

**SCHOOL DISTRICT OF MANAWA  
POLICY & HUMAN RESOURCES COMMITTEE MEETING  
AGENDA**

**Google Meet joining information**

Video call link: <https://meet.google.com/cij-hrsu-hrf>

Or dial: (US) +1 424-523-0671 PIN: 291 700 191#

**Date: June 21, 2023**

**Time: 6:00 p.m.**

**Hybrid Meeting Format (In-person Meeting for Board of Education at MES Board Room, 800 Beech Street & Virtual Components)**

**Board Committee Members: Reiersen (C), Riske, and Krueger**

**In Attendance:**

**Timer:** \_\_\_\_\_ **Recorder:** \_\_\_\_\_

1. Consider Endorsement of moving the subject of a School Resource Officer (SRO) to the full Board for a vote. (Information/Action)
2. Consider Endorsement of SDM Truancy Plan as Presented (Information / Action)  
**\*Notes from previous meeting** -There are questions as to consistency in wording from Policy to Plan and need to remove Winnebago County reference in Explanation of Responsibilities.....State Statutes section.
3. Consider Endorsement of the Indoor Environmental Quality Plan as Presented (Information / Action)  
**\*Notes from previous meeting** -Multiple questions on origination date, what was revised in 2021, IEQ Coordinator wording, paint policy, etc. Plan needs to be cleaned up so that ‘The School Board will approve and support the IEQ Management Plan.’
4. Consider Endorsement of NEOLA Policy Revisions for: (Information / Action)
  - a. PO2330 - Homework -> need to review AG2330 to ensure consistency between the documents.
  - b. NEOLA staff merging and deletion Policies as presented.
5. Discuss and propose a method to address Salary Advancement Points for Professional Educators who are part of the equity adjustment process. (Information / Action)
6. Discuss Food Service Manager Job Responsibilities Assigned to Secondary Principal (Information / Action)
7. Consider Endorsement of Updated School Records Retention Schedule as Presented (Information / Action)
8. Discuss creating a Daycare area within the District buildings (Informational)
9. Discuss Orientation and On-Boarding Process (Information / Action)
10. Discuss compliance of Website based on July 2022 P&HR committee meeting notation ->> *Special note regarding Handbook Annual Review: Handbooks will be posted to the School District of Manawa website following Board of Education approval of substantive language changes as presented. The Manawa Board of Education will be notified of the*

*date that this handbook (or plan as appropriate) is converted to a version considered compatible for use by individuals with visual impairments or limited vision as per the Office of Civil Rights requirements and posted to the School District of Manawa website. This OCR compatible conversion may impact the appearance of the document (i.e. change in fonts, font sizes, paging in the table of contents, etc.) resulting in technical changes but no substantive changes will be made. Should a substantive change be required, the handbook (plan) will be brought back to the Board of Education for approval. Has our legal responsibility been approved?*

11. Discuss defining Subject Matter Experts (SME's) to write Standard Operating Procedures (SOP's). Development of SOP's is important for supporting existing job duties and for supporting new employees who may be coming into new job duties.
12. Discuss and propose an update to the mileage and reimbursement process. (Information / Action)
13. Set Next Meeting Date - \_\_\_\_\_
14. Next Meeting Items:
  - a. Consider Adding Policy Regarding Artificial Intelligence
  - b.
  - c.
  - d. Other
15. Adjourn



Book	Policy Manual
Section	School Resource Officer Policy
Title	SCHOOL RESOURCE OFFICER PROGRAM
Code	po8407
Status	Proposed to Policy & Human Resources Committee
Adopted	July 27, 2020

#### 8407 - SCHOOL RESOURCE OFFICER PROGRAM

To promote a safe, secure, and supportive school environment, the Board believes it appropriate for the District to have a collaborative relationship with the law enforcement agency~~(ies)~~ with jurisdiction in the District through a School Resource Officer (SRO) Program.

The SRO Program shall provide appropriate and relevant information, instruction, and resource services to students, teachers, and parents. These services, and the District's and the law enforcement agency's~~(ies)~~ duties and obligations regarding the SRO Program, shall be set forth in an agreement between the District and the law enforcement agency~~(ies)~~, including:

- A.  placement of a designated School Resource Officer in specific schools on specific days and times;
- B.  development of positive law enforcement officer/student relationships;
- C.  investigation of alleged violations of law, consistent with the authority and duties of law enforcement officers, that involve student or staff conduct on or off of school property;
- D.  educational presentations/discussions;
- E.  preventative and/or informational discussions with students/parents;
- F.  patrol and supervision of various school functions;
- G.  creation and implementation of crime prevention and safety programs; and
- H.  performance of duties of regular patrol officers that pertain to school resource matters;
- I.  a requirement the law enforcement agency~~(ies)~~ to provide the  District Administrator  Board ~~[END-OF-OPTIONS]~~ with an annual report regarding the SRO Program.

This report shall summarize activities conducted throughout the previous school year and shall include recommendations for the upcoming school year. ~~[END-OF-OPTION]~~  The Board may request additional updates or reports. ~~[END-OF-OPTION]~~

The building principal~~(s)~~ and Dean of Students shall serve as the designated liaisons between the District and the law enforcement agency~~(ies)~~ and shall oversee the SRO Program as it pertains to the specific building~~(s)~~. The District and the law enforcement agency~~(ies)~~ shall collaborate in determining various responsibilities and requirements under the SRO Program, including programming services and development of the school safety plan (See Policy 8420 - School Safety). Any services or activities provided or performed by the law enforcement agency~~(ies)~~ via the SRO Program shall not serve as a substitute for any responsibilities assigned to District personnel.

Sharing of confidential information and/or student record information with the law enforcement agency~~(ies)~~ by the District shall fully comply with all relevant statutory provisions and District policies. Use of any devices by any member of the law enforcement agency~~(ies)~~ to gather or store information in the course of an investigation (e.g., body camera footage) shall be done in full compliance with all law enforcement agency~~(ies)~~ policies, as well as State and Federal law regarding the use of any such devices.

Legal

Wis. Stat. §§ 968.07(1)(d), (2)

Wis. Stat. § 165.85(2)(c)

Wis. Stat. § 121.02(1)(i)

Wis. Stat. § 120.44 (unified school districts)

Wis. Stat. § 120.13

Wis. Stat. § 118.257

Wis. Stat. § 118.127

Wis. Stat. § 118.125

Wis. Stat. § 118.001

Wis. Stat. § 66.0301

**Last Modified by Melanie J Oppor on June 9, 2023**



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- I.  a requirement the law enforcement agency(ies) to provide the  District Administrator  Board **[END OF OPTIONS]** with an annual report regarding the SRO Program.

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  - Wis. Stat. § 121.02(1)(i)
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  - Wis. Stat. § 118.127
  - Wis. Stat. § 118.125
  - Wis. Stat. § 118.001
  - Wis. Stat. § 66.0301

**Last Modified by Steve LaVallee on October 11, 2022**



# SCHOOL DISTRICT OF MANAWA

## Job Description

### SCHOOL RESOURCE OFFICER (SRO)

#### **ESSENTIAL SKILLS:**

1. Ability to serve as a resource for teachers, parents, and students for law-related concerns and questions
2. Serve as a mentor for students
3. Ability to serve as a resource in areas that may affect the education environment and are or may be law-related
4. Organize and work independently on multiple assigned tasks/projects and complete assignments within specified deadlines
5. Accurately follow verbal and written directions
6. Work well under pressure
7. Communicate effectively, both verbally and in writing to all internal and external clients, expressing ideas and instructions clearly and concisely
8. Ability to collaborate with diverse work teams
9. Demonstrate skills in consensus-building and mediation
10. Capable of researching and creative problem solving
11. Maintain confidentiality and loyalty to the School District of Manawa and the Manawa Police Department
12. Promote a positive image of the School District of Manawa and Manawa Police Department at all times

#### **QUALIFICATIONS:**

##### **Experience, Education, and Licensure**

1. Bachelor's Degree in Criminal Justice/Law Enforcement or 2-Year Associates Degree
2. Valid Wisconsin Driver's License
3. Duly authorized law enforcement officer through the Manawa Police Department. SRO must continually fulfill necessary requirements to remain in good standing with the MPD.
4. Hold ALICE trainer certification (can be completed once hired at the district's expense).
5. Successful completion of basic SRO course from the National Association of School Resource Officers (can be completed once hired at the district's expense).
6. Two (2) years of law enforcement work experience preferred.

##### **Required Skills and Abilities**

1. Able to work flexible hours, evenings and staggered shifts, weekends and/or in emergency situations as per the school year calendar of events
2. Operate a two-way radio and qualify with a MPD issued firearm
3. Direct traffic/pedestrians crossing busy streets around schools or on school grounds when necessary
4. Investigate suspicious circumstances, persons, vehicles, etc.
5. Able to work in inclement weather, lift up to 60 pounds, and walk, run, climb, crawl or sit for extended periods of time
6. Knowledge of Wisconsin criminal and traffic code, City of Manawa and Waupaca County ordinances, criminal procedures, juvenile law and court proceedings
7. Must not have any open internal affairs investigations
8. Pass criminal history, background investigation, and psychological examination.
9. Respond to imminent threats as a single officer for the protection and preservation of life
10. Ability to interpret and administer laws, policies, and procedures consistently and objectively

11. Communicate effectively, verbally and in writing, to a diverse audience
12. Plan, organize, and prioritize work
13. Remain flexible in order to adapt to changes in the work environment
14. Excellent time-management, problem-prevention, and problem-solving skills
15. Work accurately with close attention to detail
16. Advanced computer skills, including email, word processing and spreadsheets
17. Work effectively, professionally and tactfully with students, parents, staff, and the community
18. Possess a work ethic that includes neatness, punctuality and accuracy
19. Exhibit a professional appearance and demeanor
20. Demonstrate the highest level of ethical behavior
21. Maintain confidentiality of sensitive information
22. Study and apply new state and federal laws and regulations
23. Develop relationships with key stakeholders

**JOB GOALS:**

1. The School Resource Officer supports and facilitates the educational process within the School District of Manawa by providing a safe and secure environment through building and establishing meaningful relationships with students and staff and proactively interacting with the school community to ensure the enforcement of city and state laws, preservation of public order, protection of life and the prevention, detection, or investigation of crime.
2. Work effectively with students, parents, school personnel and community agencies to support teaching and learning in the schools.
3. The School Resource Officer will patrol district property to protect students, staff and visitors from physical harm and prevent loss to district property resulting from criminal activity.

**REPORTS TO:**

Manawa Chief of Police or Designee

**EVALUATED BY:**

Manawa Chief of Police and School District of Manawa District Administrator

The evaluation will include:

- Documentation of success of established goals.
- Observations.
- Community feedback/survey.
- Accomplishment of tasks and responsibilities as per the job description.

**TERMS OF EMPLOYMENT:**

1.0 FTE salaried position from September 1 to June 30 when students are present and when requested to be present for non-student days and July/August MPD duties as assigned.

Salary and benefits to be determined mutually by the Board of Education and City of Manawa with a shared cost arrangement for the time period noted above at 70% SDM & 30% City of Manawa.

The City of Manawa will provide a used vehicle, laptop, and a uniform allowance.

Eighteen (18) month probationary period per City of Manawa Police Department Policy

**PERFORMANCE RESPONSIBILITIES:**

**Job-Specific Responsibilities**

- Enforce federal, state, and local traffic and criminal laws and ordinances.
- Responsible for dealing with criminal law issues, not the enforcement of school discipline or to punish students.



- Serve as a positive role model for students.
- Protect persons and property on school premises; work through school administration to address concerns related to school safety including participation in the refinement of the District Safety Plan and emergency response protocols.
- Participate in and assist school principals with safety drills, protocols, and procedures.
- Provide preventative patrol of District property and within the schools.
- Participate in faculty and student meetings or assemblies as appropriate to become integrated into the school community.
- Participate in Response to Intervention Team meetings to provide wrap around services to students and families as needed.
- Collaborate with the SDM administrative team and staff to foster a better understanding of the law enforcement function to maintain a secure learning environment.
- Serve as a visible and active law enforcement officer on campus dealing with law-related areas such as drugs, traffic, trespassing, fighting, and thefts.
- Conduct routine patrols of assigned facilities to include buildings, parking lots and district owned, leased, or rented property.
- Take law enforcement action to protect against unwanted intruders.
- Make student arrests only in the event of a real and immediate threat to students, staff, or public safety.
- Work collaboratively with public safety agencies to serve as a liaison between school and community to deter criminal and delinquent behavior.
- Work with the Athletic/Activities Director and School Principals to coordinate security for crowd and vehicle control at co-curricular activities and special events.
- Assist other law enforcement agencies with incidents involving local criminal activity that may impact the safety of the environment for students and staff.
- Serve as the initial first responder and school safety coordinator for campus emergencies.
- Respond to calls on crimes against person or property in progress, report crimes that have already occurred, and intrusion/fire alarms; perform preliminary investigation at the scene (e.g. gather and preserve evidence, take statements).
- Prepare written reports, maintain daily logs, and obtain and serve arrest and search warrants as necessary; testify in court as required.
- Subdue offenders and criminals by using the minimum amount of force needed to protect the officer and other persons.
- Provide classroom presentations on protective behaviors, drug and crime prevention and fundamental concepts and structure of the law.
- Conduct security building assessments for schools; guard, check and secure doors, rooms, buildings and equipment.
- Provide executive protection; provide transportation to and from pre-designated places for Board Members and district administrators.
- Perform other duties as assigned by appropriate supervisory personnel and school administrators.

The employee shall remain free of any alcohol or non-prescribed controlled substance abuse in the workplace throughout his/her employment in the District/with the City.

The School District of Manawa and the City of Manawa do not discriminate against individuals on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability. Federal law prohibits discrimination in education and employment on the basis of age, race, color, national origin, sex, religion, or disability. Applicants requesting a reasonable accommodation for a disability should contact the District Office by email.

School/Police Liaison Officer Memorandum of Understanding and Agreement  
Between  
City of Manawa and School District of Manawa

**Memorandum of Understanding for School Resources Officer Program**

The purpose of this document is to establish a School Resource Officer Program and to set forth guidelines to ensure that law enforcement, school officials, and the communities they serve, have a shared understanding of the goals of the School Resource Officer Program;

The parties agree that an effective School Resource Officer Program defines the role of the School Resource Officer (SRO): within the context of the educational mission of the school; distinctions between disciplinary misconduct to be handled by school officials, and criminal offenses to be handled by law enforcement; information sharing; School Resource Officer training requirements; program assessment; and program structure;

The School Resource Officer's receive the necessary support and training to ensure a safe school environment while respecting the rights of students and improving the overall school climate;

The signatories agree to the following:

**Role of the School Resource Officer within the Context of the Educational Mission of the School**

1. The mission of the School Resource Officer program is to improve and foster school safety and the educational climate at the school.
2. School Resource Officers are responsible for dealing with criminal law issues, not to enforce school discipline or punish students.
3. The SRO shall meet with building-level school administrators, teachers, parents, and student representatives at least annually when requested to discuss issues of school safety.
4. The SRO shall be integrated into the school community through participation in faculty and student meetings and assemblies as appropriate.
5. The SRO shall maintain activity reports and submit summaries of these reports to building-level school administrators, district-level school administrators, and the relevant law enforcement agency. The summaries shall include the numbers and descriptions of all incidents or calls for service; names of school officials involved (referring teachers, principals, etc.); student searches; student questioning; tickets, citations, or summonses; filing of delinquency petitions; referrals to a probation officer; actual arrests, and other referrals to the juvenile justice system.

6. Absent a real and immediate threat to student, teacher, or school safety, and absent the situations described herein where formal law enforcement intervention is deemed appropriate, building-level school administrators shall have final authority in the building.
7. Absent a real and immediate threat to student, teacher, or public safety, incidents involving public order offenses including: disturbance/disruption of schools or public assembly; loitering; profanity; and fighting that does not involve physical injury or weapon, shall be considered school discipline issues to be handled by school officials, rather than criminal law issues warranting formal law enforcement intervention (e.g., issuance of criminal citation, ticket, summon, or filing of delinquency petition).
8. Students shall not be taken into custody at school, except where a child poses a real and immediate threat to student, teacher, or public safety or pursuant to a warrant.
  - a. School principals shall be consulted prior to a student being taken into custody where practicable.
  - b. The student's parent or guardian shall be notified of a child being taken into custody as soon as practicable.

### **Information Sharing**

9. The school district designates the SRO a "school official" as provided in the Federal Educational Rights and Privacy Act (FERPA) 20 U.S.C. 1232g, and 118.125(2)(d) of the Wisconsin Statutes. A SRO may be provided access to student records information maintained by the school district only as needed by the SRO to perform his or her duties as SRO. A SRO may also be granted access to student records information in the event of an emergency situation threatening the health or safety of a student or other individual. The SRO may only re-disclose student records information consistent with FERPA and Wisconsin pupil records law.
10. Records created and maintained by a SRO for the purpose of ensuring the safety and security of persons or property in the school, district, or for the enforcement of local, state, or federal laws or ordinances shall not be considered student records - even when such records may serve the dual purpose of enforcing school rules - and are not subject to the same prohibitions of access or disclosure by the SRO. (This provision does not prohibit school personnel from complying with the notice and reporting requirements of seclusion or restraint of a student by the SRO as specified in 118.305(4) of the Wisconsin Statutes.)

## **School Resource Officer Training Requirements**

11. The SRO shall receive such training as is necessary to permit the SRO to effectively advance the school's educational mission in the context of his or her duties as SRO. Training topics, goals, and objectives shall be determined jointly by representatives of the school and the law enforcement agency. Training shall be provided in the following areas:

To be determined by the Manawa Police Department and School District of Manawa as training is offered.

Training topics to consider may include: school values and mission; child and adolescent development; ALICE; cultural competency; positive behavioral supports, strategies, and interventions; federal and state anti-discrimination and special education laws; the provisions of Wisconsin law pertaining to the use of seclusion and restraint by school personnel; trauma informed practices; de-escalation techniques; compulsory attendance; suicide prevention; and school mental health.

## **Program Assessment**

12. The School Resource Officer Program will be assessed annually, and the evaluation will be conducted jointly between the Police Department and School District of Manawa. The following areas will be used to evaluate the program:

- a. Success of established goals and objectives.
- b. Police-citizen contacts (citations, arrests, community and school outreach activities, etc.).
- c. Community feedback.
- d. Accomplishment of tasks agreed upon as part of any work plan written in conjunction with the principal.

## **Structure and Funding for School Resource Officer Program**

13. By virtue of this agreement, the Manawa Police Department agrees to

provide ??? Officers to the School District of Manawa for use as Police Liaison Officers. The Officers shall serve for approximately one hundred and eighty (180) days during the school fiscal year(July 1 to June 30).

The Officer(s) shall remain employees of the Manawa Police Department and, therefore, shall continue to be governed by State Statutes, City of Manawa Ordinances, as well as all applicable rules, regulations and policies of the New London Police Department. The City of Manawa shall be responsible for the issuance of all payroll checks and benefit payments on behalf of the Police Officer.

The Officer(s) shall be appointed for a 4-year time period by the Manawa Police Department and shall be by mutual agreement between the Chief of Police and the District Administrator. Nothing in this contract precludes an existing school liaison officer from being re-appointed after the 4-year time period. The officers will be hired by the Manawa Police Department on a year by year basis and will be At-will employees of the police department.

#### 14. Supervision

The Officers shall be under the direct supervision of the Chief of Police or designee.

#### 15. Reporting Time

The Police Liaison Officers shall report to the School District of Manawa each day unless requested by the Chief of Police or designee to report to the Manawa Police Department. This assignment may be modified as needed by both the School District and the City. The Officer shall work an eight and a half (8.5) hour shift. The Officers shall work for the School District of Manawa when students are present and when requested to be present for nonstudent days. The Officers shall be allowed to attend any mandatory training required by the Manawa Police Department. The Part-Time Officer will be assigned to either a 4 or 8 hours shift.

#### 16. Overtime

If the School District of Manawa requests the Police Liaison Officer(s) to work hours outside of the normal work day (i.e. football game security, dances, etc.), the officers shall be entitled to overtime and compensation is covered by the set agreed upon yearly amount by the School District and the Manawa Police Department. The Officer may also flex their schedule for special events to reduce the amount of overtime.

#### 17. Notification

All written notices and correspondence under this Agreement shall be delivered in person or by first class mail as follows:

To the Chief of Police

500 S. Bridge St  
Manawa, WI 54949

To the District Administrator or  
designee  
800 Beech Street  
Manawa, WI 54949

#### 18. Costs

The School District agrees to reimburse the City \$????? per year for the Officer(s). This will cover cost for the following items:

Wages  
FICA  
Wisconsin Retirement  
Health Insurance Dental  
Insurance  
Income Continuation Insurance Workers  
Compensation Insurance Uniform  
Allowance  
All appropriate, non-personal Monthly Cellular Phone Charges  
during the School Year

The School District also agrees to provide a work area, including a computer and telephone in the school, for use by the Police Liaison Officer.

#### 19. Reimbursement

Bi-annually, the School District of Manawa shall reimburse the City on the basis of an invoice detailing the charges for that time period. The School District shall make payment to the City within thirty (30) days of receipt of the invoice.

#### 20. Equipment

The City of Manawa shall furnish equipment to the Police Liaison Officer(s) including, but not limited to, vehicle, communications equipment, and necessary training.

#### 21. Insurance

The City of Manawa and School District of Manawa shall provide the following insurance and it shall remain in force during the contract:

##### Liability

A general liability policy with a minimum policy of \$1,000,000.

Automobile/Collision

The City of Manawa shall provide full auto coverage for any vehicle operated by the Police Liaison Officer.

Workers Compensation

The City of Manawa shall provide coverage as required by State Statutes.

The premium for the Police Liaison Officer shall be reimbursed as outlined in Section VI.

DRAFT

**Duration**

22. This memorandum of understanding shall become effective immediately upon execution by signature and remain effective until June 30, ??? whereupon it must be reviewed annually by all signatories or their successors before being renewed.

23. A signatory may terminate this memorandum of understanding by serving written notice to all other signatories at least thirty (30) days in advance of such termination. A termination by a signatory shall eliminate the presence of School Resource Officers at the School District of Manawa.

\_\_\_\_\_  
District Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief of Police

\_\_\_\_\_  
Date

DRAFT





**Students choosing to excel; realizing their strengths.**

To: Board of Education  
From: Dr. Melanie J. Oppor  
Date: August 10, 2022  
Re: School Resource Officer Historical Summary

The following represents recent District communications regarding a School Resource Officer program.

From the June 8, 2022 Weekly Update:

**Police Liaison Officer/School Resource Officer** – In the wake of the most recent school shooting in Uvalde, Mr. Joe Starr asked to have the topic of the City of Manawa and the SDM banding together to hire a shared law enforcement officer. I called Mayor Frazier and we had a nice talk on this collaboration. Mr. Starr had contacted the Mayor also. The City hopes to have a new police chief in place by August if all goes well. They are starting their interviews later this month. Mayor Frazier would like to discuss the concept of an SRO once the new police chief is in place. I am putting together some information for the P and HR Committee/Board to reflect on the District's history with SROs. If this topic is of interest to the community, it can again be a resolution for consider at the Annual Meeting in October. The Mayor and I agree that if we had a liaison officer, they would be put to good use and if the constituents do not wish to have one, the SDM and City will continue to be supported by the both City and Waupaca County law enforcement.

July 18, 2022

I telephoned Mayor Frazier last week and he confirmed Chief Severson will begin on August 1. The mayor has not yet discussed the SRO topic with the new Chief but will do so in the near future. Then, the three of us will meet to put together a preliminary proposal for both the City Council and the Manawa Board of Education to consider.

August 4, 2022 – Manawa Night Out

I had the opportunity to visit at length with Police Chief Severson. He is very interested in sitting down with District personnel to discuss possible options. Chief Severson noted that finding an officer that is a good fit to the position is critical. He learned that New London uses recently retired police officers. Chief Severson notes that their level of maturity, understanding of the law, and calm demeanor are assets to the SRO position.

August 9, 2022 – Quad County Insurance Consortium Meeting

Mrs. O'Brien and I attended the meeting that included a presentation by Ted Hayes, a school safety and security consultant for M3. Each of us received a copy of the book "*If It's Predictable, It's Preventable.*" We also received other supplemental resources. This links well

with the District Safety Committee's work that is ongoing and began in the spring semester of 2022.

At the October 25, 2021, Annual Meeting of the School District of Manawa, the public voted against hiring an SRO.

The following is an excerpt from the minutes of the October 25, 2021 meeting:

*"Hearing on the Budget:*

*The recommended tax levy is \$9.44/per \$1,000 home value. The 2020-21 proposed budget tax levy is the maximum allowable amount of \$2,660,335 and the entire referendum debt payment of \$981,462 and \$25,000 for the Community Service Fund (Fund 80). The total tax levy is \$3,666,797 with the mill rate at \$9.44.*

*Consideration/Discussion of the District engaging a School Resource Officer for the 2021-2022 school year, as follows:*

- Full-Time (1.0 FTE)*
- Part-Time (.6 FTE – 3 days/week / 24 hours/week)*

*Resolutions: Motion by Sondra Reiersen/ Nicole Rineck SY20/21#03 Resolution - Not to Proceed into an Intergovernmental Agreement with the City of Manawa for a School Resource Officer (SRO).*

*Discussion: Sondra Reiersen, N6234 Cty Rd K, Ogdensburg, mentioned over the years there had been an SRO in the district. If it was a good program, why didn't they keep it? There was a survey sent out. She has never seen any kind of information as to what the constituents want? What is going to be different now?*

*Chairman J. Johnson noted the survey results: In favor of an SRO - 43% all residents, 29% staff, 56% parents and 38% non-parents. Not in favor of an SRO - 32% all residents, 45% staff, 22% parents, 35% non-parents. pg. 10 Not sure/need more information - 25% all residents, 26% staff, 22% parents and 27% non-parents. When asked if they would support paying for an SRO through Fund 80, the survey results were: In favor of an SRO - 39% all residents, 35% staff, 51% parents and 33% non-parents. Not in favor of an SRO - 33% all residents, 38% staff, 25% parents, 37% non-parents. Not sure/need more information - 28% all residents, 27% staff, 24% parents and 30% non-parents. When asked if they were to add an SRO, what would the staffing level be, the survey results were: Employ an SRO PT- 31% all residents, 43% staff, 35% parents and 29% non-parents. Employ an SRO FT - 28% all residents, 29% staff, 39% parents, 23% non-parents. Not sure/need more information - 41% all residents, 28% staff, 26% parents and 48% non-parents.*

*Nicole Rineck, 808 Water Street, Ogdensburg stated there is a police department down the road. We are not in a big city. What is happening in the school now that warrants an SRO? Why are taxes going up for this? Mike Frazier, 405 E. Fourth St., Manawa, typed in the chat box saying the city would work with the School District on this issue.*

*John Smith, 960 Depot Street, Manawa, speaking on behalf of the city, said an SRO is not just to enforce rules as to what is happening in school but to help with other things that happen at home as well. Today's youth deal with drugs, suicides, and an SRO gives opportunity to build relationships. He said he realizes they may not have had the best SRO's in the past and that is why the position went away years ago. It should be full time. School staff is not trained in investigations.*

*Anglea Emmert, N8115 Ferg Road, Manawa wrote in the chat box with all due respect, Mr. Smith, you are contradicting what we heard from the principal who seemed to indicate there were few issues. Can Mr. Wolfram please clarify? Mr. Wolfgram said he is not going to say schools are a perfect situation where they don't rely on the police when called upon. They do have experience dealing with some things within the district as staff. Drugs in school rely on police to help in investigations. The majority of instances within the last year are related to vaping incidents. (Audio quality was an issue.)*

*Jenny Bessette, E5702 N. Water Dr., Manawa, thinks the SRO is a great concept. However, last year the staff was polled and she feels safe at school. Taxes are going up already and doesn't want more increases. There were many programs that the district does not have any longer due to cuts. The schools have two amazing school counselors.*

*Sondra Reiersen noted Manawa student's state testing numbers are going down. She would rather have money go to instruction than a SRO.*

*John Smith is glad staff feels safe here. Things have changed since he went to school here. Right now everyone wants to call the police for everything. The townships do not pay for the city police - only the city taxpayers pay for them. A Sheriff can take up to 40 minutes to respond if the city police are dealing with another issue. That should be another factor in considering an SRO.*

*Stephanie Riske, E6464 State Rd 22, Bear Creek, wanted to confirm that having an SRO would not affect staffing.*

*Chairman Johnson confirmed that is true because the SRO would be funded out of Fund 80.*

*The motion on the floor is: Motion by Sondra Reiersen/ Nicole Rineck - Not to Proceed into an Intergovernmental Agreement with the City of Manawa for a School Resource Officer (SRO). Angela Emmert yes, Jeanne Frazier no, Mike Frazier no, Jill Schuelke abstain, Mataya Pethke abstain, Tammy Buschke yes, Scott Emmert yes, Jenny Bessette yes, Bill Dallman yes, Bev Dallman yes, Nicole Rineck yes, Sondra Reiersen yes, John Smith no, Seeger no, Hollman yes, Forbes no, Scheller yes, Pethke yes, R. Johnson yes, J. Johnson yes. Motion carried on a roll call vote."*

#### Historical Information:

The following officers served in the role of School Resource Officer in the order shown. Where hire dates were available in Skyward, they are noted.

- Ben Barrington
- Brady Peterson (January 2000)

- Heidi Cartwright (November 2001)
- Michelle Kamba

The School District of Manawa had received a COPS grant in the past to fund the start-up costs of having a School Resource Officer. When the grant funding ran out, the funds to continue the program at that time were not part of the budget. A sustainability plan for the COPS grant had not been created.

At about the same time as I became the new District Administrator (2014), I received feedback from a variety of sources indicating concerns about the School Resource Officer. There was the perception that the officer was allowing their personal moral biases to override the letter of law. There were also unsubstantiated claims of overreach by the officer into matters that should more appropriately be handled by the secondary principal or dean of students. This left a sour taste in the mouths of some citizens and parents regarding an SRO. The topic of hiring an SRO came up recently via a citizen concern but had not been discussed formally since October 25, 2021.

Next steps:

- Collaborate with Mayor Frazier and Chief Severson on establishing an SRO program to layout program expectations, create a job description, establish related costs, and so on.
- Consider a survey of SDM residents to gauge community support and to provide information to the public.
- Consider a resolution for the next Annual Meeting of the SDM citizenry in October.
- Other

Full Time Police Officer Cost 2023

**Total Employer Pays a Year**

Police officer wages		\$ 52,000.00	25.00 per hour (Does not include overtime)
Retirement		\$ 6,864.00	
Health Ins	Family	\$ 22,656.48	
	Single	\$ 9,201.60	
Dental	Single	\$ 329.04	
	Single+Family	\$ 996.72	
	Single+Spouse	\$ 658.56	
Life Ins		\$ 66.00	
Vision	Single	\$ 60.36	
	Single+Spouse	\$ 120.48	
	Single+Child(ren)	\$ 135.96	
	Family	\$ 217.32	
SS/MED		\$ 3,978.00	

Employer pays 88% for Health, Dental and vision premium  
 Employer pays 13.2% and Employee pays 6.8% for Retirement  
 Employer pays 7.65% for SS/MED  
 Clothing cost varies for each officer

Costs for an employee with family *20¢ mill rate* \$ 86,778.52  
 Costs for a single employee *0.17* \$ 72,499.00

*- raise the levy by this amt. - apportioned over the entire tax base*

0.2

7.00 = 700 / \$100,000

7.20 = 720 / \$100,000

*increase \$20 for ea. \$100,000 assessed value*

Part Time Police Officer Cost 2023

**Total Employer Pays a Year**

(Hours estimated at 880 for year)

Police officer wages	\$ 22,000.00	25.00 per hour (For 10 months)
SS/MED	\$ 1,683.00	

Must stay below 1,200 hours for part time status

Employer pays 7.65% for SS/MED

Clothing cost varies for each officer

Total Cost \$ 23,683.00

0.06¢  
\$6.00

2 retired people  
sharing

## School Resource Officer/ resource person questions

Why do we need a School Resource Officer?

- Instantaneous emergency response
- Police/student/community/ relationship building
- Mentoring and student support
- Deterrent/Crime Prevention effect
- Site Security generally as well as crime prevention through environmental design
- Assist with state required safety assessments (Grant)

Do we have to have a licensed police officer? Are there other security officer options available that the community fund can be used for?

- Sworn, certified officers have the following:
  - o State required training
  - o Information sharing for the good of the school and student is only allowed across school and LE
  - o Experience
  - o Professionalism
  - o Public relations skills
  - o Instantaneous communication with patrol for immediate assistance
  - o Important potentially lifesaving equipment
  - o Close collaboration with other agencies such as CPS, YFS, CRISIS, other LE

What time will the resource person work?

- 7:30 am until 3:45 pm
- NLPD has two part time officers who rotate: Thursday, Friday, Monday, Tuesday, Wednesday...then off for seven days.

What will a resource person do throughout the day? I.e. (during the in session school day) an 8.5 hour work day with a 30 minute lunch. Approximately 70-80% of the school day students are in class so 20-30% of the resource person's day would have a potential to interact with students. 1.6 to 2.4 hours of possible interaction time.

- Presence at critical drop off and pick up sites
- Assist admin staff with disciplinary issues when necessary
- Mentor troubled student (bulldog time)
- Recess security and student contact
- Special Event and Athletic Event Security
- Hall monitoring throughout the day an between classes
- Conduct truancy checks/home visits
- Meeting with parents of students who are having behavioral difficulties

- Note: Part time SRO's avoid being bogged down in court by turning serious crimes over to patrol or detectives,
- Classroom presentations: Bullying, Sexting, Human Trafficking, Stranger Danger, Drugs, etc, etc...

What will a resource officer do when there are non-scheduled student school days?

- SRO's do not work on non-scheduled student school days
- SRO's conduct active shooter and EMS training for staff during staff development days

How will a resource person enhance our current safety program?

- Instantaneous emergency response
- Police/student/community/ relationship building
- Mentoring and student support
- Deterrent/Crime Prevention effect
- Site Security generally as well as crime prevention through environmental design

Who does the resource person report to?

- To both the school principal and chief of police

How will the Constitutional rights of the students be maintained?

- In the same way they are maintained for adults in the community
- The SRO must abide by states laws, constitutional parameter's and within school and police policy

If the resource person is traveling from building to building are they using their own vehicle? Will they be compensated for mileage?

- The PD supplies the squad car and pays for maintenance
- "Building to building" travel time is worked into the daily schedule

How will we ensure that a resource person doesn't cross the line of excessive force as what happened in Kenosha in March 2022?

- By abiding by use of force parameters defined by the state and PD policy



If working over 8.5 hrs a day will they be receiving overtime? For example - at school during school hours and then also working at after school activities. If receiving overtime pay, who is responsible for the overtime cost?

- Part time SROs would get overtime only if they worked more than 40 hours in a work week. This does not occur however because of the part time nature of the positions



Book	Policy Manual
Section	5000 Students
Title	ATTENDANCE
Code	po5200
Status	Active
Adopted	June 20, 2016
Last Revised	April 25, 2022

## 5200 - **ATTENDANCE**

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

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

### **Excuse Required**

The District Administrator shall require, from the parent or guardian of each student or from an adult student, who has been absent for any reason a phone call or a written, signed, and dated letter stating the reason for the absence and the time period covered by the absence. The Board reserves the right to verify such statements and to investigate the cause of each absence and instance of tardiness.

### **School Attendance Officer**

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

- A. Determining daily from attendance reports submitted by teachers which students enrolled in the school are absent from school, or failed to fulfill the attendance requirements of a virtual instruction program component, and whether the absence is excused.
- B. Submitting to the District Administrator, on or before August 1st of each year, a report of the number of students enrolled in the school who were absent in the previous year and whether the absences were excused. The District Administrator shall then submit this information to the State Superintendent and the Board. To the extent feasible, absentee data shall be separated by absences for in-person instruction periods and absences based on virtual instruction attendance requirements.
- C. Providing student attendance information to individuals and agencies for purposes authorized by State law and the Board's Policy 8330 - Student Records.

### **Excused Absences**

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

**A. Physical or Mental Condition**

The student is temporarily not in proper physical or mental condition to attend a school program.

**B. Obtaining Religious Instruction**

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

**C. Permission of Parent or Guardian**

The student has been excused by their parent(s) before the absence for any or no reason. A student may not be excused for more than ten (10) days per school year under this paragraph and must complete any course work missed during the absence. Examples of reasons for being absent that should be counted under this paragraph include, but are not limited to, the following:

1. professional and other necessary appointments (e.g., medical, dental, and legal) that cannot be scheduled outside of the school day
2. to attend the funeral of a relative
3. legal proceedings that require the student's presence
4. college visits
5. job fairs
6. vacations

**D. Religious Holiday**

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

**E. Suspension or Expulsion**

The student has been suspended or expelled.

**F. Program or Curriculum Modification**

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

**G. High School Equivalency – Secured Facilities**

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

**H. Child at Risk**

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

**I. Election Day Official**

A high school student, including students enrolled in private schools and students enrolled in home-based private education, age sixteen (16) or seventeen (17) is permitted to be excused to serve as an election official provided that the following criteria are met: (1) the student has the permission of their parent to serve as an election official on election day; (2) the student has signed up and the municipal clerk has informed the principal that the student has been assigned to serve in this capacity; and (3) the student has at least a 3.0 grade point average or equivalent, or has met alternative criteria established by Board, if any. The principal shall promptly notify the municipal clerk or the board of election commissioners of the municipality that appointed the child as an election official if the child no longer has at least a 3.0 grade point average or the equivalent, or no longer meets the established alternative requirements. A student's absence to serve as an election official under this policy shall be treated as an excused absence. Where possible students are encouraged to provide advance notice as much as possible. Students are responsible for completing any missed school work and responsible for making appropriate arrangements to do so.

**J. Virtual Access**

The student is unable to access virtual instruction programming due to a temporary disruption in the student's access to

necessary technological systems (i.e. internet outage, computer failure, software malfunction, etc.) as communicated by the student's parent.

A student may be excused from school, as determined by the School Attendance Officer, or their designee, for quarantine of the student's home by a public health officer.

### **Unexcused Absences**

Unexcused absences demonstrate a deliberate disregard for the educational program and are considered a serious matter. The District Administrator shall develop administrative guidelines to address unexcused absences.

The Board authorizes, but does not encourage the District Administrator, to suspend a student from a particular class or from school if sincere efforts by the staff and parents cannot rectify the pattern of absence. In keeping with its philosophy, the Board supports efforts to provide out-of-school alternative educational opportunities for truant students rather than aggravate the effects of absence through suspension.

### **Truancy Plan**

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

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

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

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

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

### **Notice of Truancy**

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

### **Notice of Habitual Truancy**

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

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

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

- D. a statement of the penalties, under State law or local ordinances that may be imposed on the parent upon failure to cause the child to attend school regularly as required by State law.

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

### **Referral to the District Attorney**

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

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

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

### **Make-up Course Work and Examinations**

Students who are absent from school, whether the absence was excused or unexcused, shall be permitted to make-up course work and examinations missed when they return to school. It is the student's responsibility to contact their teachers to determine what course work and examinations must be made-up. Teachers shall have the discretion to assign substitute course work and examinations. Teachers shall also have the discretion to specify where and when examinations and course work shall be completed, including outside regular school hours. The time for completing the work shall be commensurate with the length of the absence unless extended by the principal based upon extenuating circumstances.

### **District Administrator Guidelines**

The District Administrator shall develop administrative guidelines concerning the attendance of students which:

- A. ensure a school session that is in conformity with the requirement of the law;
- B. ensure that students absent for an excusable reason have an opportunity to make-up work they missed;
- C. govern the keeping of attendance records in accordance with State law;
- D. facilitate implementation of the Truancy Plan;
- E. identify the habitual truant, investigate the cause(s) of his/her behavior, and consider modification of his/her educational program to meet particular needs and interests;
- F. ensure that any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the District's limit on excused absence is referred for evaluation for eligibility either under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 and Chapter 115, Wis. Stats.;
- G. provide that a student's grade in any course is based on his/her performance in the instructional setting and is not reduced for reasons of conduct. If a student violates the attendance or other rules of the school, s/he should be disciplined appropriately for the misconduct, but his/her grades should be based upon what the student can demonstrate s/he has learned;
- H. ensure that all parents and students are informed of the District's Attendance Policy and related guidelines;
- I. enable the School Attendance Officer to perform his/her duties under State law and this policy; and

J. address unexcused absences.

Revised 8/22/16  
Revised 11/19/18  
Revised 4/27/20  
Revised 11/16/20

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Legal                    7.30(2)(am), Wis. Stats.  
                                 118.15, Wis. Stats.  
                                 118.153, Wis. Stats.  
                                 118.16, Wis. Stats.  
                                 118.162, Wis. Stats.

**Last Modified by Brenna Sparger on May 3, 2022**



# Attendance/Truancy Plan

Approved by the Board of Education on

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## Introduction

State law requires that any person having a child under their control who is between the ages of 6 and 18, shall cause the child to regularly attend school. The state law now also requires the parent or guardian of a child who is enrolled in a 5-year-old kindergarten class to cause the child to attend school regularly until the end of the school term. Any student who misses a part of any day of school without an acceptable excuse is truant. If a student misses all or part of 5 or more days during a school semester without an acceptable excuse, they are considered to be a habitual truant.

In addition to legal requirements, truancy results in significant consequences for students who miss school as well as for the community as a whole. The economic prosperity of the county, its crime rate and the general quality of life are all greatly impacted by truancy. Waupaca County competes economically, in the state as well as nationally and internationally. An educated workforce that can understand and perform tasks beyond the simplest levels is critical to local economic success. Criminal justice issues and the need to protect our community are also significantly influenced by truancy. Experts in the juvenile justice field overwhelmingly recognize that one of the greatest predictors of a young person's committing delinquent or criminal acts is a history of truancy. However, the biggest victims are the truants themselves. Statistics of the U.S. Census Bureau show that a person who graduates from high school can earn almost twice as much as someone who does not. An education will help students be informed citizens and have a better quality of life.

Wisconsin State Statute 118 states that each school board shall adopt a plan to address truancy. Therefore, the School District of Manawa adopts the following plan to address truancy:

### Section A

#### Wis. Stats §118.162(4)(a)

#### **Procedures to be followed for notifying the parents or guardians of the unexcused absences of habitual truants under §118.16(2)(cr) and for meeting and conferring with such parents or guardians.**

State law requires that a school district notify parent(s)/guardian(s) of an absence by the end of the 2<sup>nd</sup> school day after the absence. Notice may be by personal contact, phone, or mail, but notice by personal contact or phone shall be attempted before notice by mail may be issued. The School District of Manawa will attempt to notify parent(s)/guardian(s) of a student's truancy on the day the unexcused absence occurred. A written record will be kept of all notices.

When the school notifies the parent(s)/guardian(s) of a child's truancy, it will direct the parent(s)/guardian(s) to return the child to school or provide a written request that the absences be excused under §118.15 by no later than the next day on which school is in session.

In the event that the district does due diligence in the truancy process and has circumstantial data that verifies the student is no longer residing within the School District of Manawa, the student can retroactively be end dated in the district's student information system as of the last day the student was documented to have been in attendance in the school district. This process would be applicable in a situation such as (but not limited to) when a student/family no longer resides within the school district boundaries and no known forwarding address has been provided to the district.

Due diligence shall include (but is not limited to):

- telephone call
- follow-up mailed letter summarizing telephone communications
- certified letter and regular mail
- welfare visit made to the last known home address by at least two of the following: Principal, School Counselor, School Nurse, or Police Officer

When a student meets the criteria to be considered a habitual truant (any part of five days of a semester), the school official will schedule a truancy conference pursuant to Wis. Stats. §118.16(2)(cg) with the parents/guardians and the child. Notice shall be by certified mail, restricted delivery.

If a student continues to be truant, after the truancy conference has been attempted or held, a truancy referral may be submitted to the Waupaca County Department of Human/Social Services Juvenile Intake Offices. It is important to note that truancy referrals are not submitted on all habitual truants. School officials assess each case and determine the most appropriate way to address the truancy problem. This does not always include a truancy referral. Other options are considered and may be pursued.

In certain cases, when it is determined by school personnel that the parent or guardian is contributing to the truancy of the child, a referral must be done through the Manawa Police Department or Waupaca County Sherriff's Department. Wis. Stats. §118.15. (See Section E)

## **Section B**

### **Wis. Stats §118.162(4)(b)**

**Plans and procedures for identifying truant children of all ages and returning them to school, including the identity of school personnel to whom a truant child shall be returned.**

The School District of Manawa believes that the primary purpose of schooling is for students to learn and be successful. In order for students to learn, they must attend school and attend school on a consistent basis. We also believe that all students can learn given sufficient time and appropriate support. School failures are often created by students not having sufficient time to master essential skills due to numerous hours and days away from the learning environment. Major gaps in learning are created by this lack of exposure to new materials and lack of sufficient time to process the new information.

School attendance and engagement is a major focus for the School District of Manawa. We know that without these features, students may not learn to their potential. Students who have high rates of nonattendance or truancy issues do not feel connected to the school. Without this engagement, it becomes very easy for students to walk away from the school, which leads to minimizing their future potential and success.

The School District of Manawa truancy plan is a collaborative model. It includes the students, parents, administrators, faculty, staff, and pupil services team. Teachers will take attendance every day in each class. From the teacher reports, school office staff will create absentee reports, which will be disseminated to all appropriate school personnel. Parents/guardians will be notified of their child's absences. School staff will attempt to contact them by phone and inform them of their child's absence(s). Messages will be left on home answering machines regarding the absence. Letters will be mailed to the home when parents/guardians are not directly contacted. Parents must notify the school of their child's absence, by calling the school or by sending a note to school regarding their child's absence(s). This collaborative team must work together responsibly, for it is a major foundation in keeping our students in school on a consistent basis.

The school administrators are the fulcrum of this collaborative model. They will maintain contact with the students and parents regarding their absences. The school administrator along with a school counselor, nurse, or law enforcement officer may make home visits to see if the family has special needs that may be addressed. If the absences do not decrease or cease, the school administrator may implement a truancy referral.

If social and/or learning problems are identified, the school must see that services are made available to the family to address these problems. Services may be provided on campus or the student and/or family may be referred to outside counseling agencies. Where appropriate, the school district will offer counseling services, which are not of a clinical nature, through the school counselors, and at times, the school psychologist.

The relationship between the school and the home should be a shared, collaborative effort, which is focused on keeping the student in school, with consistent school attendance and with academic success.

### **Section C**

#### **Wis. Stats. §118.62(4)(c)**

##### **Methods to increase and maintain public awareness of and involvement in responding to truancy within the School District.**

The School District of Manawa, in conjunction with the Waupaca County Truancy Committee, will, as a part of the Truancy Plan, prepare and submit for publication in local newspapers, periodic articles, commentaries and/or press releases. These pieces, relating to truancy statistics, court procedures, the consequences of truancy, and intervention options, should be published as can be arranged, but preferably in the beginning of the fall and/or spring semesters.

The School District of Manawa shall provide each student and their parents with a written attendance plan that includes the school's response to the truancy contained within each school's handbook.

The School District of Manawa, in conjunction with the Waupaca County Truancy Committee, will engage school staff and/or students in educational programming designed to teach them about the legal system's response to truancy. This program will cover, among other things, county circuit court prosecution for individual or multiple truanies, circuit court procedures and the possible outcome of circuit court intervention for habitual truants. This training may include presentations by staff from the Waupaca County District Attorney's Office, City of Manawa Police personnel, the county department of human/social services, and school counselor.

The goal of all of these efforts is to increase and maintain public awareness and involvement in truancy issues within the school district. It is ultimately intended to reduce truancy in the School District of Manawa by making students aware of the negative impact truancy has on the student's education as well as the consequences of violations of state and local laws related to truancy.

## Section D

### Wis. Stats §118.162(4)(d)

#### **The immediate response to be made by school personnel when a truant child is returned to school.**

Every possible attempt will be made by the school district to eliminate the barriers to the student's education and his/her engagement with the school.

The schools may use a transitional process to re-engage the student. Assessment of familial, psychosocial, academic and other special needs will be conducted. The school team responsible for completing the assessment may include the counselor, administrator, a law enforcement officer, school psychologist, nurse, teachers, and where appropriate, the county human services agent.

Mentoring or tutoring programs may be used to help minimize the academic gaps. The student may be given informal assessments to measure academic progress.

All students who are have truancy issues will be discussed at a school's building consultation team (BCT) meeting. The BCT may develop academic alternatives and/or an intervention plan to help the student become successful. If the student continues to have academic distress and to be truant, the BCT may make a referral for further assessment which may include the school psychologist. This assessment, along with other school data, will advise the parents and the school officials if the student may have any learning or emotional needs.

Any support services staff member, i.e., school counselor, or school psychologist, may provide counseling services. If more intense psychosocial services or family counseling is needed, a referral may be made to the appropriate agency.

## Section E

### Wis. Stats. §118.162(4)(e)

#### **The types of truancy cases to be referred to the District Attorney for the filing of information under §938.24 or prosecution under §118.15(5) and the time periods within which the District Attorney will respond to take action on the referrals.**

Where appropriate, the school district will refer habitual truancy cases to the appropriate county's department of human/social services juvenile intake office pursuant to §938.24 after the school has completed the requirements under §118.15(5).

The school district will use forms as directed by the district attorney for the student's county of home residence. This will ensure that the necessary information for successful prosecution of the case is provided to the district attorney's office.

An intake worker reviews the referral and decides initially how to best address the situation. A decision may be made to close the case, to handle the matter informally, or to send the matter on to the district attorney's office so that court action can be pursued. Upon receipt of a request for prosecution of a habitual truancy case from an intake worker, the representative of the district attorney's office may file a JIPS petition under §938.13(6), or otherwise act upon the request. The final decision whether or not to file a JIPS petition shall be at the discretion of the assistant district attorney (ADA) assigned to this case.

The district attorney's office is responsible for prosecuting habitual truants and/or their parents. When prosecuting parents or legal guardians of habitually truant students, the district attorney's

office must look at two separate factors. Prior to commencing a prosecution, evidence must be provided to show that the school complied with all of the requirements under §118.16(5), Wis. Stats. Next, the situation must be evaluated to ensure that all of the elements of the offense can be proven beyond a reasonable doubt.

When prosecuting parents, the elements of the offense require that the child be 17 years of age or under when the truancies occurred, that the child was under the control of the individual charged, and that the person charged did not cause the child to regularly attend school. Here failure to “regularly attend school” means five or more unexcused absences. Failing to “cause a child to regularly attend school” includes preventing the child from attending and failing to make the child attend.

Section 118.16(5) Wis. Stats. sets forth procedural requirements a school must meet prior to referring a truancy situation for prosecution. First, a school representative must meet or attempt to meet with a parent or guardian. This meeting is designed to discuss and to try and resolve the truancy problem. For a meeting to be attempted, the school must notify the parent/guardian of the situation and establish a time and place to meet. If the parent/guardian either fails to appear or to contact the school to reschedule, or refuses to meet, the attempt is complete. State statute requires that a school send notice of this meeting, via registered or certified mail. The meeting shall be within 5 school days after the date that the notice is sent, except with the consent of the parent or guardian the date for the meeting may be extended for an additional 5 school days. Second, the school must provide an opportunity for educational counseling to determine whether a change in class schedule will resolve the truancy problem. The majority of cases involving the prosecution of parents involve elementary school children where a change in curriculum is not available. Third, the child must be evaluated to determine if a learning problem is contributing to the truancy. A new evaluation is not necessary if an evaluation was completed within the last school year. If it is determined that there are learning problems that are contributing to the truancy, the school must take steps to overcome the learning problems. Lastly, the child must also be evaluated to determine whether a social problem exists that is contributing to the truancy. If such a problem is found, the school must take appropriate action to resolve or refer the matter to the appropriate agency for resolution.

Once all the procedural requirements under §118.16(5) are met, the matter is evaluated to determine whether the evidence will prove the elements of the offense. If the procedural requirements are not met, the matter is referred back to the school for compliance with §118.16(5).

## **Section F**

### **Wis. Stats. §118.162(4)(f)**

#### **Plans and procedures to coordinate the responses to the problems of habitual truancy, as defined under 118.16(1)(a), with public and private social service agencies.**

Habitual school truancy is a problem that can have a serious impact on a community. The county department of human/social services and the schools of Waupaca County are working cooperatively to address school truancy.

The county department of human/social services is responsible to address all habitual truancy referrals received from the county school districts. This is done in accordance with and in compliance with Chapters 938 and 118 of the Wisconsin Statutes. The county departments of human/social services have established the following procedures to respond to the habitual truancy referrals and to service and supervise habitual truants.

After completing all of the requirements under 118.16(5) the schools may submit a truancy referral to the Human Services Juvenile Intake Office of the student’s county of residence. Once

a referral is received in the Juvenile Intake office, an intake worker will be assigned to access the situation and to make an appropriate intake decision. The referral may be closed if the intake worker determines that there is not enough information in the referral to support the charge or if all of the statutory requirements have not been met. When appropriate, the intake worker will attempt to enter into a Deferred Prosecution Agreement and handle the truancy referral outside of court. In some cases, the referral will have to be forwarded to the District Attorney's office so that the violation can be processed through the juvenile court system.

Whenever an intake worker determines that an attempt should be made to handle a truancy referral outside of court, an intake conference will be scheduled to discuss the situation with the student and their parents/guardians. A school representative is to attend these intake conferences. The following factors will be considered at the intake conference when determining whether or not to set up a Deferred Prosecution Agreement: prior referral history, the student's and the family's cooperation with prior services, the extent of the family's treatment needs, and the family's cooperation at the intake conference.

In some cases, the Deferred Prosecution Agreement will hold the case open without services. If this should be agreed upon at the intake conference, it will be the school's responsibility to notify the juvenile intake office of further problems. Depending on the circumstances, the Deferred Prosecution Agreement can be amended or the original referral can be processed through court.

When services are provided as part of the Deferred Prosecution Agreement or when a student is placed on a JIPS Court Order for habitual truancy, the following plan of action is implemented by the county department of human/social services:

1. A case manager is assigned to work with the family and the school.
2. The case manager will complete a thorough assessment of the family situation so as to identify the needs of the family and the issues that are contributing to the student's truant behavior.
3. The case manager will formulate a case plan with the family and the school that addresses the identified needs and establishes outcome objectives.
4. Mentors/tutors are assigned to work with the students on their case plan, collaborating with school staff as needed.
5. The case manager will make appropriate referrals to outside resources to address the identified needs. These community service providers will provide a variety of services that might include counseling, family support, tutoring, mentoring, life skills, AODA treatment, psychological and psychiatric evaluations, and psychotherapy and psychiatric care.
6. The case manager will monitor the family's progress in meeting their case plan and will maintain regular contact with the family, school staff, and community service providers. To assist in monitoring the student's attendance, the school will send weekly attendance reports to the case manager.
7. The case manager will notify the court or the juvenile intake worker of the family's progress and any problems the family had complying with the Court Order or the Deferred Prosecution Agreement.

## Section G

### Wis. Stats §118.162(4)(g)

#### **Methods to involve the truant child's parent or guardian in dealing with and solving the child's truancy problem.**

It is School District of Manawa's belief that parental involvement in solving a child's truancy problems is critical. Where appropriate, the truant child's parent(s) or guardian(s) will be asked to be an active participant in solving the child's truancy problem. That involvement may include weekly checks with the school to make sure the child is attending school as required as well as doing the work and avoiding behavior problems, all of which are important elements in the child's educational success.

The school district's goal is to increase student engagement. Engagement increases attendance and academic success. In order to increase the student's engagement and thereby his/her attendance, there must be a collaborative relationship between the school and the parents/guardians of the students.

The school district must help the parent to understand the importance of regular school attendance. Parents must also understand how important their support is in getting the student to attend school.

Parental support of the educational process is key to the success of children. School officials and/or truancy committee members may conduct presentations that make parents aware of the importance of school and the importance of their support. As attendance increases, school engagement increases, which leads to academic success.

A school official will contact the parents regarding attendance infractions. Home visits will be made to help the family minimize or eliminate barriers to regular attendance. Referrals may be made to social service agencies to assist the families with other needs that may be causing an attendance issue.

Parenting skills groups may be used to help parents learn skills in managing and promoting student attendance. Discipline and behavior management skills will be introduced to parents who have a difficult time with these skills.

Parent/teacher conferences will be held so that the parent and the school may discuss the student's needs. The purpose of the meeting will be to formulate an action plan that the family may use to encourage and increase school attendance. Parents will be asked to help the school better understand their child. It is believed that this collaborative approach will enhance the student's future and his/her level of excellence.

## Truancy

### Overview

A student shall not be expelled for truancy. A habitual truant is a student who is absent from school without valid excuse for all or part of five days in one school semester or one-half of the school year. The period during which a student is absent from school due to a suspension or expulsion is neither an absence without an acceptable excuse nor an absence without legal cause under the compulsory attendance law.

Truancy means any absence for part or all of one or more days from school during which the school attendance officer, principal or teacher has not been notified of the legal cause of such absence by the parent or guardian of the absent student, and also means intermittent attendance carried on for the purpose of defeating the intent of §118.15.

The School Board designates the building principal to serve as the school attendance officer.

The school attendance officer:

- Shall determine daily which students enrolled in the school district are absent from school and whether that absence is excused under §118.15, Wis. Stats.
- Annually, on or before August 1, shall determine how many students enrolled in the school district were absent in the previous year and whether the absences were excused under §118.15, Wis. Stats., and shall notify the State Superintendent of the determination.
- Recognizes that a student may be excused in writing by his or her parent or guardian for not more than ten school days in a school year and shall be allowed to complete any missed coursework.
- Except as provided under §118.16(2)(cg) and (cr), Wis. Stats., shall notify the parent or guardian of a child who has been truant of the child's truancy and direct the parent or guardian to return the child to school no later than the next day on which school is in session or to provide an excuse under §118.15, Wis. Stats. The notice under this paragraph shall be given before the end of the second school day after receiving a report of an unexcused absence. The notice may be made by personal contact, mail or telephone call of which a written record is kept, except that notice by personal contact or telephone call shall be attempted before notice by mail may be given.
- Shall notify the parent or guardian of a child who is a habitual truant, by registered or certified mail, when the child initially becomes a habitual truant. The notice shall include all of the following:

### Checklist

- ✓ A statement of the parent's or guardian's responsibility, under §118.15(1)(a), Wis. Stats., to cause the child to attend school regularly.
  - ✓ A statement that the parent, guardian or child may request program or curriculum modifications for the child under §118.15(1)(d), Wis. Stats., and that the child may be eligible for enrollment in a program for children at risk under §118.153(3).
  - ✓ A request that the parent or guardian meet with appropriate school personnel to discuss the child's truancy. The notice shall include the name of the school personnel with whom the parent or guardian should meet, a date, time and place for the meeting and the name, address and telephone number of a person to contact to arrange a different date, time or place. The date of the meeting shall be within five school days after the date that the notice is sent, except that with the consent of the child's parent or guardian the date for the meeting may be extended for an additional five school days.
  - ✓ A statement of the penalties, under §118.15(5), Wis. Stats., that may be imposed on the parent or guardian if he or she fails to cause the child to attend school regularly as required under §118.15(1)(a), Wis. Stats.
  - ✓ Except as provided under par. (d), unless the child is excused under sub. (3), any person having under his or her control a child who is enrolled in 5-year-old kindergarten shall cause the child to attend school regularly, religious holidays excepted, during the full period and hours that kindergarten is in session at the public or private school in which the child is enrolled until the end of the school term.
- After the notice required under §118.16(1)(cg), Wis. Stats., has been given, shall notify the parent or guardian of a habitual truant of the habitual truant's unexcused absences as provided in the plan under §118.162(4)(a), Wis. Stats. After the notice required under §118.16(1)(cg), Wis. Stats., has been given, §118.16(c) does not apply.



- May visit any place of employment in the school district to ascertain whether any minors are employed there contrary to law. The officer shall require that school certificates and lists of minors who are employed there be produced for inspection, and shall report all cases of illegal employment to the proper school authorities and to the Department of Workforce Development.
- Shall have access to information regarding the attendance of any child between the ages of 6 and 18 who is a resident of the school district or who claims or is claimed to be in attendance at a private school located in the school district.

**Formal Truancy Procedure**

1. When a student is absent from school, the school office telephones the parent/guardian the morning of an absence if the parent/guardian has not already notified the school via the attendance reporting line to determine the reason for the absence.
2. If the school office is unable to reach a parent to confirm the reason for the absence, the absence will be recorded as unexcused and a letter to confirm a student absence will be sent to the parent at the end of that school week requesting information that could lead to the absence being excused.
3. If the absence is determined by school personnel to be an unexcused absence, the parent/guardian will be notified within 48 hours. The school will keep a communication log documenting notification attempts. A letter of concern documenting the unexcused absence will be sent to the parent.
4. When a child is truant from school (an unexcused absence), one or more of the following actions shall be taken by the School District of Manawa:
  - a. A letter of concern is mailed to the parent requesting medical excuse documentation. A copy of Statute 118 will be included on the back of the letter.
  - b. Principal with a second person (school nurse, school counselor, etc.) may make a home visit that could include providing one-time transportation to school and would include the development of a plan and support systems to facilitate positive school attendance.
  - c. Meet with parent or guardian to develop a plan for positive attendance
  - d. Make referral to school counselor
5. If truancy concerns continue following the attempted actions described in number 4 above, a certified letter will be mailed to the parent and a request for law enforcement to issue a citation will be made. Legal truancy is defined as any unexcused absences for all or part of a day on which school is held during a semester (part of a day is 15 minutes after school has begun). When the student reaches a minimum of five documented unexcused absences in a semester/half school year, the next step is to set up the Habitual Truancy Meeting. To meet requirements, the habitual truancy letter must be sent through certified mail and designate a date and time for a parent meeting. Regular mail delivery will also be used. Documentation of this mailing should also be maintained. The parent meeting needs to be set up within five school days of sending out the certified letter. The principal or the designee keeps all copies of the certified letter and receipts, as this will need to be sent along with the paperwork to Juvenile Intake. If the parent fails to attend the meeting, the principal shall document that they did not participate. The principal must allow them the opportunity to reschedule and wait at least 10 school days after the initial notice before proceeding.
6. Citation may be issued by local law enforcement official (Citation fines range from \$175.50 to \$500.)
  - a. For students 12 years of age or older, the student may receive a citation as well as the parent.
  - b. For students under 12 years of age, the parent may receive a citation.
7. After the Habitual Truancy meeting, a court referral can be submitted if the student has one more unexcused class period. If necessary/appropriate truancy paperwork may be submitted to Juvenile Intake in the student's county of residence.

## **Explanation of Responsibilities, Rights, and Penalties Relating to State Statutes**

***The compulsory school attendance law [Wis. Stats. §118.15(1)(a)] requires that:***

“...any person having under control a child who is between the ages of 6 and 18 years shall cause the child to attend school regularly during the full period and hours, religious holidays excepted, that the public or private school in which the child should be enrolled is in session until the end of the school term, quarter, or semester of the school year in which the child becomes 18 years of age.”

You, as a parent, guardian, or child (if over age 18), may request program or curriculum modifications if you feel the need to do so. Further, you may also wish to review eligibility for enrollment in a program for children at risk as we discuss alternatives that may assist improved attendance.

Please also be informed that if after evidence has been provided that: (1) the activities under W.S. 118.16(5) have been completed as set forth above and in the letter on the reverse side and (2) an evaluation has determined if learning or social problems may be the cause of your child's truancy with appropriate action having been taken, the school attendance officer may file information on any child who continues to be truant with Waupaca County Municipal or Circuit Court under Ch. 938 in accordance with §938.24. Filing information on a child under this subsection also allows concurrent prosecution of the child's parent or guardian under §118.15(5). The penalties for violating this section include a fine of not more than \$500 or imprisonment of not more than 30 days or both. By working with us to resolve this matter, such action will not be necessary.

## **Materials for Truancy Meeting**

1. Agenda for Truancy Meeting and Court Disposition for Truancy Violations
2. “Keeping Kids in School,” A Parent’s Guide to Truancy

## Agenda for Truancy Meeting

**Date:** \_\_\_\_\_

Schedule the truancy meeting within seven days from sending the letter/date on the letter.

Copy of updated attendance for student.

Copy of truancy law given to parents

- Review definition of truant
- Refer to number of days student has been truant

**Questions** (these are questions that will be asked at intake):

1. **Why are you late/truant?**

2. **Are there learning problems that keep you from getting to school?**

3. **Are there social problems that keep you from getting to school?**

4. **Modifications/Accommodations to assist improved attendance.**

**Plan to improve attendance** (alarm(s), ride to school, etc.)

“The referral to juvenile intake is in our hands. If there is even one more truancy, I will be obligated to refer you to juvenile intake.

## COURT DISPOSITIONS FOR TRUANCY VIOLATIONS

If your son or daughter is found to be in need of protection and/or services due to school truancy, the judge shall impose one or more of the following decisions under Wisconsin State Statutes 938.342 and 938.345.

1. Order the juvenile to attend school.
2. Order the juvenile's parent, guardian or legal custodian to attend school with the juvenile.
3. Suspend the juvenile's operating privilege for not less than 30 days nor more than 1 year. If the juvenile is determined to be a school drop-out, the court shall order suspension of operating privilege until age 18.
4. Order the juvenile to participate in counseling, a supervised work program or other community service work. Cost may be assessed against the juvenile, the juvenile's parents or guardian, or both.
5. Order the juvenile to remain at home – except when attending religious worship, a school program or with parents.
6. Order that the juvenile be placed in an alternative school program.
7. Order revocation of the juvenile's work permit.
8. Place the juvenile in a Teen Court Program.
9. Order the juvenile's parent, guardian or legal custodian to participate in counseling at their expense.
10. Counsel juvenile and/or parents.
11. Place the juvenile under supervision with court ordered conditions.
12. Place the juvenile in Volunteers in Probation Program.
13. Order the juvenile to participate in an Intensive Supervision Program.
14. Place the juvenile outside the home in a foster home, group home, residential treatment center, an independent living situation (17 year olds only), the home of a relative, or an unlicensed home (30 days max).
15. Order monitoring by an electronic monitoring system.
16. Transfer legal custody to a relative of the juvenile a county agency, or a licensed child welfare agency.
17. Order that parents provide needed special care and treatment as identified by physical, psychological, mental or developmental examination.
18. Order that an integrated service plan be developed and implemented.
19. Order out-patient alcohol or drug treatment or participation in an AODA education program.
20. Order that the juvenile submit to drug testing.
21. Order the juvenile to participate in a wilderness challenge program or some other experiential education program.
22. Order the juvenile to report to a youth report center.
23. Order the juvenile to participate in a juvenile offender education program.
24. Order that the juvenile complete a vocational assessment, counseling, and training.
25. Transfer juveniles to a foreign country in which they are a citizen.
26. Order a forfeiture of not more than \$500 plus costs. The forfeiture may be assessed against the juvenile, the juvenile's parents or guardians, or both.
27. Order any other reasonable conditions, including a curfew, restrictions as to going to or remaining on specified premises, and restrictions on associating with other juveniles or adults.
28. Stay the original order contingent on the juvenile's satisfactory compliance with set conditions.

# **KEEPING KIDS IN SCHOOL**

## **A Parent's Guide to Truancy**

**A Publication of the Winnebago County Department of Human Services  
Juvenile Intake Office and the Winnebago County District Attorney's  
Office**

**September 2003**

## **School Attendance Requirements**

In the State of Wisconsin, it is the law that all children attend school until the age of 18. Parents are required to send children between the ages of 6 and 18 to school whenever school is in session. This document has been created to help parents understand what is required of them and their children as well as the legal consequences for habitual truancy.

State law does require that each school board establish written attendance policies specifying the reasons for which pupils may be permitted to be absent from school. It is not uncommon for parents to have questions about what is an acceptable excuse. Please feel free to contact your child's school for more information on their attendance policies. The following are examples of excuses that may be acceptable:

- Illness
- Family emergency
- Funerals
- Religious holidays

The following are examples of absences that are not acceptable:

- Missing a ride
- Oversleeping
- Staying home to babysit
- Not feeling like going to school

Law enforcement may issue municipal citations or fines when a student fails to have an acceptable excuse for being absent from school.

Students are considered to be habitually truant when they have been absent from school without an acceptable excuse for any part of five or more days in which school is held during a semester.

## **School Attendance Requirements**

State law requires that schools send written notice to the parents when a child meets the criteria to be considered habitually truant. This notice must be sent by registered or certified mail and must include the date and time of a meeting when the parents will be able to discuss their child's alleged truancy with the school officials. The law requires that this meeting be scheduled within five school days after the letter is sent to the parents. It can be rescheduled to a later date at the parents' request. If there should be any further unexcused absences after the parental meeting or after the meeting was attempted, the school can request that law enforcement issue a municipal citation for habitual truancy or they can process a truancy referral to the juvenile intake office. When doing either of these, the school must show that they have done all of the following:

- Met with the parents or guardian to discuss the child's truancy or attempted to meet with them and received no response or were refused.
- Provided an opportunity for educational counseling to determine whether a change in the child's curriculum would resolve the child's truancy.
- Evaluated the child to determine whether learning problems may be a cause of the child's truancy, and if so, have taken necessary steps to overcome the learning problems.
- Conducted an evaluation to determine whether social problems may be caused of the child's truancy, and if so, have taken appropriate action to address the problems or made appropriate referrals.



Once a truancy referral has arrived in the juvenile intake office, staff will evaluate the situation and determine what action needs to be taken. If it is determined that the matter might be able to be handled without a court hearing, an intake conference will be scheduled to review the referral. The truant student and their parents will be invited to meet with a school representative and an intake worker to discuss the truancy referral. At this meeting a decision is made as to whether the referral gets processed to court or gets handled outside of court in the juvenile intake office. If the case is handled in the juvenile intake office, a Deferred Prosecution Agreement will be created outlining the expectations that will be placed on the juvenile and the parents. Failure to abide by these expectations can result in termination of the agreement and processing of the case to court.

## **The Legal Consequences of Truancy**

If the case is processed to court and the juvenile is found guilty of the violation, there are a number of options available to the court. Some of these options are:

- A suspension of a juvenile's driving privilege.
- A requirement that a parent or guardian attend school with their child.
- A requirement that the juvenile participate in counseling to try and identify and resolve the problems that are causing the truancy.
- A requirement that a juvenile complete a quantity of supervised work or other community service work.
- A requirement that a juvenile remain at home at all times unless they are attending religious worship, a school program, or out with their parents.
- Revocation of the juvenile's work permit.
- Placement of the juvenile under the supervision of an organization identified by the court with court ordered conditions.
- Placement of the juvenile outside of their home in a foster home, group home, or residential care facility.
- Placement of the juvenile with a relative and transfer of legal custody to the relative.
- Monitoring of the juvenile through the electronic monitoring system.
- Placement of the juvenile in an outpatient alcohol and drug abuse treatment program, or a requirement that they participate in an alcohol and drug abuse educational program.
- A requirement that a juvenile submit to random drug testing.
- A forfeiture of not more than \$500 plus court costs.
- Other reasonable conditions as identified by the court. These may include curfews, restrictions on where one goes and whom they associate with.

For a complete list of all dispositional options, see Wisconsin State Statutes 938.345, 938.34 and 938.342.

Parents may also be processed through court for failing to send their child to school. In these cases the following options would be available to the court:

- For the first offense, a fine of not more than \$500 and/or imprisonment for not more than 30 days.
- For a second or subsequent offense, a fine of not more than \$1,000 and/or imprisonment for not more than 90 days.
- A requirement that the parents participate in counseling at their expense.
- A requirement that the parents attend school with their child.

## **Tips To Improve School Attendance**

- Make your child's education a family priority.
- Tell your children how important it is to you that they get a good education.
- Insist that your children attend school and do their homework.

- Understand the school attendance policies of your child's school.
- Make sure your children obey curfew laws and get plenty of sleep at night.
- Encourage your child's independence by providing them with an alarm clock.
- Show your children that you care about them.
- Do not enable your child by calling the school to cover unexcused absences.
- If your child does not want to attend school, find out why. If there is a problem, try to work together with your child and/or the school to resolve it.
- If your child refuses to go to school, do not be afraid to ask for help. Talk to the school staff to determine the nature of the problem and what resources might be available to assist you.
- Give your child positive feedback and focus on their strengths.

All children deserve a solid education to prepare them for the challenges of today's world. If a child is not in school, he or she will not learn. Young people who fail to graduate from high school severely limit their opportunities in life. Truancy has been found to be an early indicator of future criminal behavior. Young people who stay in school are less likely to get into trouble.

We would urge you to work with your child's school to try and resolve attendance problems. They do want to help you. They are interested in seeing your child successfully complete their education.

## School District of Manawa



### Indoor Environmental Quality Management Plan

#### Board of Education Adopted on

This model management plan for indoor environmental quality (IEQ) in schools was prepared by the Department of Public Instruction (as directed by 2009 Wisconsin Act 96). The document is set up as a template that districts/schools may choose to use or adapt as their own. The section headings in the template reflect the recommendations of the IEQ Task Force and should be included in each plan. Each section provides options that the district/school may choose to use to describe how each IEQ topic will be addressed. Districts may use the template to create a very basic plan, a more descriptive plan using recommendations of the task force and including language from the EPA Tools for Schools materials, or to describe in more detail programs, processes, policies or activities that are already in place or are being developed to prevent or resolve concerns over indoor environmental quality.

The law does not require use of any particular template or format for an IEQ Management Plan. Districts and schools are free to develop their own plans, or to use existing plans, procedure handbooks, or policy documents to demonstrate compliance with the planning and implementation requirement. But again, the plan must address the following areas: mission statement, role of the IEQ coordinator, communication, reporting, addressing IEQ findings, IEQ policies, procedures for maintenance and facility operations, construction and renovation, staff responsibilities for maintaining good IEQ, and prevention of IEQ problems.

#### *Instructions to utilize the model management plan:*

- Fill in your district or school name throughout the document.
- Choose one or more of the bracketed options under each heading or describe your own practices.
- Delete bracketed options that do not apply to your district.
- Re-format each section to be single spaced to remove gaps where options had been provided.
- Provide additional detail and information where appropriate.

## 1. Mission Statement

School buildings kept in good repair, suitably equipped and in safe and sanitary condition promote a positive learning environment. In accordance with the requirements identified under Wisconsin Statutes 120.12 (5) and 121.02 (1) (i) and Wisconsin Administrative Code PI 8.01 (2) (i), the School District of Manawa's designated officials will take appropriate steps to provide and maintain safe and healthful facilities.

As required in WI Stat. 118.075 (3) and (4), the School District of Manawa will maintain indoor environmental quality (IEQ) in Manawa Elementary School, Manawa Middle School, Little Wolf High School, and Paving the Way with measures that include quality heating, ventilation and air conditioning (HVAC) systems, moisture control, integrated pest management, cleaning and maintenance schedules, appropriate materials selection, routine building inspections by maintenance personnel, appropriate training of staff, and communication.

## 2. Role of the IEQ Coordinator

The School District of Manawa has identified the following persons as the IEQ Coordinators for specific buildings within the district.

<b>Danielle Brauer</b>	Manawa Elementary School/District Offices
<b>Michelle Johnson</b>	Manawa Middle School
<b>Michelle Johnson</b>	Little Wolf High School
<b>Danielle Brauer</b>	Paving the Way

The IEQ Coordinator's responsibilities will include:

- A. Serving as the primary contact person for issues related to IEQ within a specific school building. The Coordinator will be responsible for:
1. collecting written IEQ concerns and ensuring that the contact information is recorded for the person reporting the concern(s);
  2. communicating with the District/Business Administrator and the Board of Education about IEQ concerns that have been reported;
  3. determining if an investigation is necessary and assigning an appropriate individual to investigate the concern;
  4. communicating an anticipated timeline for completion of the investigation;
  5. sharing results of the investigation with the concerned person, District/Business Administrator, and Board of Education;
  6. ensuring that proper follow-up, remediation, and clean-up is scheduled and completed in a timely matter;
  7. maintaining a complete record of IEQ concerns and resolutions for a minimum of seven years;
  8. advising the Board of Education if updates and/or changes are necessary to the district's IEQ management plan;
  9. communicating with staff, parents, and other parties regarding IEQ; and

10. leading an IEQ team if the district determines that a team is necessary to assist the IEQ Coordinator(s) with policy revisions, review of building concerns, communications, or other tasks as necessary.

### **3. Communication**

The School District of Manawa's communication plan to inform staff, students, parents, and the public of the district's indoor environmental quality (IEQ) status includes the following:

- A. annual publication of a notice to students, staff, and the community that the district has an IEQ management plan in place, using the website, student/parent handbook, the local newspaper, or other appropriate means;
- B. designation of contact persons for IEQ concerns and definition of responsibilities;
- C. development of policies related to IEQ of the district's buildings that will be reviewed periodically along with other district policies;
- D. use of the district's current procedures to provide information to the media regarding non-emergency situations; and
- E. accommodation of the needs of students, parents, and staff in the event of an IEQ emergency. One or more contact persons will be identified to work with the media and update the community during a crisis.

### **4. Reporting**

The School District of Manawa encourages the prompt reporting and resolution of any and all IEQ concerns to provide a healthy and comfortable environment for students, staff, and visitors and avoid unnecessary costs related to the neglect of IEQ issues.

The School District of Manawa procedures for the reporting of IEQ concerns are outlined under the responsibilities of the IEQ coordinator identified in Section 2 of this plan. A form is provided for staff, students, parents or members of the public to report IEQ concerns in writing (See Appendix A).

### **5. Addressing IEQ Findings**

The IEQ Coordinator will follow the policies and administrative guidelines of the Board of Education to address concerns along with a variety of tools as found on the United States Environmental Protection Agency website page for schools at [EPA School Resources](#) to help identify IEQ problems and provide for appropriate resolution. As appropriate the concern may be referred to a maintenance staff person or contractor to investigate as funding allows.

When formal IEQ concern investigations result in the identification of specific IEQ issues, the issues will be prioritized from most to least critical, ensuring that urgent or simple issues are addressed promptly and issues that require continual attention are scheduled for regular review as appropriate. If the source of a problem cannot be identified or the problem persists despite the initial efforts by district staff to identify and remediate it, the IEQ Coordinator will discuss the matter with the appropriate district official(s) in order to determine whether a contract with professionals, experts, and other outside personnel may be needed.

As described in Section 2 of this plan, the IEQ Coordinator will ensure that results from the official IEQ concern investigation are recorded, actions taken are documented, a response is coordinated, and communication is made with all relevant parties. Copies of all documents will be kept by the building's IEQ Coordinator. The IEQ Coordinator may recommend specific policy changes for non-urgent issues that can be addressed by district policies and present the recommendations to the Board of Education/Policy and Human Resources Committee for review and adoption.

## 6. IEQ Policies

The School District of Manawa has adopted the following as its IEQ Policies:

- A. PO7434 – Use of Tobacco and Nicotine on School Premises  
Wisconsin Statute 101.123 (2) (a) 2 prohibits tobacco use in all educational facilities.
- B. PO8390 – Animals on District Property
- C. Policy 7420 - Hygienic Management
- D. Policy 7430 - Safety Standards
- E. Policy 8405 – Environmental Health and Safety Program
- F. Policy 8410 - School Safety and Crisis Intervention
- G. Policy 8420 - Emergency Preparedness
- H. Policy 8431 - Preparedness for Toxic Hazards
- I. Policy 8431.01 - Asbestos Management
- J. Policy 8442 - Reporting Accidents
- K. Policy 8450 - Control of Casual-Contact Communicable Diseases
- L. Policy 8453 - Direct Contact Communicable Diseases
- M. Policy 8453.01 - Control of Blood-Borne Pathogens

## 7. Procedures for Maintenance and Facility Operations

### A. Cleaning and Chemicals

Regular and thorough cleaning is an important means for the removal of air pollutant sources. The **School District of Manawa** will address cleaning and chemical handling issues as appropriate.

The SDM has developed procedures for cleaning and for the handling of cleaning and chemical compounds to ensure that cleaning and chemical handling procedures are labeled and secured at all times to prevent IEQ problems.

### B. Flooring

Regular and effective cleaning and maintenance of all floor coverings used in district buildings is essential to keep floors dry and clean. The **School District of Manawa** will maintain flooring as appropriate and has developed written floor cleaning procedures.

The SDM ensures that all carpets are cleaned with hot water extraction at least twice a year and are not cleaned during summer months unless drying within 24 hours can be assured. Wet and dry mops will be used on resilient floor coverings.

### C. Preventive Maintenance and Operations

Preventive maintenance involves routine inspection, adjustment, and repair of building structures and systems, including the heating, ventilating, and air conditioning system (HVAC); unit ventilators; local exhaust; fresh air intakes; and flooring. Preventive maintenance plays a major role in maintaining the quality of air by assuring that the building systems are operating effectively and efficiently to maintain comfortable temperatures and humidity in occupied spaces. The **School District of Manawa** will address preventive maintenance as appropriate by providing operations manuals and maintenance records in close proximity to each major piece of equipment or system to ensure routine maintenance.

### D. Microbial Management

Microbials such as mold, bacteria, and viruses, are a significant cause of illness, health symptoms, and discomfort for building occupants. Moisture control is the most effective way to control microbial growth. The **School District of Manawa** will manage microbials as appropriate by promptly investigating signs of water intrusion and/or microbial growth. Materials contaminated with microbials will be promptly cleaned or replaced. Mold growth will be removed from non-porous surfaces with a strong brush and non-ammonia containing detergent and thorough drying. Remediation projects that cannot be handled by district staff will be contracted to appropriate professionals. Specific control and protection measures will be used as needed for large-scale remediation projects

## 8. Construction and Renovation

The **School District of Manawa** will adhere to the state, federal, and municipal building code guidelines and other mandates/rules/regulations when doing construction and/or renovation projects, including the Wisconsin State Building Codes that can be found at <http://dsps.wi.gov/sb/SB-DivCodesListing.html>.

The **School District of Manawa** will comply with all building codes.

The findings from walkthrough inspections and building systems evaluations will be considered when planning renovations.

## 9. Staff Responsibilities for Maintaining Good IEQ

All **School District of Manawa** staff members play an important role in maintaining and improving environmental quality. Since the actions of staff members can affect the quality of the indoor environment in school buildings, employees will be provided with information and training about IEQ as appropriate using free or low cost online tools, materials, or webinars to the extent possible, with more specialized training secured for maintenance and/or buildings and grounds staff as funding permits.

Teachers will help to maintain adequate airflow from ventilators by refraining from stacking books or other items on ventilators, or covering vents with posters, or turning off fans due to noise, and by removing clutter in their classrooms, properly disposing of hazardous waste, and enforcing the school's various IEQ policies in their classrooms.

A. Administrators will communicate the school's activities to the school board, staff, students, and community and ensure that the school is implementing IEQ policies appropriately.

- B. Facility Operators will ensure that HVAC systems are operating properly and that buildings are maintained adequately and cleaned regularly.
- C. Custodians will follow all policies regarding cleaning chemicals, ensure that the school is regularly vacuumed and swept, clean drain pans, empty trash cans, and check drain pipes regularly. They also look for signs of pest problems and inform the appropriate people of any issues.
- D. Health Officers/School Health Paraprofessionals will track illnesses, such as asthma, that may provide an early warning of IEQ problems.
- E. The School Board will approve and support the IEQ Management Plan.

## 10. Prevention of IEQ Problems

The **School District of Manawa** is committed to preventing IEQ problems. To reach this goal, the district will:

- A. keep equipment and operating systems in good working condition and make every effort to best accommodate the needs and comfort of students, staff, and other users of the school building;
- B. evaluate building systems and conduct walkthroughs of the various district buildings, schedule regular review and maintenance for those systems that require continual attention, and handle IEQ concerns identified during the walkthroughs in accordance with #5 in this plan; and
- C. comply with all applicable codes and operate current systems based on how they were designed to be used to ensure high quality facilities for all district functions.



# Appendix A

## Indoor Environmental Quality (IEQ) Concern Record

Date *Mo./Day/Yr.*

### GENERAL INFORMATION

Name First, Last	Email Address	Phone Area Code/No.	
Street Address	City	State	ZIP
Status in Filing Concern <i>Check One</i>			
<input type="checkbox"/> Staff	<input type="checkbox"/> Student	<input type="checkbox"/> Parent	<input type="checkbox"/> Member of Public

### ENVIRONMENTAL QUALITY CONCERN

District Building of Concern

Describe IEQ Concern *Limit response to space provided.*

### IEQ COORDINATOR'S USE ONLY

***Attach all other pertinent documentation.***

Date Recorded <i>Mo./Day/Yr.</i>	Date Investigation Begun <i>Mo./Day/Yr.</i>	Date Investigation Complete <i>Mo./Day/Yr.</i>	Person Assigned to Investigate
Result of Investigation			
Clean-up, Remediation, or Other Work Necessary <input type="checkbox"/> Yes <input type="checkbox"/> No		Person Assigned First & Last Name	
Date Work Begun <i>Mo./Day/Yr.</i>	Date Work Complete <i>Mo./Day/Yr.</i>	Follow-Up Contact Made <input type="checkbox"/> No <input type="checkbox"/> Yes, <i>Date of follow-up</i>	



Book Policy Manual  
 Section Vol. 31, No. 2, Technical Corrections, July 2022  
 Title Revised Policy - Vol. 31, No. 2, July 2022 - HOMEWORK  
 Code po2330  
 Status Proposed to Policy & Human Resources Committee  
 Adopted October 17, 2016  
 Last Revised December 19, 2022

**Revised Policy - Vol. 31, No. 2**

**2330 - HOMEWORK**

The Board of Education acknowledges the educational validity of out-of-school assignments as adjuncts to and extensions of the instructional program of the schools.

'Homework' shall refer to those assignments to be prepared outside of the school by the student (X) or independently while in attendance at school. ~~[END OF OPTION]~~.

~~The District Administrator shall develop administrative guidelines for the assignment of homework according to these guidelines.~~  
**The District establishes the following standards for the assignment of homework:**

- A.  Homework should be a properly planned part of the curriculum to extend and reinforce the learning experience of the school.
- B.  Homework should help students learn by providing practice in the mastery of skills, experience in data gathering, and integration of knowledge, and an opportunity to remediate learning problems.
- C.  Homework should help develop the student's sense of responsibility by providing an opportunity for the exercise of independent work and judgment.
- D.  The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the student and take into account other activities which make a legitimate claim on the student's time.
- E.  As a valid educational tool, homework should be assigned with clear direction and its product carefully evaluated.
- F.  The schools should recognize the role of parents by suggesting ways in which parents can assist the school in helping a student carry out assigned responsibilities.
- G.  Homework should always serve a valid learning purpose; it should never be used as a punitive measure.

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**Last Modified by Melanie Oppor on May 18, 2023**



Book	Administrative Guideline Manual
Section	2000 Program
Title	ACADEMIC PRACTICE
Code	ag2330
Status	Active
Adopted	April 23, 2018

### 2330 - **ACADEMIC PRACTICE**

The following guidelines have been developed to assist principals in working with staff to establish appropriate homework assignments, here after referred to as academic practice:

- A. All academic practice assignments should have a specific purpose related to the learning objectives of a program or course.
- B. Academic practice assignments should be appropriate to the grade level and the abilities of the students involved.
- C. Assignments should involve application of knowledge, reinforcement of communication, research and other skills, and should provide experiences which strengthen attitudes and allow for creativity.
- D. Punishment assignments should never be given.
- E. The purpose of academic practice, in terms of the goals of a program, should be clear to the student when assigned, the work corrected when returned, and both the strengths and weaknesses of his/her work communicated in ways which provide for improved performance.
- F. As part of the process of using academic practice, as a learning tool, students should be involved in learning how to critique their own and each other's work based on clearly defined criteria related to the particular program or course of study.
- G. The time limits for the completion of academic practice should:
  - 1. be reasonable and consistent with the nature of the assignments given;
  - 2. provide for interim appraisal of progress where assignments involve blocks of time;
  - 3. include a reasonable time for make-up of missed academic practice assignments and/or improvements based on teacher comments.
- H. Parents will be made aware of the District's academic practice guidelines as well as the way each of their child's teachers will be using academic practice as a learning activity.

### **NON-SUMMER SCHOOL ACADEMIC PRACTICE ASSIGNMENTS**

- A. Staff members may assign academic practice during the summer.
- B. All non-summer school academic practice assignments require the prior approval of the principal.
- C. The student's parents are to be notified in writing of all non-summer school academic practice assignments approved by the principal.

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**Last Modified by Kayla Reichley on September 9, 2019**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	CREATING A POSITION
Code	po3111
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	November 18, 2019

### 3111 - **CREATING A POSITION**

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

The District Administrator shall verify all new full-time and part-time employees' identity and authorization to work in the United States according to Federal law.

The Board reserves the right to create new positions; specify the number of persons to be employed with each job category; and set the initial salary subject to the staffing program change process.

The Board shall, upon the advice of the District Administrator, consider the advisability of creating a new position or of increasing the number of ~~professional~~ staff members in an existing position.

**The Board delegates the right to fix and prescribe the duties of support staff to the District Administrator.**

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

**Last Modified by Melanie J Oppor on June 9, 2023**



Book                      Staff Section Revisions

Section                  3000 Staff/Personnel - Revisions

Title                      BOARD-STAFF COMMUNICATIONS

Code                      po3112 - No Revision

Status                    Proposed to Policy & Human Resources Committee

Adopted                 May 16, 2016

Last Revised            March 15, 2021

**3112 - BOARD-STAFF COMMUNICATIONS**

The Board has a legitimate interest in maintaining order and facilitating the efficient resolution of concerns by directing that employee communications to the School Board move initially through the School District of Manawa Organizational System as found in the employee handbook. Employees are expected to follow the established organizational system.

It is expected that the District Administrator will communicate personnel concerns to the Board in a timely fashion.

Revised 5/18/16  
Revised 5/18/16  
T.C. 3/15/21

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Legal                      Garcetti v. Ceballos, 547 U.S. 410 (2006)

                                 Samuelson v. LaPorte Comm. Sch. Dist., 526 F.3d 1046 (7th Cir. 2008)

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	EMPLOYMENT OF PROFESSIONAL STAFF
Code	po3120
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	January 17, 2022

### 3120 - **EMPLOYMENT OF PROFESSIONAL STAFF**

The Board recognizes that positions be filled with highly-qualified and competent personnel are vital to the successful operation of the District.

All employees other than the District Administrator **are considered Professional Staff Members (Policy 0100 – Definitions)** or support staff members (Policy 0100 – Definitions) ~~are considered professional employees.~~

#### **Professional Staff**

The Board shall approve the employment, fix the compensation, and establish the term of employment for each professional staff member employed by this District. Teachers, governed by Wis. Stat. 118.22 and administrators, governed by Wis. Stat. 118.24, may only be employed by contract and only following majority vote of the full membership of the Board or as required or permitted by law.

#### **Support Staff**

**The Board shall approve the employment and fix the compensation for each support staff member employed by this District.**

#### **General Provisions for Professional and Support Staff**

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

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 WECAN **or the District Office.**

Relatives of Board Members may be employed by the Board. If the Board Member benefits 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. The newly employed staff member shall not be placed in a position in which s/he will be supervised directly by, or supervise directly, his/her relative.

Any ~~professional~~ staff member's intentional misstatement of fact pertaining to ~~his/her~~ **the applicants** qualifications for employment or the determination of salary shall constitute grounds for dismissal by the Board.

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 or District operations, except as prohibited by law, including the employment of full-time teachers and certain administrative employees on a substitute basis, pending Board approval. Employment shall be recommended to the Board at the next regular meeting.

No candidate for employment as professional staff shall receive recommendation for such employment without having proffered visual evidence of proper certification or application for such certification. For staff members instructing children in reading and/or language arts, pre-school and/or grades kindergarten through sixth grade, their certificate must verify successful completion of instruction that includes the teaching of phonics. For each candidate, a satisfactory background check will be conducted by the Department of Public Instruction or appropriate State agency.

When appropriate, no candidate for employment as a support staff member shall receive recommendation for such employment without having proffered visual evidence of proper certification, when appropriate, or that application for such certification is in process. There must also be verification that a satisfactory background check has been conducted in compliance with District procedures to include local, State, and Federal sources of information.

~~For each candidate, a satisfactory background check will be 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 that 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, any science, technology, engineering, mathematics, or technical or technology education field, sixty-five (65) points.
4. For industry or vocational certification, ninety (90) points.
5. For industry experience in a trade or technical field or vocation, five (5) points per forty (40) hours worked up to a maximum of ninety (90) points.
6. For an internship in a trade or technical field or in the vocation, twenty-five (25) points.
7. For being mentored in a trade or technical skill or in the vocation by a colleague or a Wisconsin Technology Education Association or a recognized vocational association approved mentor, twenty-five (25) points.
8. For an apprenticeship in a trade or technical field or in the vocation, five (5) points per forty (40) hours worked up to a maximum of ninety (90) points.

B. The following points for pedagogical experience (must be at least twenty-five (25) out of the 100 required points):

1. For a bachelor's degree in technical or technology education, 100 points.
2. For a bachelor's degree in a field other than any science, technology, engineering, mathematics, or technical or technology education field, or in a subject related to the vocation and any teaching license or permit, seventy-five (75) points.

3. For credit earned at an accredited institution of higher education or technical college, three (3) points per credit up to a maximum of seventy-five (75) points for technical or technology education courses and science, technology, engineering, or mathematics courses or any field related to the vocation and three (3) points per credit up to a maximum of seventy-five (75) points for education and pedagogical courses.
4. For completing at least 100 hours of training in pedagogy, five (5) points per fifty (50) hours up to a maximum of seventy-five (75) points.

Individuals 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.

### **REQUIREMENTS FOR TITLE I PARAPROFESSIONALS**

All paraprofessionals hired for a Title I supported program must have a secondary school diploma or its recognized equivalent and one of the following:

- A. Completed two (2) years study at an institution of higher education; or
- B. Obtained at least an associates degree; or
- C. Met a rigorous standard of quality and demonstrate through formal State or local academic assessment:
  1. knowledge of and the ability to assist in instructing, reading, writing and mathematics; or
  2. knowledge of and the ability to assist in instructing, reading readiness, writing readiness and mathematics readiness, as appropriate.

Existing paraprofessionals – All current paraprofessionals working for a Title I supported program must:

- A. Have a secondary school diploma or its recognized equivalent;
- B. Meet the requirements for newly hired paraprofessionals as described above.

Exceptions – These requirements do not apply to a paraprofessional:

- A. Who is proficient in English and a second language and serves as a translator primarily to enhance the participation of children in Title I programs; or
- B. Whose duties consist solely of conducting parental involvement activities.

Paraprofessional duties – Paraprofessionals working for a Title I supported program may be assigned to:

- A. provide one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;
- B. assist with classroom management, such as organizing instructional and other materials;
- C. provide assistance in a computer laboratory;
- D. provide support in a library or media center;



- E. conduct parental involvement activities;
- F. act as a translator;
- G. provide instructional services to students, if working under the direct supervision of a teacher;
- H. perform limited duties beyond classroom instruction.

Revised 8/22/16  
Revised 7/17/17  
Revised 11/19/18  
Revised 7/22/19

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Legal                    118.191, Wis. Stats.  
                              118.192, Wis. Stats.  
                              118.21, Wis. Stats.  
                              118.22(2), Wis. Stats.  
                              118.24, Wis. Stats.  
                              121.02, Wis. Stats.  
                              Wis. Admin. Code P.I. 34

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	JOB DESCRIPTIONS
Code	po3120.01
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	November 16, 2020

### 3120.01 - **JOB DESCRIPTIONS**

The Board recognizes that it is essential for District and employee accountability for each staff member to be fully aware of the duties and responsibilities of his/her position.

#### **District Administrator**

The job description of the District Administrator shall be included in the Board policy manual.

#### **Professional Staff**

Job descriptions document and describe the essential functions for professional staff positions and thereby promote organizational effectiveness and efficiency. Therefore, the District Administrator shall maintain a current, comprehensive, and coordinated set of job descriptions for professional staff positions.

Job descriptions of licensed personnel, and any revisions thereof, shall be approved by the Board and maintained in the District Office.

#### **Support Staff**

All job descriptions of support staff will be approved by the District Administrator and will be maintained in the District Office.

#### **General Provisions**

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

Each job description shall contain the following provision:

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

#### **Employees will be evaluated, at least in part, against their job descriptions.**

Each job description shall include a statement that reserves authority to the District Administrator to assign additional duties and responsibilities as necessary within the scope of the employment position.

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

In addition, the District Administrator shall prepare administrative guidelines necessary for the proper implementation of this policy.

Revised 7/17/17

Revised 12/18/17  
T.C. 11/16/2020

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**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	EMPLOYMENT OF SUBSTITUTES
Code	po3120.04
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	December 19, 2022

### 3120.04 - **EMPLOYMENT OF SUBSTITUTES**

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

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

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

In order to retain well-qualified substitutes for service in this District, the Board will offer competitive compensation at a rate set by the Board.

A substitute employed for more than ten (10) consecutive days in the same professional position shall be paid a salary not less than the current beginning teacher base wage.

A substitute shall be paid a minimum of a half-day (1/2) pay once the substitute is called.

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

Revised 11/19/18  
Revised 11/16/20

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Legal 118.19, Wis. Stats.  
P.I. 34.109, Wis. Adm. Code

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	SELECTING STUDENT TEACHERS/ADMINISTRATIVE INTERNS
Code	po3120.06 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	August 22, 2016

### 3120.06 - **SELECTING STUDENT TEACHERS/ADMINISTRATIVE INTERNS**

The Board of Education encourages cooperation with State-approved colleges and universities in the training of student teachers and administrative interns, because the public school offers an essential ingredient: direct experience with students and teachers at work in the classroom. Certain safeguards however, are necessary for the best interests of all concerned.

Colleges and universities should first make contact with the District Administrator regarding placement of a student teacher or administrative intern.

The District Administrator shall make the final placement of student teachers or administrative interns.

Professional staff members who agree to serve as supervisors of student teachers or administrative interns may accept honoraria or stipends directly from the college/university for those services rendered outside the regular school day and above and beyond the duties and responsibilities specified in their contracts.

The Board also authorizes the District Administrator to provide, in cooperation with appropriate colleges and universities, a "field experience" program in order for selected interns to gain first-hand knowledge of, and experience in, a school environment.

The District Administrator may terminate a teaching program if one (1) or more aspects of the program are not of high quality or meeting District needs or expectations.

The District Administrator shall establish appropriate terms and conditions for videotaping or compiling portfolio materials by student teachers within the District.

Revised 8/22/16

Legal	118.19(3), Wis. Stats. P.I. 3.03(7), Wis. Adm. Code
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**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	EMPLOYMENT OF RESOURCE PERSONNEL
Code	po3120.07 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016

### 3120.07 - **EMPLOYMENT OF RESOURCE PERSONNEL**

It is the purpose of this policy to allow the employment of personnel in a consulting capacity for administration, in-service, or instruction.

In the general fund of the Board of Education, money is appropriated annually for personal services. This might include resource persons in specialized fields of education that could offer consulting advice on the administration or instructional processes. The District Administrator shall negotiate a reasonable payment with the resource person.

Specialists from industry, business, agriculture, legal, or health occupation fields may be employed in a consulting capacity to assist with program planning, in-services, or directly in the instructional program. Professional staff members employed by the District may be used as resource personnel, outside of their regular assignment, at the discretion of the District Administrator.

The District Administrator shall prepare administrative guidelines to ensure proper implementation of this policy.

Revised 5/16/16

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES
Code	po3120.08 - See Note
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016

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

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

**Is this true and would it apply to support staff?**

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

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

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

Nonrenewal procedures are not applicable to coaching/advising assignments.

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

Revised 5/16/16

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	JOB SHARING
Code	po3120.10 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	November 16, 2020

### 3120.10 - **JOB SHARING**

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

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

The District will consider job share requests that are in the District's best interests considering the educational program, and whether the cost (including benefits) of employing two (2) staff members on a part-time basis exceeds the cost of employing one (1) full-time staff member.

Entry into the program shall be voluntary. Assignment openings shall be available to professional staff who jointly submit a written proposal to share a position. Application does not mean automatic approval.

The District Administrator may consider job-sharing arrangements that he/she determines to be educationally consistent with the philosophy and objectives of the District.

Job sharing rationale include:

- A. health reasons that are substantiated by a physician;
- B. child-rearing for a specified length of time;
- C. continuance of education; or
- D. any other reason at the discretion of the District Administrator.

In order to avoid any inconsistency, misunderstanding, or disagreement, job-sharing arrangements shall be made in accordance with established guidelines.

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

T. C. 11/19/18

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	Copy of EMPLOYMENT OF SUPPORT STAFF
Code	po3120A - Do you want a separate policy for support staff or the combined one?
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	January 17, 2022

### 3120A - **EMPLOYMENT OF SUPPORT STAFF**

The Board recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with qualified and competent support staff.

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

The Board shall approve the employment and fix the compensation for each support staff member employed by this District.

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

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 District Office.

Relatives of Board Members may be employed by the Board, provided the Board Member does not participate in any way in the discussion or vote on any matter related to said employment.

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

Any support 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 support staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in District operations. Employment shall be recommended to the Board at the next regular meeting.

When appropriate, no candidate for employment as a support staff member shall receive recommendation for such employment without having proffered visual evidence of proper certification, when appropriate, or that application for such certification is in process. There must also be verification that a satisfactory background check has been conducted in compliance with District procedures to include local, State, and Federal sources of information.

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

**REQUIREMENTS FOR TITLE I PARAPROFESSIONALS**

All paraprofessionals hired for a Title I supported program must have a secondary school diploma or its recognized equivalent and one of the following:

- A. Completed two (2) years study at an institution of higher education; or
- B. Obtained at least an associates degree; or
- C. Met a rigorous standard of quality and demonstrate through formal State or local academic assessment:
  - 1. knowledge of and the ability to assist in instructing, reading, writing and mathematics; or
  - 2. knowledge of and the ability to assist in instructing, reading readiness, writing readiness and mathematics readiness, as appropriate.

Existing paraprofessionals – All current paraprofessionals working for a Title I supported program must:

- A. Have a secondary school diploma or its recognized equivalent;
- B. Meet the requirements for newly hired paraprofessionals as described above.

Exceptions – These requirements do not apply to a paraprofessional:

- A. Who is proficient in English and a second language and serves as a translator primarily to enhance the participation of children in Title I programs; or
- B. Whose duties consist solely of conducting parental involvement activities.

Paraprofessional duties – Paraprofessionals working for a Title I supported program may be assigned to:

- A. provide one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;
- B. assist with classroom management, such as organizing instructional and other materials;
- C. provide assistance in a computer laboratory;
- D. provide support in a library or media center;
- E. conduct parental involvement activities;
- F. act as a translator;
- G. provide instructional services to students, if working under the direct supervision of a teacher;
- H. perform limited duties beyond classroom instruction.

Revised 5/16/16

Revised 7/17/17

T.C. 3/15/21

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING REQUIREMENTS
Code	po3121
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	December 19, 2022

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

#### **Criminal History Record Check**

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

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

The District Administrator shall establish the necessary procedures for obtaining any criminal history of the applicant.

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

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

#### **Employee Self-Reporting Requirement**

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

The requirement to report a conviction or deferred adjudication shall not apply to minor traffic offenses (e.g. non-moving violations, failure to yield, failure to obey a traffic signal, unattended vehicle, illegal parking). However, an offense of operating under the influence, revocation or suspension of license, and driving after revocation or suspension or any moving violation must be reported if the employee drives or operates a District vehicle or piece of mobile equipment or transports students or staff in any vehicle. Failure to report under this section may result in disciplinary action, up to and including termination. All employment decisions by the District based on such information must comply with Wisconsin's arrest and conviction discrimination law.

T.C. 11/16/20  
Revised 4/25/22

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Legal 111.335, Wis. Stats.

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po3122
Status	Proposed to Policy & Human Resources Committee
Adopted	October 17, 2016
Last Revised	August 29, 2022

### 3122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board does not discriminate in the employment of ~~professional~~ staff on the basis of race, color, national origin, age, sex (including gender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer-sponsored meeting or to participate in any communication with the employer about religious matters or political matters, or any other legally protected category in its programs and activities, including employment opportunities.

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

#### **Definitions**

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

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

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

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

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

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

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

#### **District Compliance Officers**

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

Carmen O'Brien  
 Business Manager  
 School District of Manawa  
 800 Beech Street  
 Manawa, WI 54949  
 920-596-5840  
 cobrien@manawaschools.org

**Dr. Abe El Manssouri**

Manawa Middle School/Little Wolf High School Principal  
 920-596-5310  
 515 East 4th Street  
 Manawa, WI 54949  
 aelmanssouri@manawaschools.org

The names, titles, and contact information of these individuals will be published annually in the staff handbooks and on the School District's website.

The COs are responsible for coordinating the District's efforts to comply with the applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation, or denial of equal access. The COs shall also verify that proper notice of nondiscrimination has been provided for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), the Age Discrimination in Employment Act of 1975, and the Genetic Information Nondiscrimination Act (GINA) to students, their parents, staff members, and the general public.

### **Reports and Complaints of Discrimination and Retaliation**

Employees are required to report incidents of discrimination and/or retaliation to an administrator, supervisor, or other supervisory employees so that the Board may address the conduct. Any administrator, supervisor, or other supervisory employees who receive such a report shall file it with the CO at the employee's first opportunity, but no later than two (2) days.

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

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

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

Employees who believe they have been discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint will not adversely affect the Complainant's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to discrimination/retaliation. COs shall accept reports of discrimination/retaliation directly from any member of the School District community or a Third Party, or receive reports that are initially filed with another Board employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), or the District Administrator will designate a specific individual to conduct the process necessary for an informal or formal investigation. The CO will provide a copy of this policy to the Complainant and the Respondent upon request.

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

### **Investigation and Complaint Procedure**

Except for sex discrimination and/or sexual harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to discrimination or retaliation may seek resolution of the complaint through the procedures described below. The complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Once the complaint process begins, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

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

### **Complaint Procedure**

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

Due to the sensitivity surrounding complaints of discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a Principal, District Administrator, or other supervisory employees, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO at the employee's first opportunity, but no later than two (2) days.

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

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

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

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

Within two (2) days of receiving the complaint, the CO or designee will initiate an investigation by at a minimum confirming receipt of the complaint with the Complainant and informing the Complainant of the investigation process.

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

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of harassment based on a protected class or retaliation within thirty (30) days of receiving the formal complaint.

The investigation will include:

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

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

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

In cases where no District CO is able to investigate a complaint due to concerns regarding conflicts, bias or partiality, or for other reasons that impair the CO's ability to conduct an investigation, the CO may in consultation with the District Administrator or Board President, if the matter involves the District Administrator, engage outside legal counsel to conduct the investigation consistent with this policy.

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

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

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

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

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

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

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

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

### **Privacy/Confidentiality**

The Board will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Respondents must be provided an opportunity to meaningfully respond to allegations, which may include disclosure of the Complainant's identity.

During the course of an investigation, the CO will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.

### **Remedial Action and Monitoring**

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

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

### **Sanctions and Disciplinary Action**

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

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and any relevant codes of conduct.

When imposing discipline, the District Administrator shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

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

### **Retaliation**

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

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

### **Education and Training**

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

### **Retention of Investigatory Records and Materials**

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

- A. all written reports/allegations/complaints/statements;
- B. narratives of all verbal reports, allegations, complaints, and statements collected;
- C. a narrative of all actions taken by District personnel;
- D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;
- E. narratives of, notes from, or audio, video, or digital recordings of witness statements;
- F. all documentary evidence;
- G. e-mails, texts, or social media posts pertaining to the investigation;
- H. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- I. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- J. dated written determinations to the parties;
- K. dated written descriptions of verbal notifications to the parties;
- L. written documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt;
- M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- N. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);
- O. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- P. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy;



**It is suggested the following records also be maintained, as appropriate.**

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

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

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

Revised 11/19/18  
 Revised 7/22/19  
 Revised 7/17/22  
 T.C. 8/29/22

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- 111.31 et seq., Wis. Stats.
- 111.335(d)(2), Wis. Stats.
- 118.195, Wis. Stats.
- 118.20, Wis. Stats.
- Fourteenth Amendment, U.S. Constitution
- 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
- 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
- 29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended
- 38 U.S.C. 4301 et seq., Uniformed Services Employment and Reemployment Rights Act
- 42 U.S.C. 2000 et seq., Civil Rights Act of 1964
- 42 U.S.C. 2000d et seq., Title VI of the Civil Rights of 1964
- 42 U.S.C. 2000e et seq., Civil Rights Act of 1964
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
- 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
- 29 C.F.R. Part 1635, The GINA Regulations
- 34 C.F.R. Part 110, The Age Discrimination Act Regulations

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	DRUG-FREE WORKPLACE
Code	po3122.01 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	October 1, 2015
Last Revised	April 25, 2022

### 3122.01 - **DRUG-FREE WORKPLACE**

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

#### **Prohibited Acts**

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

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

#### **Permitted Acts**

Staff members who use or possess a prescription drug that has been lawfully prescribed to the staff member according to Wisconsin and Federal law, and take the prescription in accordance with the prescribed dosage, shall not be deemed to be in violation of this policy. Staff members who use or possess over-the-counter medications and take them in accordance with the recommended dosage, shall not be deemed to be in violation of this policy. Wherever possible, a staff member should take prescribed and/or over-the-counter medications at home and not bring them to school. Where that cannot be accomplished, any staff member in possession of prescribed and/or over-the-counter medications while at school is responsible for taking appropriate precautions to assure that the drugs remain in the staff member's possession at all times and are taken only in private, out of the view of students. CBD products are prohibited on District grounds and at school events.

#### **Reasonable Suspicion Testing**

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

#### **Disciplinary Action**

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

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

**Off Work Conduct**

Disciplinary action may result from conduct related to drug and alcohol usage even on the staff member's personal time if the circumstances create a connection to or nexus with the staff member's role with the District. Disciplinary action may result if a staff member's conduct involves the depiction of the staff member engaging in use of alcohol or drugs with involvement of minors. If the District administration becomes aware of such circumstances, the matter will be investigated even though the events occurred on one's personal time and not on District property or at a District event.

**Use of Resources for Treatment**

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

Revised 6/19/17

Revised 12/18/17

Revised 6/15/20

Revised 11/16/20

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

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE
Code	po3122.02 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	January 17, 2022

### 3122.02 - **NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE**

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

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

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

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

As used in this policy, "genetic information" means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

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

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

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

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

#### **Genetic Information Nondiscrimination Act of 2008 (GINA) Disclosure Requirement**

The Genetic Information Nondiscrimination Act of 2008 or "GINA" prohibits employers and other entities covered by the law, including the Board, from requesting or requiring genetic information of an employee or applicant or family member of an employee or applicant, except as specifically allowed by law. To comply with GINA, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services. Questions concerning compliance with the requirements of GINA may be directed to the Compliance Officer at 920-596-5840.

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

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

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Legal                      42 U.S.C. 2000ff et seq.  
                                  Title II, The Genetic Information Nondiscrimination Act of 2008  
                                  29 C.F.R. Part 1635

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po3123
Status	Proposed to Policy & Human Resources Committee
Adopted	October 17, 2016
Last Revised	August 29, 2022

3123 - **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board prohibits discrimination against any employee or applicant based upon his/her the employee or applicants disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

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

**Definitions**

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

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

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

**Respondent:** is the individual who is alleged to have engaged in discrimination/retaliation, regardless of whether the Complainant files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

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

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

**An individual with a disability** means a person who has, has a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities.

**Major Life Activities**

Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

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

### **Impairment That Substantially Limits a Major Life Activity**

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aids or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

### **Qualified Individual with a Disability**

A qualified individual with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position the individual holds or desires and can perform the essential functions of the job in question, with or without reasonable accommodation.

### **Reasonable Accommodation**

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability unless the accommodation would impose an undue hardship on the operation of the Board's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

### **Facilities**

No qualified person with a disability will be denied the benefits of, excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/American with Disabilities Act (ADA) applies because the District's facilities are inaccessible to or unusable by persons with disabilities.

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.

### **District Compliance Officers**

The Board designates the following individual(s) to serve as the District's 504 CO(s)/ADA Coordinator(s) (hereinafter referred to as the "COs").

Carmen O'Brien  
Business Manager  
School District of Manawa  
800 Beech Street  
Manawa, WI 54949  
920-596-5840  
cobrien@manawaschools.org

~~Dr. Abe El Manssouri~~  
Manawa Middle School/Little Wolf High School Principal  
920-596-5310  
515 East 4th Street  
Manawa, WI 54949  
~~aelmanssouri@manawaschools.org~~

The names, titles, and contact information of these individuals will be published annually in the staff handbooks and on the School District's website.

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs also shall verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. A copy of each of the Acts and regulations on which this notice is based will be made available upon request from the CO.

The COs will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. Any complaint received regarding the District Administrator or a Board member shall be referred to the Board's legal counsel, who shall assume the role of the CO for

such complaints, as appropriate. Additionally, if the complaint is regarding a CO, the complaint shall be reported to the District Administrator, who shall coordinate with the other appointed/designated CO, or, if appropriate appoint/designate another individual to serve as CO for the complaint regarding a CO.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. (See Complaint Procedure below.)

### Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation, or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with COs within the time limits specified below. The COs are available to assist individuals in filing a complaint.

### Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the CO.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the CO. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the Complainant or someone authorized to sign for the Complainant, describe the alleged discriminatory action in sufficient detail to inform the CO of the nature and date of the alleged violation and propose a resolution. The complaint must be filed within thirty (30) days of the circumstances or event giving rise to the complaint unless the time for filing is extended by the CO for good cause.
- C. The CO will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The CO will provide the Complainant with a written disposition of the complaint within ten (10) days. If no decision is rendered within ten (10) business days, or the decision is unsatisfactory in the opinion of the Complainant, the employee may file, in writing, an appeal with the District Administrator. The CO shall maintain the District's files and records relating to the complaint.
- D. The District Administrator will, within ten (10) days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.  
The District Administrator will render his/her decision within ten (10) days of the hearing.
- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

If it is determined that the Complainant was subjected to discrimination, the CO must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, effective, and tailored to the specific situation.

### OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education Office for Civil Rights Citigroup Center  
500 W. Madison Street Suite 1475  
Chicago, IL 60661  
(312) 730-1560  
FAX: (312) 730-1576  
TDD: (877) 521-2172  
E-mail: OCR.Chicago@ed.gov



**Privacy/Confidentiality**

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the District's legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations.

All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.

**Remedial Action and Monitoring**

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

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

**Sanctions and Disciplinary Action**

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

While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and any relevant codes of conduct.

When imposing discipline, the District Administrator shall consider the totality of the circumstances involved in the matter, including the age and maturity level of any student involved. In those cases where discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

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

**Retaliation**

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

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

**Education and Training**

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

**Retention of Investigatory Records and Materials**

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- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;

- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, and audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, and social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes and summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant and the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and procedures/guidelines used by the District to conduct the investigation and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. documentation of any training provided to District personnel related to this policy including, but not limited to notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conduct an investigation of an alleged violation of this policy;

**It is suggested the following records also be maintained, as appropriate.**

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

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

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

Revised 7/22/19  
 Revised 1/17/22  
 T.C. 8/29/22

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Legal                      29 C.F.R. Part 1630  
                                  29 U.S.C. 794, Section 504 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 Melanie J Oppor on June 9, 2023**



Book                      Staff Section Revisions

Section                    3000 Staff/Personnel - Revisions

Title                        EMPLOYMENT CONTRACT - PROFESSIONAL STAFF

Code                        po3124

Status                      Proposed to Policy & Human Resources Committee

Adopted                    May 16, 2016

Last Revised              July 17, 2017

**3124 - EMPLOYMENT CONTRACT - PROFESSIONAL STAFF**

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.

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Legal                        118.21, Wis. Stats.

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Book                    Staff Section Revisions  
Section                3000 Staff/Personnel - Revisions  
Title                    Copy of SUPPORT STAFF EMPLOYMENT  
Code                    po3124.01 - Keep separate or add to 3124  
Status                  Proposed to Policy & Human Resources Committee  
Adopted                May 16, 2016

~~4124~~3124.01 - **SUPPORT STAFF EMPLOYMENT**

Support staff employed in less than year-round positions shall be issued a letter of reasonable assurance of continued employment by July 1st for the subsequent year or term when such employment is anticipated.

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Legal                    108.04 (17)(d), Wis. Stats.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	WISCONSIN QUALITY EDUCATOR INITIATIVE
Code	po3125 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	April 27, 2020

### 3125 - **WISCONSIN QUALITY EDUCATOR INITIATIVE**

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

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

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

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

The building administrator is responsible for providing any mentoring, or other support services required for any teacher employed by the District while holding a Tier I license.

Revised 4/23/18

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Legal P.I. 34, Wis. Adm. Code

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	ASSIGNMENT AND TRANSFER
Code	po3130
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016

### 3130 - **ASSIGNMENT AND TRANSFER**

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

#### **Professional Staff**

The District Administrator shall be responsible for the proper assignment and transfer of all professional staff members and shall attempt to effect the optimum assignment of the professional staff in conformance with any applicable contractual or legal requirements and certification requirements.

#### **Support Staff**

Responsibility for the assignment and transfer of support staff members shall be vested in the District Administrator subject to and consistent with any applicable terms of the Employee Handbook.

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**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	REDUCTION IN STAFF
Code	po3131
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	March 15, 2021

### 3131 - **REDUCTION IN STAFF**

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

The Board reserves the right to abolish positions in the District and to reduce the staff whenever reasons of decreased enrollment of students, return to duty of regular ~~professional~~ staff members after leaves of absence, suspension of schools or territorial changes affecting the District, or other circumstances warrant.

The District Administrator shall develop administrative guidelines for the reduction of staff based on the best interests of the District and consistent with the terms of any applicable inter-district agreements, and applicable law.

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

Selection of staff for reduction once positions have been identified, will be based on the following considerations:

- A. qualifications of the employees being considered for reduction
- B. performance of employees, based on performance evaluations
- C. input from direct supervisors
- D. length of service to the District

The District Administrator shall determine the appropriate employees for reduction considering all factors that ~~s/he~~ **the District Administrator** deems important and in the best interests of the District.

No employee whose position has been eliminated shall have any right to be contacted by the District in the event that a vacancy opens in the future for which the laid-off employee may be qualified. Likewise, no such employee is entitled to a future position or is provided any preference over other applicants. Staff whose employment ended with the District due to a reduction in force, shall not be prevented from applying for future positions with the District.

#### **Staff Furloughs**

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

In the event of a temporary disruption to school services due to unforeseen circumstances, such as a public health emergency, natural disaster, or some other disruption to school programming the Board may authorize the District Administrator to temporarily furlough employees by reducing employee hours, provided that a plan is presented to the Board for consideration.

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



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

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

Revised 11/16/20

T.C. 3/15/21

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	VACANCIES
Code	po3132
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	November 18, 2019

**3132 - VACANCIES**

It shall be the policy of the Board to employ the person best suited to perform the duties of a particular District vacancy at any level.

Vacancies shall be announced in accordance with established District procedures. Vacancies will be posted externally and internally simultaneously with no preference given to current employees. The best candidate, as determined by the Administration, will be selected for approval by the Board.

The District Administrator shall establish procedures to facilitate the identification and evaluation of candidates for administrative, supervisory, and other leadership positions.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	STAFF DISCIPLINE
Code	po3139
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	July 22, 2019

### 3139 - **STAFF DISCIPLINE**

The Board retains the right and the responsibility to oversee all District personnel. When the discipline of a staff member becomes necessary such action shall be consistent with the requirements of any applicable Board policy, and State and Federal law. ~~The District Administrator or designee may issue discipline when s/he deems appropriate and with the seriousness of the offense. However, student performance on examinations however, may not form the basis for staff discipline.~~ This policy does not cover decisions to terminate or non-renew a staff member's employment (see Policy 3140).

#### **Investigation of Possible Criminal Activity**

The District may be required to investigate potential wrongdoings on the part of its employees. Such investigations may require that the employee answer questions relating to the activity. Employees may be required to answer such questions, consistent with any applicable law. Failure to cooperate in an investigation may result in discipline, up to and including termination of the employee. In cases where this possible wrongdoing may involve criminal activity, the District shall inform the employee that answers to questions relating to the employee's conduct may be used by the District for determining appropriate discipline, but will not be provided to law enforcement officials in the course of their independent criminal investigation, unless otherwise required by law. Employees must also be informed that refusal to answer questions may be considered in determining discipline.

#### **General Provisions**

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

#### **Student performance on examinations however, may not form the basis for staff discipline.**

The District Administrator may issue discipline to staff members when ~~s/he deems~~ **deemed** appropriate. The level of discipline may range from oral reprimands to suspension or recommendation for termination consistent with the process established for termination as set forth in Policy 3140. The level of discipline shall be consistent with the seriousness of the offense as determined by the District Administrator.

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

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

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Legal 66.0509(1m)(a), Wis. Stats.  
Franklin v. City of Evanston, 384 F.3d 838 (7th Cir. 2004)

Garrity v. New Jersey, 385 U.S. 493 (1967)

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	NON-RENEWAL, RESIGNATION, AND TERMINATION
Code	po3140
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	July 22, 2019

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

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

#### **Full-Time Teachers**

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

##### **A. Non-Renewal**

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

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

##### **B. Termination**

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

##### **C. Resignation**

A full-time teacher may resign from his/her position only upon approval of a majority of the full membership of the Board. The District Administrator may negotiate terms of resignation with such a teacher as appropriate and present those terms to the Board in an appropriately noticed, regular or special Board meeting, as necessary. A resignation is only in effect once approved by the Board. A resignation, once accepted by the Board, may not be rescinded without approval by the Board.

#### **Part-Time Teachers**

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

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

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

## **Administrators**

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

### **A. Statutory Administrators**

The Board shall employ by contract the following persons: the District Administrator, business manager, school principals, and assistants to such persons, as well as the following persons employed solely to perform administrative functions: personnel administrators and supervisors, curriculum administrators, and assistants to such administrative personnel.

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

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

The District Administrator shall be responsible for assuring compliance with the procedures necessary for Board action to terminate or to non-renew an administrator's contract. In the case of the District Administrator's contract, the Board President with the assistance of Board legal counsel, shall be responsible for assuring procedural compliance with termination or non-renewal processes.

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

### **B. Administrators with Contracts including Provisions Governing Termination**

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

### **C. Administrative Personnel with no Contractual or Statutory Coverage**

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

Such an administrative employee's employment may be terminated by a majority of a quorum of the Board present at a regular or special Board meeting.

Such an administrative employee's resignation may be accepted by a majority of a quorum of the Board present at a regular or special Board meeting.

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

## **Support Staff**

### **+ Termination**

Employment may be terminated upon a majority vote of the Board of Education.

### **+ Resignation**

A support staff member may resign by filing a written resignation with the District Administrator.

A resignation, once accepted, may not then be rescinded.

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

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Legal                    118.30(2)(c), Wis. Stats.  
                                 118.22, Wis. Stats.  
                                 118.24, Wis. Stats.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	PHYSICAL EXAMINATION
Code	po3160 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	April 25, 2022

### 3160 - **PHYSICAL EXAMINATION**

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

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

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

The Board shall also require the candidate, based on a contingent job offer, to submit to a test for controlled substances the results of which must indicate there is no evidence of unlawful drug use. Such examinations shall be done in accordance with the District Administrator's guidelines and 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 to speak to the health care provider who conducted the medical examination in order to get clarification.

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

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

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

The Board shall assume any fees for required examinations.

Revised 7/17/17  
 Revised 4/23/18  
 Revised 11/19/18  
 T.C. 11/16/20  
 T.C. 1/17/22



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Legal

- 118.25, Wis. Stats.
- 118.25(2)(a), Wis. Stats.
- 121.52(3), Wis. Stats.
- 29 C.F.R. Part 1630
- 29 C.F.R. Part 1635
- 42 U.S.C. 12101 et seq. Americans with Disabilities Act of 1990, as amended
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY
Code	po3161
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	April 27, 2020

**3161 - UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY**

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

The 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.

The District Administrator may require that the professional staff member submit to an appropriate examination by a healthcare provider of the professional staff member's choice, a healthcare provider designated and compensated by the District, or both.

The professional staff member will be required to execute a medical examination release to the Board/District Administrator that complies with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) and 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 pending further determination of ability to perform duties, including evaluation of any reasonable accommodations in the event of the existence of a disability.

Should a professional staff member refuse to submit to the examination requested by the 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.

In the event the District Administrator is the employee subject to this policy, the Board shall direct the appropriate actions pursuant to this policy.

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

29 C.F.R., Part 1630

29 C.F.R., Part 1635

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

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

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	STAFF ETHICS
Code	po3210
Status	Proposed to Policy & Human Resources Committee
Adopted	October 1, 2015
Last Revised	June 19, 2017

### 3210 - **STAFF ETHICS**

An effective educational program requires the services of ~~people~~ **employees** of integrity, high ideals, and human understanding. To maintain and promote these essentials, the Board of Education expects all ~~professional~~ staff members to maintain high standards in their working relationships, and in the performance of their ~~professional~~ duties, to:

- A. recognize basic dignities of all individuals with whom they interact in the performance of duties;
  - B. represent accurately their qualifications;
  - C. exercise due care to protect the mental and physical safety of students, colleagues, subordinates and superiors;
  - D. seek and apply the knowledge and skills appropriate to assigned responsibilities;
  - E. keep in confidence legal-confidential information;
  - F. ensure that their actions or those of another on their behalf private economic interests;
  - G. refuse accepting anything of value offered by another for the purpose of influencing judgment;
  - H. adheres to the policies of the Board;
- +** refrain from using position or public property, or permitting another person to use an employee's position or public property for partisan political or religious purposes. This ethics policy will in no way limit constitutionally or legally protected rights as a citizen.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	WHISTLEBLOWER PROTECTION
Code	po3211
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016

### 3211 - WHISTLEBLOWER PROTECTION

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

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

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

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

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

If the alleged misconduct involves a Board member, the employee shall report to the District Administrator who is authorized to engage the Board's legal counsel to manage an investigation concerning the matter. If the report concerns the District Administrator the employee shall make the report to the Board President, who is authorized to engage the Board's legal counsel to manage the investigation.

Upon receipt of a report made by an ~~instructional staff member~~ **employee** pursuant to this policy, an investigation shall commence as soon as possible and shall be handled expeditiously.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	STUDENT SUPERVISION AND WELFARE
Code	po3213
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	December 19, 2022

### 3213 - **STUDENT SUPERVISION AND WELFARE**

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

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

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

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

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

- G. A ~~professional~~ staff member shall not disclose personally identifiable information about a student to third parties unless specifically authorized by law or the student's parent(s) to do so.
- H. A ~~professional~~ staff member shall not transport students for school-related activities in a private vehicle without the approval of the employee's immediate supervisor and consistent with the provisions of Policy 8660. This does not apply to any student who is ~~a professional staff member's~~ an employee's family member.

- I. A student shall not be required to perform work or services that may be detrimental to the student's health.
- J. Staff members are discouraged from engaging students in social media and online networking media (see also Policy 7544), except for appropriate academic, extra-curricular, and/or professional uses only.
- K. Staff members are expressly prohibited from posting any picture, video, meme, or other visual depiction, or comment pertaining to any student on personal or unauthorized social networking media or similar forums. This provision of the policy does not apply to pictures and/or videos taken of public events that may involve or incidentally include depictions of students participating in or observing such events where the purpose of the photo or video is to depict the event, not a particular student. This section does not apply to depictions of a ~~professional~~ staff member's own child.

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

Pursuant to the laws of the State and Board Policy 8462, each ~~professional~~ staff member shall report to the proper legal authorities immediately, any sign of suspected child abuse, abandonment, or neglect.

Revised 11/19/18  
Revised 7/22/19  
Revised 4/27/20  
Revised 3/15/21

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Legal                      48.981, 948, 948.095 Wis. Stats.

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	USE OF TOBACCO AND NICOTINE BY STAFF MEMBERS
Code	po3215
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	January 17, 2022

### 3215 - **USE OF TOBACCO AND NICOTINE BY PROFESSIONAL STAFF MEMBERS**

The Board recognizes that the use of tobacco products, as well as other nicotine delivery systems, such as electronic smoking devices, are a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is acutely aware of the serious health risks associated with the use of these products, both to users and non-users, and that their use or promotion on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff, and visitors. The Board also believes accepting tobacco industry gifts or materials will send an inconsistent message to students, staff, and visitors.

It shall be a violation of this policy for any professional staff member of the District to use, consume, display, promote, or sell any tobacco products, tobacco industry brand, tobacco-related devices, imitation tobacco products, or electronic smoking or vaping devices, regardless of content at any time on school property or at off-campus, school-sponsored events.

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

#### **Exceptions**

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

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

#### **Policy Specific Definitions**

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

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



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

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

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

The term "smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. "Smoking" also includes carrying or using an activated electronic smoking device.

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

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

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

Revised 11/16/20

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Legal                    111.321, Wis. Stats.  
                              120.12(20), Wis. Stats.  
                              20 U.S.C. 6081 et seq.  
                              20 U.S.C. 7182

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	STAFF DRESS AND GROOMING
Code	po3216
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	January 17, 2022

**3216 - STAFF DRESS AND GROOMING**

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

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

When assigned to District duty, all **professional** staff members shall follow the guidelines as identified in the Employee Handbook.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	WEAPONS
Code	po3217
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	January 17, 2022

### 3217 - **WEAPONS**

The Board prohibits ~~professional~~ staff members from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District vehicle, to the extent permitted by law.

#### **Concealed Carry Permit Holders**

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

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

#### **Definition of "Weapon"**

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

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel while on duty, or qualified former law enforcement officers, off duty law enforcement officers, or out-of-state law enforcement officers;
- B. items approved by the Board as part of a class or individual presentation under adult supervision, including, but not limited to, hunters' education courses, if used for the purpose of and in the manner approved. Working firearms, except those protected at all times by a cable or trigger lock, and live ammunition shall never be approved;
- C. theatrical props used in appropriate settings;
- D. starter pistols used in appropriate sporting events.

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

Any staff member who has reason to believe that a person has or will violate this policy shall report to the school Principal or their supervisor immediately. Failure to report such information may subject the staff member to disciplinary action, up to and including termination.

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

Revised 8/22/16  
Revised 4/23/18  
T.C. 3/15/21  
T.C. 1/17/22

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

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	STAFF EVALUATION AND EDUCATOR EFFECTIVENESS
Code	po3220 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	March 15, 2021

**3220 - STAFF EVALUATION AND EDUCATOR EFFECTIVENESS**

The Board is responsible for the employment and discharge of all personnel. To carry out this responsibility, it delegates to the District Administrator the function of developing professional staff job descriptions for Board approval in accordance with Policy 3120.01 - Job Descriptions. The District Administrator is responsible for implementing approved job descriptions, a program of personnel assessment that identifies specific criteria and a systematic procedure to evaluate staff. This procedure shall include an appropriate and approved Educator Effectiveness program for the evaluation of teachers and principals in the District.

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

**Licensed Teachers and Principals**

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

The Board will use the educator effectiveness model available from CESA 6 and will assess, upon the recommendation of the District Administrator, whether to use an alternative program.

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

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

T.C. 3/15/21

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P.I. 8.01(2q), P.I. 47 Wis. Adm. Code

118.225, 118.30, 121.02 (1) (q) Wis Stats

20 USC 6311

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	Copy of EVALUATION OF SUPPORT STAFF
Code	po3220.01 - Keep separate or Add to 3220?
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016

~~4220~~3220.01 - **EVALUATION OF SUPPORT STAFF**

The Board of Education recognizes the importance of implementing a program of support staff member evaluations for the purpose of promoting individual job performance and improving services to students.

The goals of the Board's evaluation plan for support staff are:

- A. to improve and reinforce the skills, attitudes, and abilities that enable a support staff member to be effective in achieving assigned job goals;
- B. to identify and remediate weaknesses that prevent a support staff member from achieving the goals of assigned duties.

The District Administrator shall prepare administrative guidelines for the conduct of support staff member evaluations.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	ETHICS AND CONFLICT OF INTEREST
Code	po3230
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	January 17, 2022

### 3230 - ETHICS AND CONFLICT OF INTEREST

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

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

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

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

1. the provision of any private lessons or services for a fee unless the provision of services is arranged outside of school and is separate from and in addition to regular support provided to students as part of the professional staff member's regular duties.
2. soliciting on school premises or under circumstances that are coercive for the private sale of goods or services to students or other employees
3. the use, sale, or improper divulging of any privileged information through his/her the employees access to School District records, about a student or client granted in the course of the employee's, officer's, or agent's employment or professional relationship with the School District.
4. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals

5. the requirement of employees, students, or clients to purchase any private goods or services provided by an employee, officer, or agent or any business or professional practitioner with whom any employee, officer, or agent has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations

C. Should exceptions to this policy be necessary in order to provide mandatory services to students or clients of the School District, all such exceptions will be made known to the employee's supervisor and will be disclosed to the District Administrator and approval of the Board of Education before entering into any private relationship?

D. Professional e Employees, officers, and agents shall not make use of materials, equipment, or facilities of the School District for their own personal financial gain or business interest. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

E. Professional e Employees, officers, and agents shall not participate in the selection, award, and administration of any contract to an entity in which they have a pecuniary interest or from which they derive a profit, or in which a dependent of the employee has a pecuniary interest or from which the dependent derives a profit. 'Dependent' includes the employee's spouse; unemancipated child, stepchild, or adopted child under the age of eighteen (18); or individual for whom the employee provides more than one-half (1/2) of the individual's support during a year. A 'pecuniary interest' means an interest in a contract or purchase that will result or is intended to result in an ascertainable increase in the income or net worth of the employee or the employee's dependent who is under the direct or indirect administrative control of the professional employee or who receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the employee.

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

However, pursuant to Federal rules, the School District has set standards for when an employee, officer, or agent may accept a gift of an unsolicited item of nominal value. For purposes of this section, 'nominal value' means that the gift has a monetary value of \$50.00 or less.

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

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

G. Professional e Employees, officers and agents found to be in violation of this conflict of interest policy will be subject to disciplinary action up to and including termination.

No professional staff employee may accept or engage in any employment, consulting, advising, or other professional activity with any organization other than the District, whether the employee will receive compensation for such outside activity or not, without first providing notice to the District Administrator.

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

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

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Revised 11/19/18  
Revised 7/22/19  
Revised 4/27/20  
Revised 11/16/20

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Legal 19.59, 19.42(7), 946.13, Wis. Stats.  
2 C.F.R. 200.12  
7 C.F.R. 3019.42  
2 C.F.R. 200.113  
2 C.F.R. 200.318



7 C.F.R. 3016.36(b)(3)

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	OUTSIDE ACTIVITIES OF STAFF
Code	po3231
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	November 16, 2020

### 3231 - **OUTSIDE ACTIVITIES OF STAFF**

The Board expects ~~professional~~ staff members to avoid situations in which their personal interests, activities, and associations may conflict with the interests of the District. If such situations threaten a staff member's effectiveness within the School District, the District Administrator shall evaluate the impact of such interest, activity, or association upon the ~~professional~~ staff member's responsibilities. Staff members are expected to notify the District Administrator of their involvement in any outside organization, association, or the like if the staff member identifies ~~him or herself~~ as a ~~staff member~~ **employee** of the District as part of ~~his/her~~ **their** involvement, or if the staff member will receive compensation for any outside activities (refer also to Policy 3230 - Conflict of Interest).

- A. Staff members should not give work time to an outside interest, activity, or association without valid reason to be excused from assigned duties.
- B. Staff members shall not use school property or school time to solicit or accept customers for private enterprises without written administrative permission.
- C. Staff members shall not engage in business transactions on behalf of private enterprises in which ~~s/he~~ **the staff member** may profit by virtue of ~~his/her~~ **their** official position or authority or benefit financially from confidential information which the employee has obtained or may obtain by reason of his/her position or authority.
- D. Staff members shall not campaign on school property during duty hours on behalf of any political issue or candidate for local, State, or National office.

### **Research and Publishing**

- A. ~~Professional s~~ **Staff** members are encouraged to contribute articles to professional publications and to engage in approved professional research.
- B. Materials that might be considered for publication and/or production, that identify the District in any manner, shall be cleared with the District Administrator prior to publication and/or production.
- C. Publications and productions shall be subject to the following copyright provisions:
  1. Rights to copyrights or patents of books, materials, devices, etc. developed by ~~professional~~ staff members on their own time will be relinquished by the Board upon request of the staff member provided that:
    - a. the books, materials, devices, etc. were prepared without the use of District data, facilities, and/or equipment;
    - b. the District is granted the privilege of purchasing the materials or products free of any copyright or royalty charges;
    - c. the staff member does not become involved in any way in the selling of the product to the District.

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

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

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

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

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

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Legal                      17 U.S.C. 101 et seq.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	PROFESSIONAL GROWTH
Code	po3242 - Does this apply to support staff?
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016

**3242 - PROFESSIONAL GROWTH**

The School District of Manawa School Board is committed to providing opportunities for ongoing staff development and leadership development for all employee groups in order to achieve an enhanced learning environment for all staff and students.

The Board recognizes that effective staff development is one of the key components of an infrastructure that supports its schools and the system, as a whole, to manage change in a manner that encourages meaningful and sustained renewal and improvement. The Board, through its resolutions and the District Staff Development and Curriculum Committee, is committed to identifying staff development plans, strategies, and budgets as an integral part of all activities.

The Curriculum Director shall plan programs of staff development for **staff members**. Such staff development programs should be designed to address the professional development needs of staff members who are working at a particular level, involved in a particular course or subject, or need to be prepared for a new assignment. The development plan shall be designed to meet the needs of staff members or curriculum areas in each school.

Whenever feasible, principals will participate with their staff members in order to ensure better follow-up and support.

The Board may reimburse staff members for the costs incurred in participation therein, subject to prior approval of the District Administrator.

Professional staff members are expected to comply with the Professional Development Plan requirements of their license and provide timely verification of progress towards fulfilling this responsibility.

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Legal	121.02(b), Wis. Stats. P.I. 8.01(2)(b), Wis. Adm. Code
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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	PROFESSIONAL MEETINGS
Code	po3243 - Does this apply to support staff employees?
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016

### 3243 - **PROFESSIONAL MEETINGS**

The Board of Education encourages opportunities for **professional staff members** to develop increased competence attain through the performance of their assigned duties and through attendance of professional meetings.

For purposes of this policy, a professional meeting shall be defined as any meeting that is related to the activities, duties, or responsibilities of professional staff members as determined by the District Administrator.

The District Administrator shall prepare administrative guidelines to implement this policy.

The Board may reimburse actual and necessary expenses incurred in attending approved meetings.

Legal                      118.24(5), Wis. Stats.

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Book                    Staff Section Revisions  
Section                3000 Staff/Personnel - Revisions  
Title                    PERSONAL PROPERTY OF STAFF MEMBERS  
Code                    po3281  
Status                  Proposed to Policy & Human Resources Committee  
Adopted                May 16, 2016

**3281 - PERSONAL PROPERTY OF STAFF MEMBERS**

Employees may bring personal property, including personal communication devices, to school either for reasons associated with professional responsibilities or for use during off-duty time ~~(see Policy 7540-02)~~. The owner of the personal property bears all responsibility and assumes all risk for loss, damage, or misuse of said personal property while it is on Board of Education property.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	EMPLOYEE EXPRESSION IN NONINSTRUCTIONAL SETTINGS
Code	po3310
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	July 17, 2017

### 3310 - **EMPLOYEE EXPRESSION 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.

**This section is in the Support Staff version but Not the Professional Staff version. Should it be included?**

The following employee expectations 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, the employee should:

- A. state clearly that their 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 that the employee knows to be false or are made without regard for truth or accuracy.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	GRIEVANCE PROCEDURE
Code	po3340 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	January 3, 2023

### 3340 - **GRIEVANCE PROCEDURE**

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

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

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

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

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

#### A. **Principal/Supervisor:**

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

#### B. **District Administrator:**

In the event the Principal's/Supervisor's decision does not resolve the problem, the employee may, within five (5) business days of the date the Principal's/Supervisor's written decision is issued, present their grievance in writing to the District Administrator. This grievance shall fully state the details of the problem and suggest a remedy. The District Administrator shall, within five (5) business days of receipt of the grievance, meet and discuss the grievance with the employee and then reply in writing within ten (10) business days. This step does not apply to any grievance related to action by the Board that



directly affects the grievant.

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

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

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

The Hearing Officer may only consider the matter presented to him/her in the initial grievance filed by the employee. The decision will apply exclusively to the employee presenting the grievance. The Impartial Hearing Officer shall have authority to run the hearing, including administering oaths, admitting evidence into the record, providing for transcription, etc. The Officer may not modify any Board policy and may not issue decisions on matters not presented to the Principal/Supervisor in the initial grievance. Any fees or costs charged by the impartial hearing officer shall be paid by the District.

### D. **Board:**

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

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

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

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

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

- A. "Workplace safety" means those conditions related to physical health and safety of employees enforceable under Federal or State law, or District rule related to: safety of the physical work environment, the safe operation of workplace equipment and tools, provision of protective equipment, training and warning requirements, workplace violence and accident risks.
- B. "Termination" does not include voluntary resignation or retirement, or the nonrenewal of an employment contract pursuant to 118.22 and 118.24 Wis. Stats., nor does it include position elimination due to a reduction in force under Policy 3131 - Reduction in Staff.
- C. "Employee discipline" refers to unpaid suspensions written reprimands, or demotion, but excludes performance conferences/evaluations, staff assignments, improvement plans, or oral counseling or reprimand unless a written record of the reprimand is placed in the employee's file.
- D. "Business days" means weekdays, excluding any District recognized holiday that falls on a weekday, but does not exclude weekdays during schedule break periods.

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Section	3000 Staff/Personnel - Revisions
Title	EMPLOYEE ANTI-HARASSMENT
Code	po3362 - No Revision
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### 3362 - **EMPLOYEE ANTI-HARASSMENT**

#### **Prohibited Harassment**

The Board is committed to a work environment that is free of harassment of any form. The Board will not tolerate any form of harassment and will take all necessary and appropriate action to eliminate it. Any member of the School District community who violates this policy will be subject to disciplinary action, up to and including termination of employment. Additionally, appropriate action will be taken to stop and otherwise deal with any third party who engages in harassment against our employees.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, age, sex (including gender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer-sponsored meeting or to participate in any communication with the employer about religious matters or political matters (collectively, "Protected Classes"), or any other characteristic protected by law in its employment practices (hereinafter referred to as "harassment"), and encourages those within the School District community as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board prohibits harassment that affects tangible job benefits, interferes unreasonably with an individual's work performance, or creates an intimidating, hostile, or offensive working environment. Harassment may occur employee-to-employee, employee-to-student, male-to-female, female-to-male, male-to-male, or female-to-female.

The Board will investigate all allegations of harassment and, in those cases where harassment is substantiated, take immediate steps to end the harassment, prevent its recurrence, and remedy its effects.

Individuals who are found to have engaged in harassment will be subject to appropriate disciplinary action.

#### **Notice**

Notice of the Board's policy on anti-harassment related to employment practices and the identity of the District's Compliance Officers will be posted throughout the District and published in any District statement regarding the availability of employment, staff handbooks, and general information publications of the District as required by Federal and State law and this policy.

#### **Definitions**

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

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

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

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

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

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

### **Bullying**

Bullying rises to the level of harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" also includes "hate speech"—the use of language, behavior, or images/symbols that express prejudice against a particular group or groups on the basis of any protected characteristic(s).

Examples are:

- A. making statements that promote violence toward a racial or ethnic group;
- B. drawing, displaying, or posting images or symbols of prejudice (e.g., swastikas).

### **Sexual Harassment**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitutes sexual harassment when:

- A. a supervisory employee engages in harassing behavior towards a subordinate employee, regardless of whether such conduct creates a hostile work environment;
- B. acquiescence in or submission to such conduct is an explicit or implicit term or condition of employment;
- C. an individual's acquiescence in, submission to, or rejection of such conduct becomes the basis for employment decisions affecting that individual;
- D. such conduct is sufficiently severe, pervasive, and persistent such that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment;
- E. consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism results in an adverse employment action for another employee or otherwise creates a hostile work environment;
- F. inappropriate boundary invasions by a District employee or other adult member of the District into a student's personal space and personal life.

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

Sexual Harassment covered by Policy 2266/AG 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, i.e., sexual harassment prohibited by Title IX, is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266/AG 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. unwelcome sexual propositions, invitations, solicitations, and flirtations;
- B. unwanted physical and/or sexual contact;
- C. threats or insinuations that a person's employment, wages, promotion, assignments, or other conditions of employment may be adversely affected by not submitting to sexual advances;
- D. unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, text messages, or social media postings;
- E. sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work environment that reasonably may embarrass or offend individuals;
- F. unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
- G. asking or telling about sexual fantasies, sexual preferences, or sexual activities;
- H. speculation about a person's sexual activities or sexual history or remarks about one's own sexual activities or sexual history;
- I. giving unwelcome personal gifts, such as lingerie, that suggest the desire for a romantic relationship;
- J. leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin;
- K. consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment;
- L. inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life; and
- M. verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Sexual relationships between staff members, where one staff member has supervisory responsibilities over the other, are discouraged as a matter of Board policy. Such relationships have an inherent possibility of being construed as sexual harassment because the consensual aspect of the relationship may be the result of implicit or explicit duress caused by uncertainty regarding the consequences of non-compliance.

Romantic or sexual relationships between District staff (teachers, aides, administrators, coaches or other school authorities) and a student is expressly prohibited. Any school staff member who engages in sexual conduct with a student may also be guilty of a crime and any information regarding such instances will be reported to law enforcement authorities.

### **Boundary Invasions**

Boundary invasions may be appropriate or inappropriate. Appropriate boundary invasions make medical or educational sense. For example, a teacher or aide assisting a kindergartner after a toileting accident or a coach touching a student during wrestling or football can be appropriate. However, other behaviors might be going too far, are inappropriate and may be signs of sexual grooming. Inappropriate boundary invasions may include, but are not limited to the following:

- A. hugging, kissing, or other physical contact with a student;
- B. telling sexual jokes to students;
- C. engaging in talk containing sexual innuendo or banter with students;
- D. talking about sexual topics that are not related to curriculum;
- E. showing pornography to a student;
- F. taking an undue interest in a student (i.e. having a "special friend" or a "special relationship");
- G. initiating or extending contact with students beyond the school day for personal purposes;

- H. using e-mail, text messaging, or websites to discuss personal topics or interests with students;
- I. giving students rides in the staff member's personal vehicle or taking students on personal outings without administrative approval;
- J. invading a student's privacy (e.g. walking in on the student in the bathroom, locker-room, asking about bra sizes or previous sexual experiences);
- K. going to a student's home for non-educational purposes;
- L. inviting students to the staff member's home without proper chaperones (i.e. another staff member or parent of student);
- M. giving gifts or money to a student for no legitimate educational purpose;
- N. accepting gifts or money from a student for no legitimate educational purpose;
- O. being overly "touchy" with students;
- P. favoring certain students by inviting them to come to the classroom at non-class times;
- Q. getting a student out of class to visit with the staff member;
- R. providing advice to or counseling a student regarding a personal problem (i.e. problems related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc.), unless properly licensed and authorized to do so;
- S. talking to a student about problems that would normally be discussed with adults (i.e. marital issues);
- T. being alone with a student behind closed doors without a legitimate educational purpose;
- U. telling a student "secrets" and having "secrets" with a student;
- V. other similar activities or behavior.

Inappropriate boundary invasions are prohibited and must be reported promptly to one of the District Compliance Officers, as designated in this policy, the Building Principal or the District Administrator.

### **Religious (Creed) Harassment**

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### **National Origin/Ancestry Harassment**

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Age Harassment**

Prohibited age-based harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's age, being over age forty (40), and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment.

### **Race/Color Harassment**

Prohibited race/color based harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race and/or color and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references regarding racial customs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability, perceived disability, or record of disability, and when the conduct has the purpose or effect of interfering with the individual's work performance; or of creating an intimidating, hostile, or offensive working environment. Such harassment may

occur where conduct is directed at the characteristics of a person's current or past disability or a perceived condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

### **Anti-Harassment Compliance Officers**

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)" or "CO" "COs"):

Carmen O'Brien  
Business Manager  
School District of Manawa  
800 Beech Street  
Manawa, WI 54949  
920-596-5840  
cobrien@manawaschools.org

~~Dr. Abe El Manssouri~~  
Manawa Middle School/Little Wolf High School Principal  
920-596-5310  
515 East 4th Street  
Manawa, WI 54949  
~~aelmanssouri@manawaschools.org~~

The Compliance Officer(s) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

### **Reports and Complaints of Harassing Conduct**

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept reports of harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the District Administrator will designate a specific individual to conduct the process necessary for an informal or formal investigation. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the District Administrator or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

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

Members of the School District community along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment unless the complaining individual makes the complaint maliciously or with the knowledge that it is false.

Reporting procedures are as follows:

- A. Any employee who believes s/he has been the victim of harassment prohibited under this policy is encouraged to report the alleged harassment to the appropriate school official as identified in D below.
- B. Teachers, administrators, and other District officials who have knowledge of or receive notice that an employee has or may have been the victim of harassment prohibited under this policy shall immediately report the alleged harassment to the appropriate school official as defined in D below.

- C. Any other person with knowledge or belief that an employee has or may have been the victim of harassment prohibited by this policy shall be encouraged to immediately report the alleged acts to an appropriate school official as identified in D below.
- D. Appropriate District officials are as follows:
1. Any complaint under this policy shall be reported to the District's Compliance Officer unless the complaint is regarding the Compliance Officer. In such cases, the complaints shall be reported to the District Administrator, who will coordinate with the other appointed/designated CO, or, if appropriate appoint/designate another individual to serve as CO for the complaint regarding a CO.
  2. Any complaint under this policy regarding the District Administrator or Board Member that is received by the District Compliance Officer shall be referred to the Board's legal counsel, who shall assume the role of the District Compliance Officer for such complaints.
- E. The reporting party or Complainant shall be encouraged to use a report form available from the Principal of each building or available from the District office, but oral reports shall be considered complaints as well. Use of formal reporting forms shall not be mandated. However, all oral complaints shall be reduced to writing. Further, nothing in this policy shall prevent any person from reporting harassment directly to the District Administrator or other supervisory employee.
- F. To provide individuals with options for reporting harassment to an individual of the gender with which they feel most comfortable, the District shall designate both a male and a female District Compliance Officer.

If during an investigation of alleged bullying, aggressive behavior, and/or harassment in accordance with Policy 5517.01 - Bullying, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be investigated in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

### **Investigation and Complaint Procedure**

Except for sexual harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to harassment or has witnessed harassment of another may seek resolution of the complaint through the procedures described below. The complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of harassment or retaliation with the United States Department of Education Office for Civil Rights ("OCR"), the Wisconsin Equal Rights Division, and/or Equal Employment Opportunity Commission ("EEOC"). The Chicago Office of the OCR can be reached at John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604; Telephone: 312-730-1560; FAX: 312-730-1576; TDD: 800-877-8339; Email: OCR.Chicago@ed.gov; Web: <http://www.ed.gov/ocr>.

### **Complaint Procedure**

A Complainant who alleges harassment based on a protected class or retaliation may file a complaint, either orally or in writing: 1) with a Principal; 2) directly to one of the COs; or 3) to the District Administrator or other supervisory employee. As noted above, any complaint received regarding the District Administrator or a Board member shall be referred to the Board's legal counsel, who shall assume the role of the CO for such complaints. Additionally, if the complaint is regarding a CO, the complaint shall be reported to the District Administrator, who will consult with the other appointed/designated CO, if any, and if necessary appoint/designate another individual to serve in the role of CO for a complaint regarding a CO.

Due to the sensitivity surrounding complaints of harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a Principal, District Administrator, or other supervisory employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) days.

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

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



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

Upon receiving a complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including but not limited to a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in consultation with the District Administrator. No temporary arrangements shall be disciplinary to either the Complainant or Respondent.

Within two (2) days of receiving a complaint, the CO will inform the Respondent that a complaint has been received.

The Respondent is not entitled to receive a copy of any written complaint unless the CO determines it is appropriate to do so; however, the Respondent will be informed about the nature of the allegations. The CO shall inform the Respondent of the requirements of this policy, which may include providing the Respondent with a copy of this policy or information about where to find it. Respondent shall be afforded the opportunity to submit a written response to the complaint. The CO shall inform the Respondent of the Respondent's deadline to provide the CO with the written response to the allegations in the complaint.

Within five (5) days of receiving the complaint, the CO will initiate an investigation by at a minimum confirming receipt of the complaint with the Complainant and informing the Complainant of the investigation process.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of harassment based on a protected class or retaliation within thirty (30) days of receiving the formal complaint.

The investigation will include:

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

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the District Administrator that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of harassment as provided in this policy and State and Federal law as to whether the Respondent engaged in harassment of or retaliation toward the Complainant. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

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

In cases where no District CO is able to investigate a complaint due to concerns regarding conflicts, bias or partiality, or for other reasons that impair the CO's ability to conduct an investigation, the CO may in consultation with the District Administrator or Board President, if the matter involves the District Administrator engage outside legal counsel to conduct the investigation consistent with this policy.

Absent extenuating circumstances, within five (5) days of receiving the report of the CO, the District Administrator must either issue a written decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the District Administrator's final decision will be delivered to both the Complainant and the Respondent.

If the District Administrator requests additional investigation, the District Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the District Administrator must issue a final written decision as described above.

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

The decision of the District Administrator shall be final. If the investigation results in disciplinary action, the employee subject to discipline is entitled to file a grievance pursuant to Board Policy 3340. Nothing in this policy shall be construed to prevent an employee from bringing a complaint before the Equal Employment Opportunity Commission or the Wisconsin Equal Rights Division.

The Board reserves the right to investigate and resolve a complaint or report of harassment regardless of whether the member of the School District community or Third Party alleging the harassment pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board.

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

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

All timelines pertinent to the investigation process are intended to be guidelines to assure that the investigation proceeds with all deliberate efficiency. Failure of the CO to meet any specific timeline does not invalidate the investigation or provide a defense to the allegations.

### **Privacy/Confidentiality**

The District will employ reasonable efforts to protect the rights of the Complainant, the Respondent(s), and all the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligation in an investigation of harassment. The School District will respect the privacy of the Complainant, the Respondent, and all witnesses in a manner consistent with the School District's legal obligations under State and Federal law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided with the Complainant's identity.

During the course of an investigation, the CO will determine whether confidentiality during the investigation process is necessary to protect the interests and reputations of those involved and/or to protect the integrity of the investigation and if so, shall instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

### **Directives During Investigation**

The CO may recommend to the District Administrator placing any employee involved in an investigation under this Policy on administrative leave pending resolution of the matter. If the District Administrator is the Respondent, the CO shall make such recommendation to the Board. Administrative leave may be appropriate in situations in which protecting the safety of any individual or the integrity of the investigation necessitates such action.

The CO shall determine whether any witnesses in the course of an investigation should be provided a *Garrity* warning apprising the person of his/her obligations to answer questions truthfully and honestly while preserving the right against self-incrimination in the context of any resulting criminal investigation or prosecution.

Every employee interviewed in the course of an investigation is required to provide truthful responses to all questions. Failure to do so may result in disciplinary action.

### **Remedial Action and Monitoring**

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

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

### **Sanctions and Disciplinary Action**

The Board shall vigorously enforce its prohibitions against harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further misconduct.

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

When imposing discipline, the District Administrator shall consider the totality of the circumstances. In those cases where harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

Where the Board becomes aware that a prior disciplinary action has been taken against the Respondent, all subsequent sanctions imposed by the Board and/or District Administrator shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Retaliation**

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

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

### **Allegations Constituting Criminal Conduct**

If the CO has reason to believe that the Complainant has been the victim of criminal conduct, such knowledge should be reported to local law enforcement. After such report has been made, the District Administrator shall be advised that local law enforcement was notified.

If the Complainant has been the victim of criminal conduct and the accused is the District Administrator, such knowledge should be reported by the CO to local law enforcement. After such report has been made, the Board President shall be advised that local law enforcement was notified.

Any reports made to local law enforcement shall not terminate the COs obligation and responsibility to continue to investigate a complaint of harassment. While the COs may work cooperatively with outside agencies to conduct concurrent investigations, the harassment investigation shall not be stopped due to the involvement of outside agencies without good cause after consultation with the District Administrator.

### **Reprisal**

Submission of a good faith complaint or report of harassment will not affect the Complainant's or reporter's work status or work environment. However, the Board also recognizes that false or fraudulent claims of harassment or false or fraudulent information about such claims may be filed. The Board reserves the right to discipline any person filing a false or fraudulent claim of harassment or false or fraudulent information about such a claim.

The District will discipline or take appropriate action against any member of the School District community who retaliates against any person who reports an incident of harassment prohibited by this policy or participates in a proceeding, investigation, or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

### **Miscellaneous**

The District shall conspicuously post a notice including this policy against harassment in each school in a place accessible to the School District community and members of the public. This notice shall also include the name, mailing address, and telephone number of the COs, the name, mailing address, and telephone number of the State agency responsible for investigating allegations of discrimination in educational employment, and the mailing address and telephone number of the United States Equal Opportunity Employment Commission.

A link to this policy and any related administrative guidelines shall appear in the employee handbook and a copy shall be made available upon request of employees and other interested parties.

### **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of harassment. The District Administrator shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District staff at such times as the Board in consultation with the District Administrator determines is necessary or appropriate.

The Board will respect the privacy of the Complainant, the individuals against whom the complaint is filed, and the witnesses as much as practicable, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery, disclosure, or other legal obligations.

### **Retention of Investigatory Records and Materials**

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

- A. all written reports/allegations/complaints/statements;
- B. narratives of all verbal reports, allegations, complaints, and statements collected;
- C. a narrative of all actions taken by District personnel;
- D. any written documentation of actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities;

- E. narratives of, notes from, or audio, video, or digital recordings of witness statements;
- F. all documentary evidence;
- G. e-mails, texts, or social media posts pertaining to the investigation;
- H. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- I. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- J. dated written determinations to the parties;
- K. dated written descriptions of verbal notifications to the parties;
- L. written documentation of any supportive measures offered and/or provided to Complainant and/or the Respondent, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt;
- M. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- N. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- O. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- P. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy;

**It is suggested the following records also be maintained, as appropriate.**

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

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

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

Revised 7/22/19

Revised 4/27/20

Revised 1/17/22

T.C. 8/29/22

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Legal                    111.31, 118.195, 118.20, Wis. Stats.  
                               29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967  
                               29 U.S.C. 794, Rehabilitation Act of 1973  
                               42 U.S.C. 1983  
                               42 U.S.C. 2000d et seq., Title VI of the Civil Rights Act of 1964  
                               42 U.S.C. 2000e et seq., Title VII of the Civil Rights Act of 1964

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

29 U.S.C. 6101, The Age Discrimination Act of 1975

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

29 C.F.R. Part 1635

National School Boards Association Inquiry and Analysis - May 2008

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	THREATENING BEHAVIOR TOWARD STAFF MEMBERS
Code	po3362.01 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	November 16, 2020

### 3362.01 - **THREATENING BEHAVIOR TOWARD STAFF MEMBERS**

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

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

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

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Legal Chapter 947, Wis. Stats.

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	GROUP HEALTH PLANS
Code	po3419 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	July 17, 2017

**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 through 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.

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	PATIENT PROTECTION AND AFFORDABLE CARE ACT
Code	po3419.03 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	July 17, 2017
Last Revised	November 16, 2020

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

The Board 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. Such notice shall be consistent with the sample notice language provided by the U.S. Department of Labor.
- 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.

T.C. 11/16/2020

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Legal	26 USC 4980H
	29 USC 218B

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	BENEFITS
Code	po3425 - No Revision
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	December 19, 2022

### 3425 - **BENEFITS**

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

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

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

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

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Legal Consolidated Omnibus Budget Reconciliation Act of 1985 Pub. L. 99-272

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	LEAVES OF ABSENCE
Code	po3430
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	April 27, 2020

### 3430 - LEAVES OF ABSENCE

Employees must submit a written request for an unpaid leave of absence to the Board and shall state the reason for the leave and the expected duration of the leave. The Board may grant the request for a leave of absence at its discretion. The leave of absence will begin and end on the dates approved by the Board. A leave of absence may not exceed twelve (12) calendar months.

Employee participation in fringe benefits will be discontinued during a leave of absence. The employee may remain a member of the District's group insurance plans (to the extent permitted by the carrier); however, he/she the employee must pay the premiums to the District during the leave of absence.

Sick leave will not accrue during a leave of absence; however, any accumulated sick leave at the time of the leave of absence will be reinstated upon return.

This policy governs leaves in addition to leave under Policy 34430.01 (FMLA); however, any leave under this policy that is also qualifying leave under Policy 3430.01 will be designated as such and count towards the employee's leave entitlement. Approved leave under this policy shall state the conditions applicable to the employee's return to work. Nothing in this policy shall serve as a guarantee of any job protection for leave beyond otherwise protected leave.

Any professional staff member granted a leave of absence by the Board shall be considered to have stopped performance of all work with the District until the completion of the leave. Exceptions may be made by the District Administrator in cases where the best interest of the District might be served.

Revised 7/17/17

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Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")
Code	po3430.01
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016
Last Revised	November 19, 2018

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

#### Introduction

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

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

#### Eligibility Requirements

To be eligible for leave under the FMLA, a staff member must have been employed by the Board for at least twelve (12) months in the past seven (7) years and must have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the requested leave. All full-time instructional staff members are deemed to meet the 1,250 hour requirement.

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

#### Qualifying Reasons for Leave

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

- A. for the birth of the eligible staff member's child and to care for a newborn child
- B. for placement with the eligible staff member of a child for adoption or foster care
- C. to care for an eligible staff member's spouse, child or parent with a "serious health condition"

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

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

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

- D. because of a serious health condition that makes the eligible staff member unable to perform the essential functions of his/her position
- E. because of a qualifying exigency resulting from active military service by the employee's spouse, son, daughter, or parent in covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves

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

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

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

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

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

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

### **Amount of Leave Available**

Under the FMLA, if the staff member satisfies the eligibility requirements set forth above, ~~s/he~~ **the staff member** is entitled to a total of twelve (12) work weeks of leave in a calendar year for any of the reasons stated above, with the exception of leave to care for an injured service member, which is provided as described in (F) above.

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

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

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

## Definitions of Serious Health Conditions

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

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

### A. Hospital Care

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

### B. Absence Plus Treatment

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

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

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

### C. Pregnancy

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

### D. Chronic Conditions Requiring Treatment

A chronic condition which:

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

### E. Permanent/Long-Term Conditions Requiring Supervision

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

### F. Multiple Treatments (Non-Chronic Conditions)

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

## Required Staff Member Notice

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

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

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

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

If a staff member must take more leave than originally anticipated, s/he the staff member must notify the District Administrator within two (2) business days of learning of the circumstances necessitating the extension.

### **Certification By Healthcare Provider**

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

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

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

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

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

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

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

### **Designation of Leave**

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

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

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

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

### **Manner In Which Leave Can Be Taken**

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

When leave is governed only by the FMLA, intermittent or reduced schedule leave to be with the employee's newborn child, or after the placement of a child with the employee for adoption or foster care, requires the District's agreement, unless the intermittent or reduced schedule leave is due to a serious health condition. Intermittent or reduced schedule leave due to a serious health condition must be medically necessary. Medically necessary means there must be a medical need for the leave and the leave can be best accommodated through an intermittent or reduced leave schedule, as certified by the healthcare provider in the Certification.

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

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

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

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

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

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

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

### **Coordinating Leaves - Substitution**

Generally, leave taken under this policy is unpaid. However, for leave governed exclusively by the FMLA, the staff member must use the following leaves provided by the Board, if available:

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

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

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

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

### **Continuation of Benefits**

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

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

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

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

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

### **Accrual of Benefits**

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

### **Employment Restoration**

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

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

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

### **Fitness For Duty Certification**

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

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

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

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

### **Confidentiality**



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

### **No Discrimination**

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

### **Miscellaneous**

The District Administrator may designate another administrator to perform ~~his/her~~their duties under this policy.

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

The District Administrator shall see that the policy is posted properly.

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

Revised 12/18/17

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Legal	29 U.S.C. 2601 et. seq.
	29 C.F.R. Part 825
	103.10, Wis. Stats.
	Wis. Admin. Department of Workforce Development (DWD) 225
	National Defense Authorization Act of 2010

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	NURSING MOTHERS - NON-EXEMPT EMPLOYEES
Code	po3430.05
Status	Proposed to Policy & Human Resources Committee
Adopted	May 16, 2016

#### 3430.05 - **NURSING MOTHERS - NON-EXEMPT EMPLOYEES**

As required by the Fair Labor Standards Act (FLSA) it shall be the policy of the Board to support the decision of support staff members to breastfeed their infants by providing unpaid breaks for lactating employees to express breast milk for infants on District premises.

The building administrator shall designate a private area, other than a restroom, where an employee can express breast milk. The designated area shall be a space where intrusion from coworkers, students, and the public can be prevented, and one where an employee who is using this area can be shielded from view.

Prior to returning to work from maternity leave, the employee shall notify her supervisor of her intent to continue breastfeeding her infant(s), and of her need to express milk during work hours. It shall be the responsibility of the employee to keep her supervisor informed of her needs in this regard throughout the period of lactation.

The employee can express milk during regularly scheduled unpaid break periods. The building administrator or employee's supervisor shall make accommodation in the event that the time of regular breaks needs to be adjusted or, in the event that additional and/or longer unpaid breaks are needed. In the event that the number and duration of the unpaid breaks requires modification to the employee's work schedule, the building administrator or the employee's supervisor shall work with the employee to determine the necessary modifications.

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Legal 29 U.S.C. 207 (Section 4207)

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	EMPLOYEE LEAVES
Code	po3431 - No Revision
Status	
Adopted	May 16, 2016
Last Revised	March 15, 2021

### 3431 - **EMPLOYEE LEAVES**

The Board recognizes that there may be instances in which employees can not report to work and recognizes that in certain circumstances it is appropriate to provide compensation or job protection during those absences. The leave provided for in this policy is provided in conjunction with other Board leave policies, including Policy 3161 (Unrequested Leaves of Absence), Policy 3430.01 (FMLA) and Policy 3430 (Leaves of Absence).

#### A. Bereavement Leave

Staff members are eligible for bereavement leave as specified in the Employee Handbook.

#### B. Military Leave

Staff members will be afforded protected leave from employment to perform their obligations to the United States Armed Forces, whether for reserve duty or a call to active duty, and potential deployment. Leave shall be provided in accordance with the law.

#### C. Leave for Jury Duty

Staff members who are called to perform their civic responsibility as potential jurors shall be excused without penalty for any days or portion of days on which the staff member is required to report. Staff members shall inform their immediate supervisor when they are called for jury duty or a court appearance. Staff members that miss work due to jury duty must provide verification from the court that they attended on that date.

Staff members receive full pay and are required to designate the school as the payee on the check received from the court or pay the amount shown on their jury duty record slip less travel allowance within fifteen (15) days of return from jury duty.

While on jury duty, staff members are required to report daily their schedule for the following day and must report to work when excused for a day or more.

Staff members must submit to the Business Manager a court record of the number of days served.

#### D. Volunteer Firefighter, Emergency Medical Technician, First Responder, or Ambulance Driver

A staff member who is a volunteer firefighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation may be late for or absent from work without pay if the lateness or absence is due to the staff member responding to an emergency that begins before the staff member is required to report to work and if the staff member complies with all of the following requirements:

1. By no later than thirty (30) days after becoming a member of a volunteer fire department or fire company or becoming affiliated with an ambulance service provider, submits to the District a written statement signed by the chief of the volunteer fire department or fire company or by the person in charge of the ambulance service provider notifying the District that the staff member is a volunteer firefighter, emergency medical technician, first responder, or ambulance driver for a volunteer fire department or fire company, a public agency, or a nonprofit corporation;

2. When dispatched to an emergency, makes every effort to notify the District that the staff member may be late for or absent from work due to the staff member responding to the emergency or, if prior notification cannot be made due to the extreme circumstances of the emergency or the inability of the staff member to contact the District, submits to the District a written statement from the chief of the volunteer fire department or fire company or from the person in charge of the ambulance service provider explaining why prior notification could not be made; and
3. When late for or absent from work due to responding to an emergency, provides, on the request of the District, a written statement from the chief of the volunteer fire department or fire company or from the person in charge of the ambulance service provider certifying that the staff member was responding to an emergency at the time of the lateness or absence and indicating the date and time of the response to the emergency.

When the status of a staff member as a member of a volunteer fire department or fire company or as an affiliate of an ambulance service provider changes, including termination of that status, the staff member shall notify the District of that change in status.

#### E. Organ Donor Leave

A staff member may take up to six (6) weeks of leave in a twelve (12) month period as necessary for the employee to undergo a bone marrow or organ donation procedure and to recover from the procedure. The employee may be required to provide written medical certification that s/he will serve as a donor and the amount of leave time necessary.

Leave taken for this purpose is unpaid, however, an employee is eligible to substitute available accrued paid leave for all or some of the leave taken under this policy. An employee must provide as much advance notice as possible so as not to unduly disrupt the District's operations. The employee will be returned to the same position upon return or if that position is no longer available an equivalent position and shall not lose any benefits during leave, including the right to continue health insurance coverage as provided for in the District's FMLA policy, Policy 3430.01.

#### F. Leave for Voting

A staff member who is eligible to vote may take up to three (3) consecutive hours of unpaid leave to vote while the polls are open on Election Day. The staff member must submit a leave request to the District Administrator prior to Election Day. The District Administrator must approve the leave, but may identify a specific three (3) hour period during the staff member's work hours that the staff member is permitted to utilize for voting.

Leave for voting is provided on an unpaid basis. However, the District Administrator may approve the leave with pay or allow the employee to substitute paid leave for the unpaid Election Day leave. Staff members may not be penalized for using voting leave.

#### G. Election Official Leave

The District Administrator shall approve a one (1) day unpaid leave of absence for any staff member who is appointed to serve as an election official, provided the staff member has given the District at least seven (7) days' notice of the leave. In accordance with State law, the District may request confirmation from the municipal clerk of the staff member's appointment as an election official.

Leave to serve as an election official is provided on an unpaid basis. If available, a staff member may substitute paid leave such as personal leave. Staff members may not be penalized for using leave to serve as an election official.

#### H. Leave to Testify

Any employee who is issued a subpoena to testify in a criminal court proceeding shall be provided the following:

1. If the proceeding relates to a criminal matter under Chapters 48 or 938 of the Wisconsin Statutes, the employee may not be discharged from employment for absences due to testifying, provided that the employee provides notice within one (1) business day of receiving the subpoena;
2. Any employee subpoenaed to testify in a matter that involves a crime committed against the employer or against the employee in the course of employment (including an act committed by a juvenile that would be a crime if committed by an adult), shall be provided paid time off to do so such that no loss of wages or benefits occurs as a result of compliance with the subpoena.

#### I. Administratively Approved Leave

Staff members are eligible for administratively approved leave as specified in the Employee Handbook.

Revised 7/17/1  
 Revised 4/27/2020  
 T.C. 11/16/2020  
 T.C. 3/15/21

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7.33, 103.88, Wis. Stats.

**Last Modified by Melanie J Oppor on June 9, 2023**



Book	Staff Section Revisions
Section	3000 Staff/Personnel - Revisions
Title	JOB-RELATED EXPENSES
Code	po3440
Status	Proposed to Policy & Human Resources Committee
Adopted	October 1, 2015
Last Revised	January 3, 2023

#### 3440 - **JOB-RELATED EXPENSES**

The Board may provide for the payment of the actual and necessary expenses, including traveling expenses, of any ~~professional~~ staff member of the District incurred in the course of performing services for the District, whether within or outside the District, under the direction of the Board and in accordance with the District Administrator's administrative guidelines.

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

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

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

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

All travel shall comply with the travel procedures and rates established in the administrative guidelines. All costs incurred with Federal funds must meet the cost allowability standards within Board Policy 6110.

To the extent that the District's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or his or her designee), must apply to travel under Federal awards.

The validity of payments for job-related expenses shall be determined by the District Administrator.

Revised 6/19/17  
T.C. 1/3/23

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Legal                    2 C.F.R. 200.474  
                              5 U.S.C. 5701-11

**Last Modified by Melanie J Oppor on June 9, 2023**



Book                    Staff Section Revisions

Section                3000 Staff/Personnel - Revisions

Title                    UNAUTHORIZED WORK STOPPAGE

Code                    po3531

Status                  Proposed to Policy & Human Resources Committee

Adopted                May 16, 2016

Last Revised           March 15, 2021

**3531 - UNAUTHORIZED WORK STOPPAGE**

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

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

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

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Legal                    111.70(4)(L), Wis. Stats.

**Last Modified by Melanie J Oppor on June 9, 2023**



The Neola merging of employee policies would include deleting some sections as noted below.

Delete the Administration Section that contains:

**po1211**  
WHISTLEBLOWER PROTECTION

**po1213**  
STUDENT SUPERVISION AND WELFARE

**po1400**  
JOB DESCRIPTIONS

**po1421**  
CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING  
REQUIREMENT

**po1422**  
NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

**po1422.02**  
NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE  
EMPLOYEE

**po1460**  
PHYSICAL EXAMINATION

**po1461**  
UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

**po1619**  
GROUP HEALTH PLANS

**po1619.02**  
PRIVACY PROTECTIONS OF FULLY INSURED GROUP HEALTH PLANS

**po1619.03**  
PATIENT PROTECTION AND AFFORDABLE CARE ACT

**po1623**  
SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION  
IN EMPLOYMENT

**po1630.01**  
FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")

**po1662**  
EMPLOYEE ANTI-HARASSMENT

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Delete the 4000 Support Section that contains:

**po4111**  
CREATING A SUPPORT STAFF POSITION

**po4112**  
BOARD-STAFF COMMUNICATIONS

**po4120**  
EMPLOYMENT OF SUPPORT STAFF

**po4120.01**  
JOB DESCRIPTIONS

**po4120.04**  
EMPLOYMENT OF SUBSTITUTES

**po4120.10**  
JOB SHARING

**po4121**  
CRIMINAL HISTORY RECORD CHECK AND EMPLOYEE SELF-REPORTING  
REQUIREMENTS

**po4122**  
NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

**po4122.01**  
DRUG-FREE WORKPLACE

**po4122.02**  
NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE  
EMPLOYEE

**po4123**  
SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION  
IN EMPLOYMENT

**po4124**  
SUPPORT STAFF EMPLOYMENT

**po4130**  
ASSIGNMENT AND TRANSFER

**po4131**  
REDUCTION IN STAFF

**po4132**  
VACANCIES

**po4139**  
STAFF DISCIPLINE

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**po4140**  
TERMINATION AND RESIGNATION

**po4160**  
PHYSICAL EXAMINATION

**po4161**  
UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

**po4210**  
SUPPORT STAFF ETHICS

**po4211**  
WHISTLEBLOWER PROTECTION

**po4213**  
STUDENT SUPERVISION AND WELFARE

**po4215**  
USE OF TOBACCO AND NICOTINE BY SUPPORT STAFF

**po4216**  
SUPPORT STAFF DRESS AND GROOMING

**po4217**  
WEAPONS

**po4220**  
EVALUATION OF SUPPORT STAFF

**po4230**  
ETHICS AND CONFLICT OF INTEREST

**po4231**  
OUTSIDE ACTIVITIES OF SUPPORT STAFF

**po4281**  
PERSONAL PROPERTY OF STAFF MEMBERS

**po4310**  
EMPLOYEE EXPRESSION IN NONINSTRUCTIONAL SETTINGS

**po4340**  
GRIEVANCE PROCEDURE

**po4362**  
EMPLOYEE ANTI-HARASSMENT

**po4362.01**  
THREATENING BEHAVIOR TOWARD SUPPORT STAFF MEMBERS

**po4419**  
GROUP HEALTH PLANS

**po4419.03**  
PATIENT PROTECTION AND AFFORDABLE CARE ACT

**po4425**  
BENEFITS

**po4430**  
LEAVES OF ABSENCE

**po4430.01**  
FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")

**po4430.05**  
NURSING MOTHERS

**po4431**  
EMPLOYEE LEAVES

**po4440**  
JOB-RELATED EXPENSES

**po4531**  
UNAUTHORIZED WORK STOPPAGE

## Notification of General Records Schedule Adoption

Schedule Title: Administrative and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_
- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Budget and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_
- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Facilities Management and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
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- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Fiscal and Accounting and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_
- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed



## Notification of General Records Schedule Adoption

Schedule Title: Human Resources and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_
- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Information Technology and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_
- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Payroll and Benefits and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
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- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Purchasing and Procurement and Related Records General Record Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
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- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Risk Management and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

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- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Wisconsin Municipal and Related Records General Records Schedule Date: \_\_\_\_\_

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
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**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

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- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

## Notification of General Records Schedule Adoption

Schedule Title: Wisconsin Public School District and Related Records Date: \_\_\_\_\_  
General Records Schedule

**Instructions:**

Complete and send the original and 2 copies to: State Archivist, Wisconsin Historical Society (WHS), 816 State St., Madison, WI 53706.

- Do not opt out of a record series because your agency does not create or use these types of records. Signing the form does not obligate an agency to create records. It only requires that records be retained in accordance with the retention time periods and dispositions if such records exist. See the Introduction to General Records Schedules for more information.
- Attach a brief narrative explaining your rationale for opting out of each record series. When a separate schedule is prepared, identify that the record series is in lieu of the general schedule and cross reference the specific series.

**NOTE: Destruction or transfer of records is not permitted until this form is signed by the WHS and the Public Records Board.**

Wisconsin Government Agency: \_\_\_\_\_

Address: \_\_\_\_\_

This is to notify the Wisconsin Historical Society and the Public Records Board that the agency named above has reviewed the general records schedule and taken the following action (check appropriate box):

- Opt In: We adopt the entire schedule. (Available for University of Wisconsin [UW] System and Local Units of Government)
- Opt In With Revisions: We opt (out of), (in to), (circle one) the following record series. (Available for UW System and Local Units of Government) List the specific retention schedule numbers and titles:  
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- Opt Out: We opt out of the general records schedule (in whole), (in part), (circle one). (Available for State Agencies) **(All applicable records disposition must cease until separate retention schedules are developed and approved by the Public Records Board.)** List the specific retention schedule numbers and titles:  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Head/Deputy Signature	Date Signed
Agency Records Officer Signature	Date Signed

The Public Records Board and Wisconsin Historical Society acknowledge your Notification of Adoption. You are hereby authorized to retain, transfer, and dispose of records as indicated on the schedule.

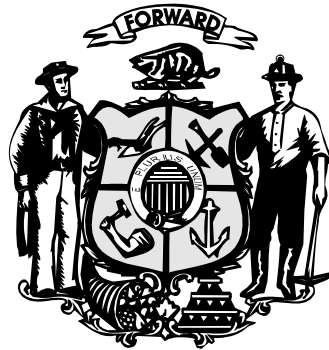
State Archivist Signature	Date Signed
PRB Executive Secretary Signature	Date Signed

# General Records Schedule

## Wisconsin Public School District and Related Records

Approved by the Public Records Board:

**March 20, 2023**



**Expiration: March 20, 2033**



## I. Scope

This schedule governs the records retention obligations of state agencies pursuant to [Wis. Stat. § 16.61](#), and applies to “public records” as defined in [Wis. Stat. § 16.61\(2\)\(b\)](#). These “public records” are referred to as “records” in this schedule.

This schedule covers records created and used in the operation of Wisconsin public school districts. This general records schedule provides retention periods for records common to all school districts and denotes records of historical importance. The schedule is applicable to all records regardless of format or media.

This general schedule may *not* include records which are unique to the mission of a single government unit. Records that are unique to the mission of a specific government unit require a separate Records Disposition Authorization (RDA). The department or institution is responsible for creating a RDA that must be submitted to, and approved by, the [Public Records Board \(PRB\)](#).

See the [Introduction to General Records Schedules](#) for additional information about how to use this schedule. In particular please review the restrictions on conditions that might preclude the authorized destruction of documents in the normal course of business including open records requests, ongoing legal holds, or audits currently underway or known to be planned.

This schedule goes into effect upon final approval by the Public Records Board.

## II. Records Format

Records covered in this schedule may be in paper, electronic, or other formats. Electronic format examples include those created or transmitted via e-mail, data contained in database systems, and tapes/cartridges. To safeguard the information contained in records maintained *exclusively* in electronic format, agencies must meet the standards and requirements for the management of electronic records outlined in [Wis. Admin. Code ch. Admin 12](#).

## III. Personally Identifiable Information

Wisconsin law requires authorities to specifically identify certain record series within a general records schedule that contain Personally Identifiable Information (PII). [Wisconsin Stat. § 19.62\(5\)](#) defines PII broadly as “information that can be associated with a particular individual through one or more identifiers or other information or circumstances.” Despite this broad definition, [Wis. Stat. § 16.61\(3\)\(u\)\(2\)](#), requires that record series within a schedule containing the following types of PII need not be identified as such: a) the results of certain computer matching programs; b) mailing lists; c) telephone or e-mail directories; d) record series pertaining exclusively to agency employees; and e) record series that contains PII incidental to the primary purpose for which the records series was created, and f) those relating to state agency procurement or budgeting. If in doubt as to whether a specific record series contains PII, check with your agency legal counsel.

## **IV. Confidentiality of Records**

Most records are not confidential and are open to public disclosure, however, there are exceptions. This GRS will identify any record series that may contain information required by law to be kept confidential or specifically required to be protected from public access, identifying the state or federal statute, administrative rule, or other legal authority that so requires. If in doubt as to whether or not a specific record, or content in that record, is confidential, check with your agency legal counsel. A record series should be identified as confidential even if not all records in the series contain confidential information and not all parts of records covered by the series are confidential.

## **V. Superseded Record Series**

“Superseded” means that a new record series or RDA number has been used to cover records that were previously identified differently. The last column in the following GRS table titled “Previous RDA Number (if applicable)” provides a cross walk between new and any superseded RDA numbers. When revising a GRS, an attempt is made to retain the previous RDA number, providing the underlying records remain the same.

## **VI. Closed Record Series**

When revising a GRS it is common for some previously included record series to be closed. The “Closed Series” section lists series containing records that are no longer created, nor are they expected to be in the future. See the “Closed Series” section included in this document.

## **VII. Revision History**

See the “Revision History” section for a listing of changes to this GRS

## **VIII. Additional Schedules**

School Districts should adopt [General Records Schedules](#) to augment the Public School Records GRS. These additional schedules have been approved by the PRB for state agency and local unit of government use. Information on adopting schedules can be found on the PRB [Counties and Municipalities Resource Webpage](#).

### To adopt the Schedule:

- Submit the original and two copies of the Notification of General Schedules Adoption (PRB-002) form to:  
State Archivist  
Wisconsin Historical Society  
816 State St.  
Madison, WI 53706
- Complete one (PRB-002) form for each unique GRS.
- A signed copy will be returned once the form is approved by The Wisconsin Public Records Board (PRB).

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>School Board and Administrative Records</b>								
<b>PUBSC100</b>	School Board and School Board Committee Meeting Materials - Open Session	Official written minutes and agenda packets for meetings held in open session per Wisconsin Open Meetings Law, Wis. Stat. §§ 19.81 to 19.98.	Yes	No	Permanent	Retention Justification:  These records contain historical information used to make current and future decisions.	This does not include Ad Hoc or Board Appointed citizen committees.  This does not include audio or video recordings of board meetings.	1.1.1, 1.1.2
<b>PUBSC120</b>	School Board and School Board Committee Meeting Materials - Closed Session	Official written minutes and agenda packets for meetings held in closed session per exceptions to the Wisconsin Open Meetings Law, Wis. Stat. §§ 19.35(1)(a) and 19.85(1).	Yes	Yes Wis. Stat. §§ 19.35(1)(a) and 19.85(1)	Permanent	Retention Justification:  These records contain historical information used to make current and future decisions.	School board minutes related to specific students, including expulsion hearing minutes, are to be governed under SCH400.  This does not include audio or video recordings of board meetings.	

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>PUBSC140</b>	Public Correspondence – Policy Related	Policy-related correspondence received by the school board or provided to the public regarding issues or concerns of general applicability to a school or school district.	May include PII	Yes Wis. Stat. § 118.125; FERPA	Event+10 years and destroy confidential	Event is end of school year.	This does not include any formal legal opinion. This does not include complaints made to the school board that involve specific students or situations not generally applicable to school district policy.	
<b>School District Historical Records</b>								
<b>PUBSC160</b>	Referendum Results	Official results of a referendum presented to voters in an election.	No	No	Permanent	Retention Justification:  These records contain historical information used to make current and future decisions.		1.1.12

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>PUBSC180</b>	School District Boundary Acknowledgements	Acknowledgements of organization orders and descriptions of boundaries and boundary changes provided by the Dept. of Public Instruction.	No	No	Permanent	Retention Justification:  These records contain historical information used to make current and future decisions.		1.2.1
<b>PUBSC200</b>	Historical Materials and Artifacts	Records documenting significant events or milestones of individual schools and school districts.  Records may include but are not limited to award lists, commencement programs, honor roll lists, student newspapers, and yearbooks/annuals.	May include PII	May include confidential information per  Wis. Stat. § 118.125; FERPA	Permanent	Retention Justification:  These records contain information with historic value.	These events are not documented in other records such as board minutes or student transcripts.	6.1.1, 6.1.2
<b>Transportation Records</b>								
<b>PUBSC220</b>	Parent or Other School District Transportation Contracts	Individually negotiated contracts for transporting students outside of standard district provided transportation.	Yes	Yes  Wis. Stat. § 118.125; FERPA	Event+1 year and destroy confidential	Event is date of the end of the school year.		1.3.1

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>PUBSC240</b>	Transportation Aid Records	Records related to board approved bus routes that determine transportation aid school districts receive from the Dept. of Public Instruction.  Records may include but are not limited to main bus route listing including all stops made and the students being picked up at each stop.	Yes	Yes  Wis. Stat. § 118.125; FERPA	Event+4 years and destroy confidential	Event is date of the end of the school year.		1.3.6
<b>Reporting Records</b>								
<b>PUBSC260</b>	Reporting to the Department of Public Instruction	Records related to fulfilling school district reporting requirements set forth by the Department of Public Instruction per Wis. Stat. § Ch. 118 where not covered by a more specific records series.  Records may include but are not limited to reports, supporting documentation, confirmation of submission, correspondence, inquiries, revisions, and corrections.	May include PII	May include confidential information per  Wis. Stat. § 118.125; FERPA	Event+5 years and destroy confidential	Event is date report is certified by DPI.		1.3.8, 1.4.1, 1.4.2, 1.4.3, 1.4.4, 1.5.5, 1.5.9, 1.5.15, 1.5.16, 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5, 2.2.6, 2.2.7, 2.2.8, 2.2.10, 2.2.11, 2.2.22, 2.2.24, 2.2.39, 2.2.41, 4.1.2, 4.1.8, 4.1.9, 4.1.10, 4.1.11, 4.1.12, 4.1.13, 5.1.3, 5.2.12, 5.2.13, 5.2.14, 5.2.15, 5.2.16, 5.2.18, 5.2.20

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>PUBSC280</b>	Reporting to Enforcement Agencies	Reports on child abuse or neglect, communicable disease, dog bites, drug offenses, missing children, or sexually transmitted disease submitted to the Wisconsin Department of Health or local law enforcement and animal control agencies.	Yes	Yes  Wis. Stat. § 118.125; FERPA	Event+5 years and destroy confidential	Event is date report is submitted.		4.3.4
<b>Management of Student Records</b>								
<b>PUBSC300</b>	Record of disclosure of pupil record	Listing of each time a record was disclosed with reason, date, and to whom. FERPA Records of Access to Information Record of each request to access to and each disclosure of personally identifiable information from the educational records of a student.  Records may include but are not limited to documentation of requests from and disclosure to the parent or eligible student, to an official of the district for what the district has determined are legitimate educational interests, to a party with written consent from the parent or eligible student, or to a party seeking directory data. Documentation of requests from and disclosures to any party not referenced above.	Yes	Yes  34 C.F.R. 99.32, 34 C.F.R. 300.614	Event+0 years and destroy confidential	Event is date underlying disclosed public record is no longer retained.		4.3.8
<b>PUBSC320</b>	Protest of Record Statements	Statements by parents or eligible students commenting on contested information in a student record or stating why they disagree with a district's decision not to amend a record, or both.	Yes	Yes  34 C.F.R. 99.21	Event+0 years and destroy confidential	Event is date underlying contested public record is no longer retained.		4.4.0

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>Student Records</b>								
<b>PUBSC340</b>	Full-time Open Enrollment Program Records	Open enrollment applications, nonresident and resident district notice of approval or denial, and notice of assignment and intent to attend.  Retention is outlined in PI 36.08 (4)	Yes	Yes  Wis. Stat. § 118.125	Event+3 years and destroy confidential	Event is date student application is rejected, the student declines enrollment, or the student is no longer enrolled in the nonresident district, whichever is later.		4.1.4, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.8
<b>PUBSC380</b>	Custody Documents	Records documenting legal custody of a student.	Yes	Yes  Wis. Stat. § 118.125(1)(a)	Event+1 year and destroy confidential	Event is date student graduates or withdraws from district or date superseded by a subsequent order.		4.4.1



RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
PUBSC400	Behavioral Records	<p>Per Wis. Stat. § 118.125(1)(a) behavioral records include all pupil records that are not identified by a more specific RDA, including but not limited to, psychological tests, personality evaluations, records of conversations, any written statement relating specifically to an individual pupil's behavior, tests relating specifically to achievement or measurement of ability, law enforcement records, and the pupil's physical health records.</p> <p>Records may include but are not limited to:</p> <ul style="list-style-type: none"> <li>-Enrollment and registration forms</li> <li>-Records of transfers of pupil records</li> <li>-Physical Health Records <ul style="list-style-type: none"> <li>• Basic health information</li> <li>• Emergency medical card</li> <li>• Log of first aid and medicine administered</li> <li>• Accident reports</li> <li>• Athletic permit card</li> <li>• Routine screening test results such as hearing, vision, or scoliosis</li> <li>• Records concerning ability to participate in an education program</li> <li>• Immunization exclusion verification</li> </ul> </li> <li>-Disciplinary records <ul style="list-style-type: none"> <li>• Disciplinary file, expulsion and suspension reports</li> <li>• Assault against staff reports</li> </ul> </li> </ul> <p>-504 records</p>	Yes	Yes.  Wis. Stat. § 118.125; FERPA	Event+1 year and destroy confidential	Event is date of creation.	<p>Does not include immunization records or any lead screening records required under s. 254.162.</p> <p>Per Wis. Stat. § 118.125(3), no behavioral record may be maintained for more than one year after the pupil ceases to be enrolled in the school, unless the pupil specifies in writing that his or her behavioral records may be maintained for a longer period.</p>	1.3.3, 1.3.7, 4.1.1, 4.1.3, 4.1.6, 4.2.2, 4.3.2, 4.3.3, 4.4.3, 4.4.4, 4.4.6, 4.4.7, 5.1.4

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>PUBSC410</b>	Student Expulsion Order	An order expelling a pupil issued under Wis. Stat. §§ 119.25 or 120.13(1).	Yes	Yes Wis. Stat. § 118.125; FERPA	Event+0 and destroy confidential	Event is date the order is no longer in effect.		4.4.5
<b>PUBSC420</b>	Progress Records	Per Wis. Stat. § 118.125(1)(c) progress records may include but are not limited to pupil's grades, a statement of the courses the pupil has taken, the pupil's attendance record, the pupil's immunization records, any lead screening records, records of the pupil's school extracurricular activities, teacher grade book, and athletic records.	Yes	Yes Wis. Stat. § 118.125(2)	Event+5 years and destroy confidential	Event is date student graduates or withdraws from district.		4.1.5, 4.1.14, 4.1.15, 4.2.1, 4.2.1.1, 4.2.1.2, 4.2.1.3, 4.2.1.4, 4.2.1.5, 4.2.1.6
<b>PUBSC440</b>	Individuals with Disabilities Education Act (IDEA) Records	Records pertaining to compliance with the Individuals with Disabilities Education Act.  Records may include but are not limited to individualized education programs (IEPs), progress reports, test reports, assessments and evaluations, functional behavioral assessments (FBAs), behavioral intervention plans (BIPs), manifestation determinations.	Yes	Yes Wis. Stat. § 118.125; FERPA; IDEA	Event+1 year and destroy confidential	Event is date student graduates or withdraws from district.	See note below.	4.5.0, 4.5.1, 4.5.2

**NOTE for SCH440:**

Under federal law, recipients of federal funds must maintain certain records for financial or program audit purposes. These records include a child's IEP Team evaluation reports, IEPs and placement notices. The records must be kept for the current fiscal year plus four more years.

Under the IDEA, a school district must inform the parents of a child with a disability when personally identifiable information is no longer needed to provide educational services to the child. The notice would normally be given at the time the child graduates or otherwise ceases to be enrolled in the school district. The purpose of the notice is to alert parents that certain pupil records may be needed for proof of eligibility for benefits or other purposes. The personally identifiable information that is no longer needed must be redacted or otherwise removed at the request of the parent. Otherwise, as noted above, under state law the information may be maintained for only one year after the child graduates or otherwise ceases to be enrolled, unless the parent or adult pupil specifies in writing that the records may be maintained for a longer period of time. [34 CFR. 300.373 or 300.573]

Therefore, the department recommends that when a child graduates or otherwise ceases to be enrolled, the district obtains the permission of the parent or adult pupil to maintain IEP team evaluation reports, IEPs, and placement notices for the current fiscal year plus four more years for audit purposes. If the parent requests destruction of the records or will not grant permission to maintain the records for five years, then the Office of Special Education Program (OSEP), U.S. Department of Education, recommends removing the personal identifiers from the records. Once personal identifiers are removed, the records are not pupil records and may be maintained until they are no longer needed to satisfy the federal record maintenance requirement.

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>PUBSC460</b>	Patient Health Care Records	<p>Per Wis. Stat. § 146.81(4) patient health care records mean all records related to the health of a patient prepared by or under the supervision of a health care provider; and all records made by an ambulance service provider or an emergency medical services practitioner administering emergency care procedures to and handling and transporting sick, disabled, or injured individuals.</p> <p>Records may include but are not limited to:</p> <ul style="list-style-type: none"> <li>-Treatment records from health care providers including mental health providers</li> <li>-Parent's requests and physician's authorization for specialized health care</li> <li>-Billing statements and invoices for treatment or services provided by a health care provider</li> </ul>	Yes	Yes  Wis. Stat. §§ 146.81(4), 118.125(2m)(a), FERPA	Event+1 year and destroy confidential	Event is date of creation.	These records do not include physical health records maintained by a school under Behavioral Records.	4.3.1, 4.3.5, 4.3.6
<b>PUBSC480</b>	High School Transcripts and Degrees/Awards	Official high school transcripts and listings of any other degrees/awards received while in high school.	Yes	Yes  Wis. Stat. § 118.125; FERPA	Permanent	Retention Justification:  These records contain historical information used to make current and future decisions.		4.2.1.9

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>PUBSC500</b>	4K-8 Report Cards	Report cards received while in elementary and middle school.	Yes	Yes Wis. Stat. § 118.125; FERPA	Event+5 years and destroy confidential	Event is date student graduates or withdraws from district.		4.2.1.8
<b>School Library Records</b>								
<b>PUBSC520</b>	School Library Media Plans	Library program plan created to meet requirements of Wisconsin Administrative Code PI § 8.01(2)(h).	No	No	Event+1 year and destroy	Event is date plan is superseded.		
<b>PUBSC540</b>	Circulation Records	Records documenting the loan of library materials by students and school staff.	May include PII	May include confidential information per Wis. Stat. § 118.125; FERPA	Event+0 and destroy confidential	Event is date item is returned or the item is noted as lost.		
<b>PUBSC560</b>	Library Use Reports	Records documenting the use of library materials, equipment, services, and space by students and school staff.	No	No	Event+1 year and destroy	Event is date report is superseded.		
<b>PUBSC580</b>	Overdue Notices	Notices sent to students and school staff to remind them to return borrowed items.	May include PII	May include confidential information per Wis. Stat. § 118.125; FERPA	Event+0 and destroy confidential	Event is date item is returned or the item is noted as lost		

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>Food Service Records</b>								
<b>PUBSC600</b>	Food Service Program Records	<p>Records related to food and nutrition programs including the National School Lunch Program, School Breakfast Program, Afterschool Snack Program, Special Milk Program, Wisconsin School Day Milk Program, and Elderly Nutrition Program.</p> <p>Records may include but are not limited to contracts and agreements, food and nutrition program contracts, policy statements, and applications with DPI, applications for free and reduced price meals, direct certification reports, and verification summary and documentation, daily participation/meal count records by district and by building, food service financial records, monthly claim worksheets for each food nutrition program, sales records for food and nutrition programs, and sales records for non-program foods, monthly food inventory records, menus/food production records, professional standards training and civil rights training compliance records, and complaints regarding USDA programs.</p>	No	No	FIS+3 years and destroy	Event end of fiscal year.		2.2.34.1, 2.2.34.4, 2.2.34.5, 2.2.34.6, 2.2.34.7, 2.2.34.8, 2.2.34.9, 2.2.34.10, 2.2.45, 2.2.46, 2.2.47
<b>PUBSC620</b>	Free and Reduced-Price Eligibility Records	Records related to a student's eligibility to receive free or reduced lunch.	Yes	Yes Wis. Stat. § 118.125; FERPA	Event+3 years and destroy confidential	Event is the end of the federal fiscal year.		2.2.34.2

RDA Number	Record Series Title	Series Description	PII (See III. above)	Confidential (See IV. above)	Minimum Retention and Disposition	Event Description	Examples/ Notes	Previous RDA Number (if applicable)
<b>PUBSC640</b>	School Nutrition Procurement Contract and Agreement Records	Food service procurement records may include but are not limited to bids (successful and unsuccessful), the food service management company contracts, and the joint and vendor agreements for food, equipment, and supplies.	No	No	Event+6 years and destroy	Event is date contract expires or the final payment is recorded, whichever occurs first.		2.2.34.3
<b>School Finance Records</b>								
<b>PUBSC660</b>	School District Debt Documentation	Records documenting debt owed by a school district in the form of long-term bonds, long-term and short-term notes, and land contracts.  Records may include but are not limited to indebtedness statements and notifications, approved state trust fund applications, certificates of bond sales, schedules of bond retirements, and cancelled bond of indebtedness and interest.	No	No	Event+7 years and destroy	Event is date debt is paid off or cleared.		2.2.27, 2.2.27.1, 2.2.27.2, 2.2.27.3, 2.2.27.4, 2.2.27.5, 2.2.27.6, 2.2.27.7, 2.2.28
<b>PUBSC680</b>	State Tuition Claim Documentation	Records relating to filing a state tuition claim from the state to Wisconsin school districts for enrolling students who reside in eligible facilities defined by Wis. Stat. § 121.79.  Records may include but are not limited to reports, supporting documentation, confirmation of submission, correspondence, inquiries, revisions, and corrections.	Yes	Yes Wis. Stat. § 118.125; FERPA	Event+1 year and destroy	Event is date of final audit of claims.		2.2.37, 2.2.38
<b>PUBSC700</b>	Tuition Waiver Records	Records documenting a request for tuition waiver due to move.	Yes	Yes Wis. Stat. § 118.125	Event+3 years and destroy confidential	Event is date waiver is approved.		5.2.5, 5.2.6, 5.2.7

### Closed Series

A closed series contains records that are no longer created, nor are they expected to be in the future.

RDA Number	Record Series Title	Minimum Retention and Disposition	Rationale
1.5.3	ESEA NCLB Assurances (PI-9550-Assurances)	7 years	Obsolete
1.5.4	Title I Paraprofessional Compliance School Report Summary (PI-9550-II-BB)	7 years	Obsolete
1.5.7	VEERS Composite Enrollment Report (PI-1330-R)	5 years	Obsolete
1.5.8	Vocational Student Concentrator Completer Graduate Follow-up Survey (PI-1335-VEERS)	5 years	Obsolete
1.5.12	Grant Application: Alcohol and Other Drug Abuse Grant (PI-1816)	5 years	Obsolete
1.5.13	State AODA Grants Renewal Form (PI-1813)	5 years	Obsolete
1.5.14	State AODA Grants End of Year Report	5 years	Obsolete
2.2.9	Regular Tuition Reports (PI-1514)	Permanent	Obsolete
2.2.20	District Equalization Valuation Report	7 years	Records maintained by the Wisconsin Dept. of Revenue.
2.2.21	State Aid Computation Cards (PI-1519)	7 years	Obsolete
2.2.23	State Aid Payment Vouchers (PI-1518)	7 years	Obsolete
2.2.25	Common School Fund Voucher	7 years	Obsolete
2.2.26	State Superintendent Acknowledgment of District Boundary Changes	7 years	Obsolete
2.2.40	Notification to Exceed Revenue Limits (PI-1572-B)	Permanent	Obsolete
2.2.44	District Development Levels Aligned to Grades in PI 34.27.29 (PI-1675)	Permanent	Obsolete
4.1.7	Application for Driver Education Certificates (PI-1715)	1 year	Obsolete
4.3.7	Family Educational Rights and Privacy Act (FERPA) Access Policies	Until superseded	Not a school district record.

### Closed Series

A closed series contains records that are no longer created, nor are they expected to be in the future.

<b>RDA Number</b>	<b>Record Series Title</b>	<b>Minimum Retention and Disposition</b>	<b>Rationale</b>
5.2.11	State AODA Grants: AODA Program Interim Report (PI-7101/PI-7102)	4 years after end of project	Obsolete



## Revision History

A listing of changes to this GRS.

Revision Date	RDA Number	Record Series Title	Revision Made
02/2023	1.1.3	Citizens Advisory Committee Meeting Minutes	Supersede with Administrative Records GRS.
02/2023	1.1.4	Management Team Meeting Minutes	Supersede with Administrative Records GRS.
02/2023	1.1.5	Reports to the School Board	Supersede with Administrative Records GRS.
02/2023	1.1.6	School Board Policies and Procedures	Supersede with Administrative Records GRS.
02/2023	1.1.7	School Board Correspondence	Supersede with Administrative Records GRS.
02/2023	1.1.8	Management Guidelines	Supersede with Administrative Records GRS.
02/2023	1.1.9	Legal Opinions	Supersede with Municipal Records GRS.
02/2023	1.1.10	Notice of Meetings	Supersede with Administrative Records GRS.
02/2023	1.1.11	Petitions	Supersede with Municipal Records GRS.
02/2023	1.1.13	Complaints to the School Board	Supersede with Administrative Records GRS.
02/2023	1.1.14	Newsletters/Bulletins	Supersede with Administrative Records GRS.
02/2023	1.1.15	Special Project Studies/Reports/Strategic Plans/Task Force Reports	Supersede with Administrative Records GRS.
02/2023	1.1.16	Management Correspondence/Memos	Supersede with Administrative Records GRS.
02/2023	1.1.17	Election Notices	Supersede with Municipal Records GRS.
02/2023	1.1.18	Election Petitions	Supersede with Municipal Records GRS.
02/2023	1.1.19	Election Poll Lists	Supersede with Municipal Records GRS.
02/2023	1.1.20	Election Tally	Supersede with Municipal Records GRS.
02/2023	1.1.21	Election Tally Books and Returns	Supersede with Municipal Records GRS.
02/2023	1.1.22	Election Canvassing	Supersede with Municipal Records GRS.

## Revision History

A listing of changes to this GRS.

Revision Date	RDA Number	Record Series Title	Revision Made
02/2023	1.1.23	Election Registrations	Supersede with Municipal Records GRS.
02/2023	1.2.2	Architecture Building Blueprints	Supersede with Facilities Records GRS.
02/2023	1.2.3	Building and Site Data Books	Supersede with Facilities Records GRS.
02/2023	1.2.4	Tools and Equipment Inventory	Supersede with Fiscal and Accounting Records GRS.
02/2023	1.2.5	Specification	Supersede with Facilities Records GRS.
02/2023	1.2.6	Building Permits	Supersede with Facilities Records GRS.
02/2023	1.2.7	Electrical Information	Supersede with Facilities Records GRS.
02/2023	1.2.8	Maintenance Requests	Supersede with Facilities Records GRS.
02/2023	1.2.9	Abstract/Deeds/Title Papers/Mortgages	Supersede with Facilities Records GRS.
02/2023	1.2.10	Chemical Wastes Manifest (including asbestos and radon checks)	Supersede with Risk Management Records GRS.
02/2023	1.3.2	Bus Transportation Contract	Supersede with Purchasing and Procurement Records GRS.
02/2023	1.3.4	Financial Statement for Out-of-District Field Trips	Supersede with Fiscal and Accounting Records GRS.
02/2023	1.3.5	Bus Rules/Policy	Supersede with Administrative Records GRS.
02/2023	1.5.1	ESEA Consolidated Application (PI-9550)	Supersede with Administrative Records GRS.
02/2023	1.5.2	ESEA Affirmation of Consultation with Private School Officials (PI-9550-AC)	Supersede with Administrative Records GRS.
02/2023	1.5.6	Carl Perkins Basic Grant Application (PI-1303)	Supersede with Administrative Records GRS.
02/2023	1.5.10	Title I Part C – Education of Migratory Children Local Project Application – Summer (PI-1730)	Supersede with Administrative Records GRS.
02/2023	1.5.11	Title I Comparability Report (PI-1753)	Supersede with Administrative Records GRS.

## Revision History

A listing of changes to this GRS.

Revision Date	RDA Number	Record Series Title	Revision Made
02/2023	2.1.1	Purchase Requisition	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.1.2	Purchase Orders	Supersede with Purchasing and Procurement Records GRS.
02/2023	2.1.3	Bids & Contracts	Supersede with Purchasing and Procurement Records GRS.
02/2023	2.1.4	Performance Guarantee/Warrant of Vendor	Supersede with Purchasing and Procurement Records GRS.
02/2023	2.1.5	Vacation/Personal Leave Records	Supersede with Payroll Records GRS.
02/2023	2.1.6	W-2 Forms	Supersede with Payroll Records GRS.
02/2023	2.1.7	W-4 Forms	Supersede with Payroll Records GRS.
02/2023	2.1.8	Social Security Report	Supersede with Payroll Records GRS.
02/2023	2.1.9	Retirement Reports	Supersede with Payroll Records GRS.
02/2023	2.1.10	Enrollment Cards	Supersede with Payroll Records GRS.
02/2023	2.1.11	Disability Insurance	Supersede with Payroll Records GRS.
02/2023	2.1.12	Life Insurance	Supersede with Payroll Records GRS.
02/2023	2.1.13	Health/Dental Insurance	Supersede with Payroll Records GRS.
02/2023	2.1.14	Tax Sheltered Annuity	Supersede with Payroll Records GRS.
02/2023	2.1.15	United Way Contributions	Supersede with Payroll Records GRS.
02/2023	2.1.16	Union Dues	Supersede with Payroll Records GRS.
02/2023	2.1.17	Payroll Distribution Report	Supersede with Payroll Records GRS.
02/2023	2.1.18	Payroll Deduction Report	Supersede with Payroll Records GRS.

## Revision History

A listing of changes to this GRS.

Revision Date	RDA Number	Record Series Title	Revision Made
02/2023	2.1.19	Additional Pay Authorization Forms	Supersede with Payroll Records GRS.
02/2023	2.1.20	Insurance Reports and Bills	Supersede with Payroll Records GRS.
02/2023	2.1.21	Absence Report/Time Sheets	Supersede with Payroll Records GRS.
02/2023	2.1.22	State and Federal Tax Reports	Supersede with Payroll Records GRS.
02/2023	2.1.23	Stop Payments	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.1.24	Cancelled Payroll Checks	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.12	Annual Audit Reports	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.13	Disbursement and Receipt Journal	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.14	General Ledger – All Funds	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.15	Fund Ledger Cards	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.16	Canceled General Voucher Checks	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.17	Monthly Bank Statements	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.18	Monthly Reconciliation Ledger	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.19	Bank Deposit Receipts	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.29	Invoices	Supersede with Fiscal and Accounting Records GRS.
02/2023	2.2.30	Short-Term Contracts for Contest Officials (e.g., spelling bee, Academic Decathlon, etc.)	Supersede with Human Resources Records GRS.
02/2023	2.2.31	Short-Term Contracts for Athletic Officials (seasonal referee, etc.)	Supersede with Human Resources Records GRS.
02/2023	2.2.32	Insurance Policies	Supersede with Human Resources Records GRS.
02/2023	2.2.33	Damage and Loss Reports	Supersede with Risk Management Records GRS.

## Revision History

A listing of changes to this GRS.

Revision Date	RDA Number	Record Series Title	Revision Made
02/2023	2.2.35	Grant Applications – Successful ++	Supersede with Administrative Records GRS.
02/2023	2.2.36	Grant Applications – Unsuccessful	Supersede with Administrative Records GRS.
02/2023	2.2.42	Mentoring Grant for Initial Educators (PI-1640)	Supersede with Administrative Records GRS.
02/2023	2.2.43	Peer Review and Mentoring Grants (PI-1653)	Supersede with Administrative Records GRS.
02/2023	3.1.1	Teaching Certificates (Including permits and certifications)	Supersede with Human Resources Records GRS.
02/2023	3.1.2	Transcript of College Credit	Supersede with Human Resources Records GRS.
02/2023	3.1.3	Certified Staff Certificates of Previous Experience	Supersede with Human Resources Records GRS.
02/2023	3.1.4	Evaluation Records	Supersede with Human Resources Records GRS.
02/2023	3.1.5	Individual Teaching Contracts	Supersede with Human Resources Records GRS.
02/2023	3.1.6	Other Individual Employment Contracts	Supersede with Human Resources Records GRS.
02/2023	3.1.7	Applications (Hired)	Supersede with Human Resources Records GRS.
02/2023	3.1.8	Applications (Not Hired)	Supersede with Human Resources Records GRS.
02/2023	3.1.9	Immigration and Nationalization Services INS-9 Forms	Supersede with Human Resources Records GRS.
02/2023	3.1.10	Staff Accident Reports	Supersede with Human Resources Records GRS.
02/2023	3.1.10.1	Injury Claims	Supersede with Human Resources Records GRS.
02/2023	3.1.10.2	Workers Compensation	Supersede with Human Resources Records GRS.
02/2023	3.1.10.3	Public Liability	Supersede with Human Resources Records GRS.
02/2023	3.1.10.4	Settlements	Supersede with Human Resources Records GRS.
02/2023	3.1.11	Medical Records	Supersede with Human Resources Records GRS.

## Revision History

A listing of changes to this GRS.

Revision Date	RDA Number	Record Series Title	Revision Made
02/2023	3.1.11.1	Physical Examinations	Supersede with Human Resources Records GRS.
02/2023	3.1.11.2	TB Tests	Supersede with Human Resources Records GRS.
02/2023	3.1.12	Health & Dental Insurance Waivers	Supersede with Human Resources Records GRS.
02/2023	3.1.13	Affirmative Action Files	Supersede with Human Resources Records GRS.
02/2023	3.1.14	Arbitration Decisions – Negotiator	Supersede with Human Resources Records GRS.
02/2023	3/1/2023	Athletic Activity Contracts	Supersede with Human Resources Records GRS.
02/2023	3.1.16	Classification Studies – Description of job duties of individual school district positions.	Supersede with Human Resources Records GRS.
02/2023	3.1.17	Disability Insurance Claims – Claims filed by employees for disability insurance program.	Supersede with Human Resources Records GRS.
02/2023	3.1.18	Eligibility Register – List of job applicants who have qualified for positions within district.	Supersede with Human Resources Records GRS.
02/2023	3.1.19	Employee Deficiency/Termination Reports	Supersede with Human Resources Records GRS.
02/2023	3.1.20	Equal Employment Opportunity Reports/Summary Data Reports sent to Federal Government	Supersede with Human Resources Records GRS.
02/2023	3.1.21	Fair Labor Standards Act – Salary schedules, employee classification, compensation periods, work schedules/periods	Supersede with Human Resources Records GRS.
02/2023	3.1.22	Grievance Files – Employee grievances and/or complaints filed under a labor agreement or personnel rules. This also relates to arbitration files and related court cases.	Supersede with Human Resources Records GRS.
02/2023	3.1.23	Insurance Certificates and Policies	Supersede with Human Resources Records GRS.
02/2023	3.1.24	Insurance Premium Reports	Supersede with Human Resources Records GRS.
02/2023	3.1.25	Insurance Working Files	Supersede with Human Resources Records GRS.

## Revision History

A listing of changes to this GRS.

Revision Date	RDA Number	Record Series Title	Revision Made
02/2023	3.1.26	Labor Union – Contracts	Supersede with Human Resources Records GRS.
02/2023	3.1.27	Labor Union – Disputes	Supersede with Human Resources Records GRS.
02/2023	3.1.28	Labor Union – Negotiations Minutes	Supersede with Human Resources Records GRS.
02/2023	3.1.29	Non-Union Salary Determination – Annual salary schedules for all non – union employees.	Supersede with Human Resources Records GRS.
02/2023	3.1.30	OSHA – Employee Accident Reports	Supersede with Human Resources Records GRS.
02/2023	3.1.31	OSHA – Employee Exposure Records	Supersede with Human Resources Records GRS.
02/2023	3.1.32	OSHA – Employee Medical Records	Supersede with Human Resources Records GRS.
02/2023	3.1.33	Performance of Work Contracts	Supersede with Human Resources Records GRS.
02/2023	3.1.34	Personnel Files	Supersede with Human Resources Records GRS.
02/2023	3.1.35	Personnel files – Summer School	Supersede with Human Resources Records GRS.
02/2023	3.1.36	Personnel and Promotion List	Supersede with Human Resources Records GRS.
02/2023	3.1.37	Position Recruitment File	Supersede with Human Resources Records GRS.
02/2023	3.1.38	Requisition for Personnel	Supersede with Human Resources Records GRS.
02/2023	3.1.39	Substitute Teacher Reports	Supersede with Human Resources Records GRS.
02/2023	3.1.40	Unemployment Claims/Compensation	Supersede with Human Resources Records GRS.
02/2023	3.1.41	Summons/Pleadings, Other Legal Documents	Supersede with Human Resources Records GRS.
02/2023	3.1.42	Notices of Claims	Supersede with Human Resources Records GRS.
02/2023	4.1.16	Lesson Plans	Supersede with Administrative Records GRS.
02/2023	5.1.1	Special Education Plan/Claim (PI-2199 or equivalent)	Supersede with Administrative Records GRS.

## Revision History

A listing of changes to this GRS.

Revision Date	RDA Number	Record Series Title	Revision Made
02/2023	5.1.2	IDEA Application/Plan (PI-2111)	Supersede with Administrative Records GRS.
02/2023	5.1.2.1	Flow-Through Funds	Supersede with Administrative Records GRS.
02/2023	5.1.2.2	Discretionary Funds	Supersede with Administrative Records GRS.
02/2023	5.1.2.3	Local Educational Agency Transfer Funds	Supersede with Administrative Records GRS.
02/2023	5.1.2.4	Preschool Entitlement Funds	Supersede with Administrative Records GRS.
02/2023	5.1.2.5	Preschool Discretionary Funds	Supersede with Administrative Records GRS.
02/2023	5.1.5	National Instructional Materials Access Center and Accessibility Standard Statement of Assurance (PI-2194)	Supersede with Administrative Records GRS.
02/2023	5.2.19	Application to Offer GED Option #2 (PI-8201)	Supersede with Administrative Records GRS.
02/2023	5.2.21	Local Use Form; Homeless Student Identification (PI-Q03-8)	Supersede with Administrative Records GRS.
02/2023	5.2.9	Alternative Education Program Grant Application (PI-9710)	Supersede with Administrative Records GRS.
02/2023	5.2.10	Disproportionality Application (PI-8801)	Supersede with Administrative Records GRS.
02/2023	5.2.17	High Cost Special Education Initiative Claim Form (Pi-1570)	Supersede with Administrative Records GRS.