.

- D. Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services, and the media (when required), if the plan or one of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.

Fully insured group health plans established by the Board shall not create or receive protected health information, except for:

- A. Summary health information. Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.
- B. Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.
- C. Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.

© Neola 2014

Legal	Health Insurance Portability and Accountability Act (HIPAA)
	20 U.S.C. 1232g
	29 C.F.R. Part 1635
	42 U.S.C. 1320d-2
	45 C.F.R. 160.102(a), 164.302, 164.308 (a)(2), 164.404, 164.406, 164.408
	45 C.F.R. 164.502, 164.502(a), 164.520(a), 164.530(g), 164.530(h), 164.530(j)
	45 C.F.R. 164.530(k)

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 New PATIENT PROTECTION AND AFFORDABLE CARE ACT
Number po3419.03
Status

3419.03 - **PATIENT PROTECTION AND AFFORDABLE CARE ACT**

The Board of Education acknowledges that the Patient Protection and Affordable Care Act ("ACA") imposes certain obligations upon the District. Such obligations may include the following:

- A. The District shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee's employment start date. Sample form notices are available from the U.S. Department of Labor at:

<http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>

- B. Employees of the District have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the District enrolls in the Health Insurance Marketplace and receives a subsidy, then the District may be liable for a penalty.

In event that the District concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the District shall incur the potential penalty.

© Neola 2016

Legal 26 USC 4980H
29 USC 218B

Last Modified by Steve LaVallee on May 24, 2017

Book Policy Manual
 Section Policies Under Review
 Title Copy of VOL. 26, NO. 1 Revised PHYSICAL EXAMINATION
 Number po4160
 Status

4160 - **PHYSICAL EXAMINATION**

The Board of Education requires ~~any~~ candidates who has been offered a position in which s/he will come in contact with children or prepare food for children, as a condition of employment, to submit to an examination, including a test for tuberculosis, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with ~~118.25 Wis. Stats~~ applicable law.

Employees will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act in order to allow the report of the medical examination to be released to the Board/District Administrator and to allow the District Administrator or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification (see Form 1460 F2).

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 1422.02 the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the Board to conduct the examination, are directed not to collect genetic information or provide any genetic information, including the candidate's family medical history, in the report of the medical examination.

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

In the event of a report of a condition that could influence job performance, the District Administrator shall base a non-employment recommendation to the Board upon a conference with the examining physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities. Freedom from tuberculosis in a communicable form is a condition of employment for positions in which the employee will come in contact with children or prepare food.

The Board shall assume any fees for required examinations.

© Neola 20~~16~~~~17~~

Legal 118.25, Wis. Stats.
 121.52(3), Wis. Stats.
 29 C.F.R., Part 1630
 29 C.F.R. Part 1635
 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of FREEDOM OF SPEECH IN NON-SCHOOL SETTINGS
Number	po4310
Status	
Adopted	March 13, 2017

4310 - **EMPLOYEE EXPRESSION ~~FREEDOM OF SPEECH~~ IN NON-SCHOOL SETTINGS**

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

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

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

© Neola 2016

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 Revised GROUP HEALTH PLANS
Number po4419
Status

4419 - GROUP HEALTH PLANS

The Board of Education shall have discretion to establish and maintain group health plans for the benefit of eligible employees. These group health plans may provide certain health benefits to employees ~~through insurance or otherwise~~ as permitted by law.

The Board has elected to provide minimum value health coverage for some or all of its eligible employees. The terms and conditions of the health coverage are set forth in the appropriate plan documents.

Eligible employees who have coverage through the employer of a working spouse may receive additional compensation if they waive the District's medical coverage. Eligible employees who waive the medical coverage will be paid an additional amount, as determined by the Board, with the understanding that this additional compensation is subject to FICA, Medicare, and Federal, State and local income tax. To receive this compensation, the eligible employee must provide the District with proof of medical coverage provided by the spouse's employer. **[This policy should be adopted only if the District has established a flexible benefit plan qualified by the Internal Revenue Service].**

© Neola 2016

Legal

Last Modified by Steve LaVallee on May 24, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS
Number	po4419.02
Status	
Adopted	March 13, 2017

4419.02 - **PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS**

The Board of Education provides coverage to eligible employees under fully insured group health plans.

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule as amended by Title I of the Genetic Information Nondiscrimination Act (GINA). Fully insured group health plans generally are exempt from many of the requirements imposed upon self-funded group health plans.

The Board also acknowledges that these fully insured group health plans are required to comply with the HIPAA Security Rule. The group health plans, working together with the insurer, will ensure the confidentiality, integrity, and availability of the group health plans' electronic protected health information in accordance with the HIPAA Security Rule.

~~The Board hereby appoints the Human Resources Director to serve as the Security Official of the group health plans. The Board delegates authority to the Security Official to perform a risk analysis and to develop risk management procedures, if necessary.~~

~~The Board hereby appoints the Human Resource Director to serve as the Security Official for the group health plans. Security Official shall review the insurer's internal policies and procedures implementing various security measures required by the HIPAA Security Rule with respect to electronic protected health information. All of the group health plans' functions are carried out by the insurer and the insurer owns and/or controls all of the equipment and media used to create, maintain, receive, and transmit electronic protected health information relating to the group health plans. Accordingly, the insurer is in the best position to implement the technical, physical, and administrative safeguards required by the HIPAA Security Rule. The Security Official may elect to adopt the insurer's own policies addressing security measures for the group health plans' electronic protected health information, as appropriate.~~

~~The Security Official does not have the ability to assess or adjust the insurer's policies related to the HIPAA Security Rule. Accordingly, unless otherwise determined by the Security Official, the group health plans shall utilize as administrative guidelines the insurer's own policies addressing security measures for the group health plans' electronic Protected Health Information.~~

~~The U.S. Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties upon Covered Entities. HHS has not historically imposed these penalties directly upon individuals. Notwithstanding the foregoing, the Board agrees to indemnify and hold harmless the Privacy Official and Security Official in connection with the performance of their delegated duties for the group health plans, except to the extent that any liability is imposed as the result of intentional misconduct or gross negligence by the Privacy Official or Security Official as defined by law.~~

The fully insured group health plans established by the Board shall:

1. Refrain from taking any retaliatory action against any individual from exercising any right under the plan, filing a complaint with Health and Human Services, participating in any proceeding under Part C of Title XI of the Social Security Act, or opposing any act or practice made unlawful by the Privacy Rule provided that the individual has a good faith belief that the practice opposed is unlawful.
2. Not impose a requirement that participants waive their rights under the Privacy Rule as a condition of the provision of payment, enrollment in a health plan, or eligibility of benefits.
3. If the plan document is amended in accordance with the Privacy Rule, the plan must retain a copy of the plan document as amended for six (6) years from the date of its amendment or the date when it last was in effect, whichever is later.

4. Provide notification to affected individuals, the Secretary of the U.S. Department of Health and Human Services, and the media (when required), if the plan or one of its business associates discovers a breach of unsecured protected health information, in accordance with the requirements of HIPAA and its implementing regulations.

Fully insured group health plans established by the Board shall not create or receive protected health information, except for:

1. Summary health information. Summary health information is de-identified information that summarizes claims history, claims expenses, or type of claims experienced by health plan participants.
2. Information on whether an individual is participating in a group health plan, or is enrolled in or has disenrolled from a health insurance issuer or HMO offered by the plan.
3. Information disclosed to the plan under a signed authorization that meets the requirements of the Privacy Rule.

© Neola 2014

Legal

20 U.S.C. 1232g

29 C.F.R. Part 1635

42 U.S.C. 1320d-2

45 C.F.R. 160.102(a), 164.302, 164.308 (a)(2), 164.404, 164.406, 164.408

45 C.F.R. 164.502, 164.502(a), 164.520(a), 164.530(g), 164.530(h), 164.530(j)

45 C.F.R. 164.530(k)

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 New PATIENT PROTECTION AND AFFORDABLE CARE ACT
Number po4419.03
Status

4419.03 - **PATIENT PROTECTION AND AFFORDABLE CARE ACT**

The Board of Education acknowledges that the Patient Protection and Affordable Care Act ("ACA") imposes certain obligations upon the District. Such obligations may include the following:

- A. The District shall notify new employees of health insurance options available through the Health Insurance Marketplace within fourteen (14) days of an employee's employment start date. Sample form notices are available from the U.S. Department of Labor at:

<http://www.dol.gov/ebsa/healthreform/regulations/coverageoptionsnotice.html>

- B. Employees of the District have the option to enroll in the Health Insurance Marketplace. If a full-time employee (as defined by the ACA) of the District enrolls in the Health Insurance Marketplace and receives a subsidy, then the District may be liable for a penalty.

In event that the District concludes that it is fiscally-wise to incur the potential penalty in lieu of providing affordable, minimum value coverage to all full-time employees, the District shall incur the potential penalty.

© Neola 2016

Legal 26 USC 4980H
29 USC 218B

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
 Section Policies Under Review
 Title HOMELESS STUDENTS
 Number po5111.01
 Status

5111.01 - HOMELESS STUDENTS

Definitions

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the District. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The District shall regularly review and revise its policies, including school discipline policies that impact homeless students, including those who may be a member of any of the Protected Classes (Policy 2260).

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
- F. live in a car, park, public space, abandoned building, substandard housing¹, bus or train station, or similar setting

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.

Services to Homeless Children and Youth

The District will provide services to homeless students that are comparable to other students in the District, including:

- A. transportation services;
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
 1. programs for children with disabilities;
 2. programs for English learners (ELs) (i.e. students with limited English proficiency (LEP));
 3. programs in career and technical education;
 4. programs for gifted and talented students;
 5. school nutrition programs; and
 6. before - and after-school programs.

The District Administrator will appoint a Liaison for Homeless Children who will perform the duties as assigned by the District Administrator. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of

Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. For more information on the role of the Liaison, refer to AG 5111.01.

School Stability

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the District must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The District must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the District must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The District also considers the school placement of siblings when making this determination.

If the District finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the District must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

Immediate Enrollment

The District has an obligation to remove barriers to the enrollment and retention of homeless students. A school chosen on the basis of a best interest determination must immediately enroll the homeless student, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness or has outstanding fines or fees.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian or unaccompanied youth to the local liaison, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or district. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, the District will also make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available).

Transportation

The District provides homeless students with transportation services that are comparable to those available to non-homeless students. The District also provides or arranges for transportation to and from the school of origin at the parent or guardian's request, or the liaison's request in the case of an unaccompanied youth. Transportation is arranged promptly to allow for immediate enrollment and will not create barriers to a homeless student's attendance, retention, and success.

- A. If the homeless student continues to live in the District, where the school of origin is located, transportation will be provided or arranged for the student's transportation to or from the school of origin.
- B. If the homeless student moves to an area served by another district, though continuing his/her education at the school of origin (which is in the District), the District and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the districts cannot agree upon such a

method, the responsibility and costs will be shared equally.

- C. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The District determines the mode of transportation in consultation with the parent or guardian and based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The District will work with the State to resolve transportation disputes with other districts. If the disputing district is in another State, the District will turn to the State for assistance as Federal guidance says that both States should try to arrange an agreement for the districts.

Dispute Resolution

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the District must follow its dispute resolution procedures, consistent with the State established procedures. If such a dispute occurs, the District will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to State, District and Board of Education policies, the District will provide the parent, guardian or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the school, District, or State, along with a written explanation of appeal rights.

The District's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including 1) a description of the proposed or refused action by the school, 2) an explanation of why the action is proposed or refused, 3) a description of other options the school considered and why those options were rejected, 4) a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources, and 5) an appropriate timeline to ensure deadlines are not missed. The District must also include contact information for the Liaison and the State Coordinator, and a brief description of their roles. The District will also refer the parent, guardian or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

The District ensures that all decisions and notices are drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities. For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, the District will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to Federal laws. The District will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

Homeless Children in Preschool

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the District. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the District takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The District must also provide transportation services to the school of origin for a homeless child attending preschool. It is the District's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the District moves to another district that does not provide widely available or universal preschool.

Public Notice

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the District shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

Records

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. The District shall incorporate practices to protect student privacy as described in AG 5111.01, AG 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

Note:

¹ According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see ED guidance for factors to consider when determining whether a child or youth is living in "substandard housing."

Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED), Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act, at A-3 (July 27, 2016).

© Neola 2016

Legal 42 U.S.C. 11431 et seq. (McKinney - Vento Homeless Act)

Last Modified by Steve LaVallee on May 24, 2017

Book	Policy Manual
Section	Policies Under Review
Title	VOL. 26, NO. 1 New ESSA CHILDREN AND YOUTH IN FOSTER CARE
Number	po5111.03
Status	

5111.03 - **CHILDREN AND YOUTH IN FOSTER CARE**

The Board of Education recognizes the importance of educational stability for children and youth in foster care. Further, the Board recognizes these children and youth as a vulnerable subgroup of students in need of safeguards and supports in order to facilitate a successful transition through elementary and secondary education and into college and/or careers. To that end, the District will collaborate with the Department of Public Instruction (DPI), other schools and school districts, and the appropriate child welfare agencies to provide educational stability for children and youth in foster care.

Definitions

Children who meet the Federal definition of "in foster care" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the District. To that end, students in foster care will not be stigmatized or segregated on the basis of their status. The District shall establish safeguards that protect foster care students from discrimination on the basis of their foster care status or other of the recognized Protected Classes (Policy 2260). The District shall regularly review and revise its policies, including school discipline policies that may impact students in foster care.

Consistent with the Fostering Connections Act, "foster care" means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in:

- A. foster family homes;
- B. foster homes of relatives;
- C. group homes;
- D. emergency shelters;
- E. residential facilities;
- F. child care institutions; and
- G. preadoptive homes.

A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is Federal matching of any payments that are made. (45 C.F.R. 1355.20 (a)).

School Stability

The District shall remove barriers to the enrollment and retention of children and youth in foster care in schools in the District. Foster care students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, school records, and other documentation.

The District shall meet the Title I requirements for educational stability for children and youth in foster care, including those awaiting foster care placement. The District shall identify which students are in foster care and shall collaborate with State and tribal child welfare agencies to provide educational stability for these children and youth. District staff will work closely with child welfare agency personnel to develop and implement processes and procedures that include these enrollment safeguards:

- A. a child/youth in foster care shall remain in his/her school of origin, unless it is determined that remaining in the school of origin is not in that child's best interest;

- B. if it is not in the child's best interest to stay in his/her school of origin, the child shall be immediately enrolled in the determined new school even if the child is unable to produce records normally required for enrollment; and
- C. the new (enrolling) school shall immediately contact the school of origin to obtain relevant academic and other records, including the student's Individualized Education Program (IEP) if applicable. (ESEA Section 1111(g)(1)(E)(i)-(iii)).

Best Interest Determination

In making the best interest determination, the District will follow the guidelines established by DPI and the State or tribal child welfare agencies. The District shall utilize the prescribed process in conjunction with local child welfare agencies in making best interest determinations. Once a determination is made the District shall provide the decision in writing to all relevant parties, in collaboration with the appropriate child welfare agency. When making decisions regarding educational placement of students with disabilities under IDEA and Section 504, the District shall provide all required special educational and related services and supports provided in the least restrictive placement where the child's unique needs, as described in the student's IEP or Section 504 plan, can be met.

Dispute Resolution Process

If there is a dispute regarding whether the educational placement of a child in foster care is in the best interest of that child, the dispute resolution process established by the SEA shall be used.

The District's representatives shall collaborate fully in this process, considering relevant information regarding academic programming and related service needs of the child, and advocating for what the District believes is in the best interest of the child.

To the extent feasible and appropriate, the child will remain in his/her school of origin while disputes are being resolved in order to minimize disruption and reduce the possible number of moves between schools. (ESEA Section 1111(g)(1)(E)(i)).

Since the child welfare agency holds ultimate legal responsibility for making the best interest determination for the foster child in their care, if the dispute cannot be resolved, the child welfare agency will make the final determination.

All notifications and reports regarding foster care placement, changes in school enrollment, transportation services, and changes in the child's living arrangements shall be provided to the affected parties, in writing, in accordance with the forms, procedures, and requirements of the SEA and the State or tribal child welfare agencies.

Local Point of Contact

The District Administrator shall designate and make public a local point of contact who will perform the duties as assigned by the District Administrator. The point of contact shall serve as a liaison to coordinate with child protection agencies, lead the development of a process for making the best determination for a student, facilitate the transfer of records, and oversee the enrollment and regular school attendance of students in foster care.

Records

The District shall provide privacy protections for children and families and shall facilitate appropriate data-sharing pertaining to children in foster care between child welfare and educational agencies, in accordance with the Family Educational Rights and Privacy Act (FERPA) and Policy 8330 – Student Records.

Services to Children and Youth in Foster Care

Foster care children and their families shall be provided equal access to the educational services for which they are eligible comparable to other students in the District including:

- A. educational services for which the student in foster care meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- B. preschool programs;
- C. programs in career and technical education;
- D. programs for gifted and talented students;

E. school nutrition programs; and

F. before - and after-school programs.

Transportation Services

The District shall provide transportation services for children in foster care consistent with the procedures developed by the District in collaboration with the State or local child welfare agency. These requirements apply whether or not the LEA already provides transportation for children who are not in foster care.

In order for a student in foster care to remain in his/her school of origin, when in his/her best interest, transportation services shall be provided, arranged, and funded for the duration of the child's placement in foster care. The District's transportation services will provide that:

- A. Children in foster care needing transportation to their schools of origin will promptly receive that transportation in a cost effective manner and in accordance with Section 475(4)(A) of the Social Security Act; and
- B. If there are additional costs incurred in providing transportation to the school of origin, the District shall provide such transportation if 1) the local child welfare agency agrees to reimburse the District for the cost of such transportation; 2) the District agrees to pay for the cost; or 3) the District and the local child welfare agency agree to share the cost. (ESEA 1112(c)(5)(B)).

Coordination of Service

Since foster care placements may occur across district, county, or State boundary lines, coordination among multiple agencies may be necessary. The District will work with appropriate State and local agencies to address such placement and transportation issues that arise. The District shall provide or arrange for adequate and appropriate transportation to and from the school of origin while any disputes are being resolved.

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of children and youth in foster care.

© Neola 2016

Legal 45 C.F.R. 1355.20

Last Modified by Steve LaVallee on May 24, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 Revised EMERGENCY MEDICAL AUTHORIZATION
Number po5341
Status

5341 - **EMERGENCY MEDICAL AUTHORIZATION**

The District will distribute annually to parents of all students the Emergency Medical Authorization Form. In the event emergency medical treatment for a student is necessary, the District will adhere to the instructions on the authorization form.

The Emergency Medical Authorization Form will be kept in a separate, easily accessible file in each school building during the school year.

Any time a student or a group of students is taken out of the District to participate in a school event, the staff in charge of the event must take the Emergency Medical Forms for those students. This includes, and is not limited to, students involved in music trips, athletic trips, field trips, and academic contests. This does not include student spectators at events.

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to follow [Policy 5340](#) and are not to abide by any "Do Not Resuscitate" (DNR) agreement that may exist for a student, unless ordered to do so by a court of law.

© Neola 2016

Legal 118.29(4), Wis. Stats.

Last Modified by Steve LaVallee on May 24, 2017

Book Policy Manual
 Section Policies Under Review
 Title Copy of VOL. 26, NO. 1 Revised DRUG PREVENTION
 Number po5530
 Status

5530 - DRUG PREVENTION

The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community.

As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

1. all dangerous controlled substances as so designated and prohibited by Wisconsin statute;
2. all chemicals which release toxic vapors;
3. all alcoholic beverages;
4. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
5. "look-alikes";
6. anabolic steroids;
7. any other illegal substance so designated and prohibited by law.

The Board prohibits the use, possession, concealment, or distribution of any drug and any drug-paraphernalia at any time on District property or at any District-related event.

The District Administrator shall prepare guidelines for the identification, amelioration, and regulation of drug use in the schools, including education, prevention, and standards of conduct. ~~Such guidelines shall:~~

1. ~~emphasize the prevention of drug use;~~
2. ~~provide for a comprehensive, age appropriate, developmentally based drug and alcohol education and prevention program which:~~
 1. ~~addresses the legal, social, psychological, and health consequences of drug and alcohol use;~~
 2. ~~provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;~~
 3. ~~assists students to develop skills to make responsible decisions about substance abuse and other important health issues;~~
 4. ~~promotes positive emotional health, self-esteem, and respect for one's body;~~
 5. ~~meets the minimal objectives as stated in the essential performance objectives for health education as established by the Wisconsin Department of Public Instruction;~~
3. ~~include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;~~
4. ~~provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;~~
5. ~~include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions; The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs;~~

6. ~~provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;~~
7. ~~require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;~~
8. ~~require the notification to parents and students that compliance with the standards of conduct is mandatory;~~
9. ~~provide a biennial review of the school district's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;~~

~~The District Administrator shall ensure that the warning notice concerning anabolic steroids is installed and properly maintained in each of the District's locker rooms or athletic dressing areas.~~

~~Professional staff members are not liable for referring a student to law enforcement or for removing a student from school premises or from participation in a school related activity for suspicion of possession, distribution, or consumption of any alcoholic beverage or a controlled substance.~~

© Neola ~~2006~~16

Legal 118.24(2)(f), 118.257, 125.09(2), Wis. Stats.
 Drug-Free Schools and Communities Act of 1986 as amended
 20 U.S.C. 3171 et seq., 3224A

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of VOL. 26, NO.1 Revised STUDENT/PARENT RIGHTS
Number	po5780
Status	

5780 - **STUDENT/PARENT RIGHTS**

The Board of Education recognizes that students possess not only the right to an education but the rights of citizenship as well.

In providing students the opportunity for an education to which they are entitled, the District shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. At the same time the Board recognizes that no student may be deprived of the basic right to equal access to the educational program and his/her constitutional right to due process and free expression and association as appropriate for the school environment.

Attendant to the rights afforded to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the guidelines and rules of the District.

[] The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, s/he may authorize those school matters previously handled by his/her parents, but s/he also assumes the responsibility for his/her performance in school, attendance, and compliance with the guidelines and District rules.

Administrators, counselors, and teachers shall not provide a supporting affidavit for students who have petitioned the court to grant them the status of emancipated minors unless prior approval has been obtained from the District Administrator.

Parents also have rights in the school system to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

In addition, parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional materials means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments.

A student who is still a dependent for Federal tax purposes, but who has reached the age of majority may, by written request, restrict his/her parents access to personally identifiable information from his/her student records.

When a student with a disability reaches the age of eighteen (18), with the exception of a student with a disability who has been found incompetent in this State, the District must provide any required notices to both the student and the student's parents, and all other rights accorded to the student's parents under Subchapter 5 of Chapter 115, Wis. Stats., transfer to the student.

This policy shall ~~not supercede any rights under~~ be applied consistent with the Family Education Rights and Privacy Act and applicable State student records law.

© Neola 200316

Legal Wis. Stat. 115.807, 118.125(2)(k),
 20 U.S.C. 1232g(b)(1)(H)

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of BORROWING
Number	po6145
Status	
Adopted	March 13, 2017

6145 - **BORROWING**

Upon a two-thirds (2/3's) affirmative vote of the entire membership of the Board of Education, the Business Manager shall prepare the data and applications regarding the borrowing of funds needed for the immediate operation of the District. Such borrowing shall be in accordance with the provisions of 67.12(8).

Quotations shall be solicited for all short term loans which the Board has authorized. Funds shall be borrowed from the responsible organization offering the most favorable terms, as approved by the Board.

Legal 67.12, Wis. Stats.

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of TUITION INCOME
Number	po6150
Status	
Adopted	March 13, 2017

6150 - **TUITION INCOME**

The Board of Education shall assess tuition for attendance in District schools by students who are not entitled to receive a free, public education in this District and whose enrollment has been approved by the ~~Board~~District Administrator.

Tuition rates shall be determined in accordance with 121.83 and reviewed annually by the Board. ~~Rates shall represent the cost per student membership within the limits established by law.~~ Rates will be available before the beginning of the school year or before the student's attendance commences. Charges shall be the maximum permitted by law.

The Business Manager shall be responsible for the assessment and collection of tuition. Tuition billing may be assessed daily in advance of the period for which the billing is made.

Legal 121.75 et seq., Wis. Stats.

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of STUDENT FEES, FINES, AND CHARGES
Number	po6152
Status	Policy Committee Review
Adopted	March 13, 2017

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

The District may charge student fees for certain activities, courses, and services that may require additional funding and may assess fines when school property is damaged or loss.

Student fees shall be reviewed annually by the Budget and Finance Committee in May. The Board will approve student fees by June 30th. Fee schedules shall be consistent with State and Federal laws and regulations.

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

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

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

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

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

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

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

Fines

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

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

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

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

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

Last Modified by Steve LaVallee on May 24, 2017

Book Policy Manual
 Section Policies Under Review
 Title Copy of VOL. 26, NO. 1 Delete PREVAILING WAGE COORDINATOR
 Number po6350
 Status

~~6350 — PREVAILING WAGE COORDINATOR~~

~~It is the purpose of this policy to comply with State and Federal regulations concerning prevailing wage rate. The Department of Workforce Development (DWD) will determine the prevailing wage rate in the locality where the work is to be performed.~~

~~The District Administrator shall designate a Prevailing Wage Coordinator for this District.~~

~~The Prevailing Wage Coordinator will submit to the District Administrator, for Board of Education approval, procedures for monitoring compliance with prevailing wage laws. S/He will request the Department of Workforce Development (DWD) to establish the prevailing wage rate in this District for school construction or renovation projects. A schedule of those wages must be attached to the specifications for the work, and printed on any bidding blanks. A copy of the bidding blank must be filed with the Department prior to the award of any contract. Thereafter, any contract that is awarded must include a provision that each laborer, workman, or mechanic employed by the contractor will be paid at a rate not less than the prevailing wage rate. On the first pay date, the contractors and subcontractors must provide each employee with written notification of his/her job classification and the prevailing wage rate for his/her job classification.~~

~~© Neola 2012~~

Legal 66.29, 66.293 Wis. Stats.

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of FAIR LABOR STANDARDS ACT (FLSA)
Number	po6700
Status	
Adopted	March 13, 2017

6700 - FAIR LABOR STANDARDS ACT (FLSA)

It is the Board of Education's policy to comply with the provisions of State and Federal Law and their respective implementing regulations, relating to minimum wages and overtime, ~~provided the terms of an applicable collective bargaining agreement do not provide for greater rights to its employees.~~ To that end, the Board shall pay at least the minimum wage to all employees. Further, the Board recognizes the safe and efficient operation of the District may occasionally require covered, non-exempt employees to work more than forty (40) hours during a given work week. Such employees shall be paid overtime compensation.

Work week is defined as the seven (7) day period of time beginning on Sunday at 12:00 a.m. and continuing to the following Saturday at 11:59 p.m. (or Monday at 12:00 a.m. and continuing to the following Sunday at 11:59 p.m.)

Covered, non-exempt employees who work (i.e., perform work on behalf of or for the benefit of the Board) more than forty (40) hours in a given work week will receive overtime compensation at the rate of one and one-half (1 1/2) times the employee's regular hourly rate of pay for all hours worked in excess of forty (40) in the work week.

The District Administrator or his/her designee shall determine the necessity and availability of overtime work.

Overtime may be authorized only by a supervisor and will be used primarily to address circumstances of an emergency or temporary nature. Non-exempt employees who work overtime without prior approval from the District Administrator or a supervisor will be subject to disciplinary action, up to and including termination.

Non-exempt employees who perform compensable work that they are not authorized to perform, will be compensated for any actual worktime, but will be subject to disciplinary action. ~~Non-exempt employees who work overtime without prior approval from the District Administrator or a supervisor will be subject to disciplinary action, up to and including termination.~~

Exempt employees are individuals who are exempt from the State and Federal overtime provisions. Generally, individuals employed in a bona fide executive, administrative, administrative academic, or professional capacity, and certain computer employees are considered exempt. To qualify for the exemption, employees generally must meet certain tests regarding their job duties and be paid on salary basis. The salary requirement does not apply to teachers. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. Additionally, the predetermined amount cannot be reduced because of variation in the quality or quantity of the employee's work. Subject to certain exceptions, an exempt employee must receive the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked.

The Board reserves the right to make deductions from the pay of otherwise exempt employees § under the following circumstances:

- A. the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability
- B. the employee is absent from work for one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness
- C. to offset amounts employees receive as jury or witness fees, or for military pay
- D. for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions
- E. for penalties imposed in good faith for infractions of safety rules of major significance

The Board shall also not be required to pay the full salary in the initial or terminal week of employment, or for weeks in which an exempt employee takes unpaid leave under the Family & Medical Leave Act.

The Board recognizes that with limited legally permissible exceptions, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes that an improper deduction has been made to his/her salary, the employee should immediately report this information to the Human Resources Director.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made, and the Board will make a good faith commitment to avoid any recurrence of the error.

The ~~Board directs the~~ District Administrator ~~shall~~ distribute this policy to all employees upon initial hire and on an annual basis.

© Neola 2006

Legal 29 U.S.C. 201 et seq.
 29 C.F.R. Part 541
 104.01, Wis. Stats.
 DWD 274.03, Wis. Admin. Code

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of COMPUTER TECHNOLOGY NETWORK, AND INTERNET ACCEPTABLE USE AND SAFETY
Number	po7540
Status	
Adopted	March 13, 2017

7540 - **COMPUTER TECHNOLOGY NETWORK, AND INTERNET ACCEPTABLE USE AND SAFETY**

The Board of Education is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of District operations. However, the use of the District's network and technology resources by students is a privilege not a right.

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies, and the Student Code of Conduct, further govern students' and staff members' use of their personal communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using District technology resources (including, but not limited to, privacy in the content of their personal files, e-mails and records of their online activity when using the District's computer network and/or Internet connection).

Further, Safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of District policy, and learning appropriate responses if they are victims of cyberbullying.

For purposes of this policy, social media is defined as Internet-based applications that facilitate communication (e.g., interactive/two-way conversation/dialogue) and networking between individuals or groups. Social media is "essentially a category of online media where people are talking, participating, sharing, networking, and bookmarking online. Most social media services encourage discussion, feedback, voting, comments, and sharing of information from all interested parties." [Quote from Ron Jones of Search Engine Watch] Social media provides a way for people to stay "connected or linked to other sites, resources, and people." Examples include Facebook, Twitter, Instagram, webmail, text messaging, chat, blogs, and instant messaging (IM). Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts.

~~Safeguards shall be established so that the Board's investment in both hardware and software achieves the benefits of technology and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media to interact with others online; interacting with other individuals in chat rooms or on blogs; and, recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of District policy, and learning appropriate responses if they are victims of cyberbullying.~~

The Board authorizes the access and use of social media from the District's network to increase awareness of District programs and activities, as well as to promote achievements of staff and students, provided such access and use is approved in advance by the District Administrator.

© Neola 2010

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of TECHNOLOGY PRIVACY
Number	po7540.01
Status	
Adopted	March 13, 2017

7540.01 - **TECHNOLOGY PRIVACY**

The Board of Education recognizes its staff members' right to privacy in their personal lives. This policy serves to inform staff members of the Board's position with respect to staff-member privacy in the educational and workplace setting and to protect the Board's interests.

All ~~computers, telephone systems, electronic mail systems, and voice mail systems~~ District technology resources (as defined in Bylaw 0100) are the Board's property and are to be used primarily for business purposes. The Board retains the right to access and review all information resources (as defined in Bylaw 0100), including but not limited to electronic and voice mail, computer files, data bases, and any other electronic transmissions contained in or used in conjunction with the Board's computer system/network, telephone system, electronic mail system, and voice mail system. Staff members should have no expectation that any personal information/data maintained, stored, or transmitted on or through such systems is confidential or private.

Review of such information may be done by the District with or without notice or the staff member's knowledge. The use of passwords does not guarantee confidentiality, and the Board retains the right to access information in spite of a password. All passwords or security codes for access to District technology resources must be registered with the Board. A staff member's refusal to permit such access may be grounds for discipline up to and including discharge.

District technology resources should be used only for business and educational purposes.

Personal messages via Board-owned technology should be limited. Staff members are encouraged to keep their personal records and personal business at home. Because District technology resources are to be used primarily for business and educational purposes, staff members are prohibited from sending offensive, discriminatory, or harassing computer, electronic, or voice mail messages.

~~Privacy in communication over the Internet and the Network is not guaranteed. To ensure compliance with the guidelines, the Board reserves the right to monitor, review, and inspect any directories, files, and/or messages residing on or sent using the Board's computers/network. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.~~

~~The Board has software and systems in place that monitor and record all Internet, World Wide Web, and computer usage. The Board wants users to be aware that security systems are capable of recording, for each and every user, each World Wide Web site visit, the amount of time spent actively using the World Wide Web, each chat, news group access, e-mail message, and every file transfer into and out of our internal networks to the Internet. No District student or employee should have any expectation of privacy as to his/her Internet or World Wide Web usage, or the privacy of any electronic mail message, file, download, note, or other data stored on or transmitted or received through any Board computing facility. The Board reserves the right to review computing activity and analyze usage patterns, and may choose to publicize this data to assure that the Board's computing resources are devoted to maintaining the highest standards of educational benefit and employee productivity. Messages relating to or in support of illegal activities will be reported to the appropriate authorities. The use of passwords does not guarantee confidentiality, and the Board retains the right to access information in spite of a password. Computers, electronic mail, and voice mail are to be used for business and educational purposes. Personal messages via Board-owned technology should be limited in accordance with the District Administrator's guidelines. Staff members are encouraged to keep their personal records and personal business at home.~~

~~Because the Board's computer and voice mail systems are to be used primarily for business and educational purposes, staff members are prohibited from sending offensive, discriminatory, or harassing computer, electronic, or voice mail messages.~~

~~The Board is interested in its resources being properly used.~~ District technology resources must be used properly. Review of computer files, electronic mail, and voice mail will only be done in the ordinary course of business and will be motivated by a legitimate business reason. If a staff member's personal information is discovered, the contents of such discovery will not be reviewed by the Board, except to the extent necessary to determine if the Board's interests have been compromised. Any information discovered will be limited to those who have a specific need to know that information.

The administrators and supervisory staff members authorized by the District Administrator have the authority to search and access information electronically.

All ~~computers and any information or software contained therein~~ **District technology resources and District information resources** are **the** property of the Board. Staff members shall not copy, delete, or remove any information ~~or~~ data contained on the Board's computers/servers without the express permission of the District Administrator or communicate any such information to unauthorized individuals. In addition, staff members may not copy software on ~~to any Board computer~~ **District technology resources** and may not bring software from outside sources for use on **District technology resources** without the prior approval of the Technology Director. Such pre-approval ~~shall~~ **will** include a review of any copyright infringements or virus problems associated with such outside software.

~~In accordance with State law, any staff member who sends an electronic message with the intent to frighten, intimidate, threaten, or harass another person or sends a message containing lewd, obscene, or profane language will be subject to appropriate discipline by the District and may be found guilty of a Class D misdemeanor. No staff member will be required to provide District administration with access to personal internet accounts, such as social media accounts, that are password protected. This does not preclude administration from reviewing the contents of such accounts that are not restricted and are thus in the public domain, or from receiving information from those granted access to private information, provided that the District administration does not solicit the receipt of such information. Additionally, if private accounts are accessed from the District's computers, network and Internet services ("Network"), the staff member should have no expectation of privacy in the content of any files or records of their online activity while on the Network as prescribed in Policy 7540.04—Staff Network and Internet Acceptable Use and Safety.~~

© Neola 2014

Legal 947.0125, 995.55 Wis. Stats.

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
 Section Policies Under Review
 Title Copy of DISTRICT WEB PAGE
 Number po7540.02
 Status
 Adopted March 13, 2017

7540.2 - ~~District~~ **WEB CONTENT, SERVICES, and APPS Page**

Creating Web Pages/Sites/Services and Apps

The Board of Education authorizes staff members and students to create web **content, apps, and web services (see Bylaw 0100 - Definitions)** ~~pages/sites~~ that will be hosted ~~on by~~ the Board ~~on its 's~~ servers **or District-affiliated services** and published on the Internet.

The web **content, services, and apps** ~~pages/sites~~ must reflect the professional image/**brand** of the District, its employees, and students. ~~Web~~The ~~content~~ **and apps** must be consistent with the Board's Mission Statement and staff-created web **content, services, and apps** are subject to prior review and approval of the District Administrator **before being published on the Internet and/or utilized with students.**

Student-created web **content, services, and apps** ~~pages/sites~~ are subject to Policy 5722 – School Sponsored Publications and Production. The creation of web **content, services, and apps** ~~pages/sites~~ must be done under the supervision of a professional staff member.

The purpose of web **content, services, and apps** ~~pages/sites~~ hosted ~~by on~~ the Board ~~on its 's~~ servers **or District-affiliated servers** is to educate, inform, and communicate. The following criteria shall be used to guide the development of such web **content, services, and apps** ~~pages/sites~~:

A. Educate

Content provided in the website should be suitable for and usable by students and teachers to support the curriculum and the board's objectives as listed in the Board's strategic plan.

B. Inform

Content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

C. Communicate

Content may provide an avenue to communicate with the community.

The information contained on the district's website **s** should reflect and support the Board's mission statement, educational philosophy, and the school improvement process.

When the content includes a photograph or information relating to a student, the board will abide by the provisions of Policy 8330 - Student Records.

All links included on web **site(s) or web services or apps** ~~pages~~ must also meet the above criteria and comply with State and Federal law (e.g. copyright law, Children's Internet Protection Act, **Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA)** ~~ADA~~, Children's Online Privacy Protection Act (COPPA)). Nothing in this paragraph shall prevent the District from linking the Board's ~~website(s)~~ **web site** to (1) recognized news/media outlets (e.g., local newspapers' web sites, **services, and/or apps**, local television stations' web sites) or (2) to web sites that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party web sites may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01 and State and Federal law.

Under no circumstances is a District-created web content, services, or apps site to be used for commercial purposes, advertising, political lobbying, or to provide financial gains for any individual. Included in this prohibition is the fact no web content pages contained on the District's web site may: (1) include statements or other items that support or oppose a candidate for public office, the investigation, prosecution or recall of a public official, or passage of a tax levy or bond issue; (2) link to a web site of another organization if the other web site includes such a message; or (3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization. Nothing in this paragraph shall prevent the Board from linking on the District's web site to recognized news/media outlets (e.g., local newspapers' web sites, local television stations' web sites).

Web content, services, and apps Pages should reflect an understanding that both internal and external audiences will be viewing the information.

School web sites, services, and apps must be located on Board owned or District-affiliated servers.

The Board retains all proprietary rights to the design of web content, services, and apps ~~sites and/or pages~~ that are hosted on Board-owned or District-affiliated ~~the Board's~~ servers, absent written agreement to the contrary.

Instructional Use of Web Services and Apps

The Board authorizes the use of web services and/or apps to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

A teacher who elects to supplement and enhance student learning through the use of web services and/or apps is responsible for verifying/certifying to the Building Principal that the web service or app has a FERPA-compliant privacy policy, and it complies with all requirements of the Children's Online Privacy Protection Act (COPPA) and the Children's Internet Protection Act (CIPA).

© Neola 2014

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of STUDENT RECORDS
Number	po8330
Status	
Adopted	March 13, 2017

8330 - STUDENT RECORDS

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard students' privacy and restrict access to students' personally identifiable information.

Except for data identified by policy as "directory data," student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

The Board may enter into a memorandum of understanding with a county department under State statutes (s. 46.215, 46.22 or 46.23) or a tribal organization, as defined under Federal law, that permits disclosure of information contained in student records as provided under State law in cases in which the student's parent, if the student is a minor, or the student, if the student is an adult, does not grant permission for such disclosure

The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age.

Both parents shall have equal access to student records unless stipulated otherwise by court order or law. In the case of eligible students, parents may be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code, and with respect to personally identifiable information, has not informed the school, in writing, that the information may not be disclosed.

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

"Legitimate educational interest" is defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory, or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

A. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a private or public school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:

1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
2. the parent or eligible student, upon request, receives a copy of the record; and
3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;

B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a juvenile detention facility in which the student has been placed, or a juvenile court that has taken jurisdiction of the student;

C. disclose student records that are pertinent to addressing a student's educational needs to a caseworker or other representative of the department of children and families, a county department under s. 46.215, 46.22, or 46.23, or a tribal organization, as defined in 25 USC 450b(L), that is legally responsible for the care and protection of the student, if the caseworker or other representative is authorized by that department, county department, or tribal organization to access the student's case plan;

D. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;

E. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;

F. release de-identified records and information in accordance with Federal regulations;

G. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.)

This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

H. disclose personally identifiable information from education records without consent, to authorized representatives of the Federal government, as well as State and local educational authorities. The disclosed records must be used to audit or

evaluate a Federal or State supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

This written agreement must include: (1) designation of the receiving entity as an authorized representative; (2) specification of the information to be disclosed; (3) specification that the purpose of the disclosure is to carry out an audit or evaluation of a government -supported educational program or to enforce or comply with the program's legal requirements; (4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; (5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and (6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Under the audit exception, the District will use "reasonable methods" to verify that the authorized representative complies with FERPA regulations. Specifically, the District will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation or enforcement of a government-supported educational program. The District will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs.

Further, the District will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the District will verify that the information is destroyed when no longer needed for the audit, evaluation or compliance activity.

I. request each person or party requesting access to a student's record to abide by Federal regulations and State laws concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, or otherwise restricted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of each request for access and each disclosure of personally identifiable information. Such disclosure records will indicate the student, person viewing the record, their legitimate interest in the information, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent, or, if the student is an eligible student, without the written consent of the student, except as provided by applicable law.

DIRECTORY INFORMATION

Each year the District Administrator shall provide public notice to students and their parents of the District's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- A. a student's name;
- B. photograph;
- C. participation in officially-recognized activities and sports;
- D. height and/or weight, if a member of an athletic team;
- E. date of graduation;
- F. degrees and awards received;

Parents and eligible students may refuse to allow the Board to disclose any or all of such "directory information" upon written notification to the Board within fourteen (14) days after receipt of the District Administrator's annual public notice or enrollment of the student into the District if such enrollment occurs after the annual public notice.

In accordance with Federal and State law, the Board shall release the names, addresses, and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who

requests such information. A secondary school student or parent of the student may request in writing that the student's name, address, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces." The District Administrator is authorized to charge mailing fees for providing this information to a recruiting officer.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of "directory information," either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship of an institution, the District Administrator shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information," on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not collect or use personal information obtained from students or their parents for the purpose of marketing or for selling that information.

INSPECTION OF INFORMATION COLLECTION INSTRUMENT

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least fourteen (14) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within fourteen (14) business days of the principal receiving the request.

The District Administrator shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazine, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
- E. the sale by students of products or services to raise funds for school- related or education-related activities
- F. student recognition programs

The District Administrator shall ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the parent believes the record is inaccurate, misleading, or violates the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to those disclosures allowed by the law;
- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;

E. file a complaint with the United States Department of Education;

F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Board as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board.

© Neola 2016

Legal 20 U.S.C. 7165(b)
 26 U.S.C. 152
 118.125 Wis. Stats.
 34 C.F.R. Part 99
 20 U.S.C., Section 1232f through 1232i (FERPA)
 20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act
 20 U.S.C. 7908

Last Modified by Jennifer Thayer on May 25, 2017

Book Policy Manual
Section Policies Under Review
Title VOL. 26, NO. 1 Replacement PROVIDING A REFERENCE
Number po8340
Status

8340 - **PROVIDING A REFERENCE**

Pursuant to State law, an administrator responding to a reference request is presumed to be acting in good faith and is immune from all civil liability that may result from providing the reference to a prospective employer. The presumption may be rebutted upon a showing by clear and convincing evidence that the administrator knowingly provided false information or made the reference maliciously or in violation of Wisconsin's blacklisting statute.

An administrator who prepares a letter of reference or provides an employment reference pursuant to this policy, is prohibited from assisting a District employee, contractor or agent in obtaining a new job if s/he knows or has reasonable cause to believe that such District employee, contractor or agent engaged in sexual misconduct regarding a minor or student in violation of State or Federal law. "Assisting" does not include the routine transmission of administrative and personnel files. The only exceptions permitted are those authorized by the Every Student Succeeds Act, such as where the matter has been investigated by law enforcement and the matter was officially closed due to lack of probable cause or where the individual was acquitted or otherwise exonerated of the alleged misconduct.

© Neola 2016

Legal Section 8546 of the Every Student Succeeds Act (ESSA)
895.487(2), Wis. Stats.

Last Modified by Steve LaVallee on May 24, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of FOOD SERVICES
Number	po8500
Status	
Adopted	March 13, 2017

8500 - **FOOD SERVICES**

The Board of Education 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.

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's school meal pattern requirements and the USDA 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 ~~as well as all Federal and State~~ 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 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:

1. consider the nutritional value of each food or beverage;
2. consult and incorporate to the maximum extent possible the dietary guidelines for Americans jointly developed by the United States Department of Agriculture (USDA) and the United States Department of Health and Human Services; and
3. consult and incorporate the USDA Smart Snacks in School nutrition guidelines.

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

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.

Substitutions to the standard meal requirements shall be made, at no additional charge, for students who are certified by a licensed physician to have a disability which restricts his/her diet, in accordance with applicable State and Federal requirements. To qualify for such substitutions 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).

On a case by case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who are not "disabled persons", but have a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet; and
- B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted

For non-disabled students who need a nutritional equivalent milk substitute, only a signed request by a parent is required.

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 to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a- la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

Students will be permitted to purchase meals from the District's food service using 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. 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.

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. ~~Nutrition Standards for the National School Lunch and School Breakfast Programs~~. 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 last lunch period 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. 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.

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.

Book	Policy Manual
Section	Policies Under Review
Title	Copy of WELLNESS
Number	po8510
Status	
Adopted	March 13, 2017

8510 - WELLNESS

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

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 his/her 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.

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

~~The District Administrator is encouraged to form a wellness committee 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. recommend revision of the policy, as necessary; and

- E. present the wellness policy, with any necessary revisions, to the Board for approval or re-adoption if revisions are necessary.

Policy Leadership - The District Administrator will oversee development, implementation, and evaluation of the wellness procedures.

The District Administrator shall conduct reviews of the progress toward school wellness procedures, identify areas for improvement, and recommend revision of procedures as necessary.

Before the end of each school year the wellness committee shall submit to the District Administrator and Board their report in which they describe the environment in each of the District's schools and the implementation of the wellness policy in each school, and identify any revisions to the policy the committee deems necessary.

The District Administrator or a designee of the wellness committee shall report annually to the Board on the District's wellness programs, including the assessment of the environment in the District, evaluation of wellness policy implementation District-wide, and the areas for improvement, if any, identified. The District Administrator or a designee of the wellness committee shall also report on the status of compliance by individual schools and progress made in attaining goals established in the policy.

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 - 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. Teachers properly certificated/licensed in the subject area of physical education shall provide all instruction in physical education. All students in grades 7-12 shall have the opportunity to participate in interscholastic sports programs.

Other School-Based Strategies for 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.

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

- In accordance with Policy 8500, 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.
- 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).
- 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:

- 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>.
- 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.

Update/Inform the Public - 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.

Triennial Assessment - Review of this policy shall occur ~~periodically~~ at least every 3 years, by a committee appointed by the Board, consisting of a representative(s) of the Board, the administration, the food service provider, the parents, the students, and the public. The committee shall provide the Board with any recommended changes to this policy.

© Neola 2014

Legal 42 U.S.C. 1751 et seq.
 42 U.S.C. 1771 et seq.

Last Modified by Jennifer Thayer on May 30, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of FREE AND REDUCED-PRICE MEALS
Number	po8531
Status	
Adopted	March 13, 2017

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.

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.

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 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.

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.

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:

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

This institution District is an equal opportunity provider.

© Neola 2016

Legal 115.34-115.345, 120.10(16), 120.13(10), Wis. Stats.
 P.I. 42, Wis. Adm. Code
 42 U.S.C. 1771 et seq.

Last Modified by Steve LaVallee on May 24, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of USE OF ELECTRONIC WIRELESS COMMUNICATION DEVICES BY DISTRICT EMPLOYEES WHO OPERATE BOARD-OWNED OR OPERATED VEHICLES
Number	po8605
Status	
Adopted	March 13, 2017

8605 - USE OF ELECTRONIC WIRELESS COMMUNICATION DEVICES BY DISTRICT EMPLOYEES WHO OPERATE BOARD-OWNED OR OPERATED VEHICLES

Personal communication devices ("PCDs"), including PCDs equipped with ear pieces, ear buds, headsets, and/or Bluetooth, shall not be used for sending or receiving text messages, or sending or receiving e-mails or any other data, anytime the operator is actively driving a District school bus or other Board-owned vehicle during the course of employment, with or without students on board. **No driver may use a handheld mobile telephone anytime while operating a vehicle on a highway, including any time where the vehicle is in operation even if temporarily stopped due to traffic or traffic control situation, except to communicate with law enforcement or other emergency services if necessary.**

For purposes of this policy, electronic PCDs include, but are not limited to, cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), Blackberries/Smartphones, any text-messaging device, and other WI-FI-enabled or broadband access devices, including computers.

The mobile radio installed on all District school buses will be the primary communication system for District school bus operators. If the mobile bus radio fails, and the school bus operator's responsibility for the safety and health of the students being transported makes it necessary for the school bus driver to use a PCD while performing bus-operating duties, the school bus operator will depart the roadway, stop the bus in a safe area, and then use the PCD. Before using the PCD to send or receive a text message, the school bus or school vehicle operator must move the vehicle outside all lanes of travel and ensure that the vehicle is in a stationary position by placing the vehicle's transmission in park, or turning off the vehicle's engine, and setting the emergency brake.

Safety is always the priority while driving a school bus or other vehicle in the course of employment. Any deviation to the above policy will result in disciplinary action up to and including termination.

© Neola 2013

Last Modified by Jennifer Thayer on May 25, 2017

Book	Policy Manual
Section	Policies Under Review
Title	Copy of PUBLIC ATTENDANCE AT SCHOOL EVENTS
Number	po9160
Status	
Adopted	March 13, 2017

9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes the attendance of members of the community at athletic and other public events held by the schools in the District, but the Board also acknowledges its duty to maintain order and preserve the facilities of the District during the conduct of such events.

The Board directs that no alcoholic beverage or other controlled substance be possessed, consumed, or distributed.

Raffles and similar forms of fund-raising by District-related organizations may be permitted by the District Administrator in accordance with Policy 9211 - District Support Organizations and Policy 9700 - Relations with Special Interest Groups.

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies. Any person who believes s/he has been discriminated against due to a disability should refer to the complaint procedure set forth in Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

The Board holds the legal authority to bar the attendance of or remove any person whose conduct may constitute a disruption on District property or at a school event. School administrators have the authority to call law enforcement officials if a person violates posted regulations or does not leave District school property when requested. They are also authorized to use detectors and other devices to better protect the safety and well-being of participants and visitors.

If a student, a non-enrolled minor, or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See also Policy 8390 - Animals on District Property)

Persons attending school events are subject to the prohibitions on use of tobacco pursuant to Policy 7434 – Use of Tobacco on School Premises.

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, recording can be made if the appropriate license authorizing such recordings has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the District Administrator to establish rules and procedures governing the use of nondistrict audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event shall obtain prior permission from the District Administrator.

© **Neola 2013**

Legal 29 CFR Part 35
 29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended
 34 C.F.R. Part 104
 42 U.S. C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

Last Modified by Jennifer Thayer on May 25, 2017