



# School District of Manawa

## Policy & Human Resources COMMITTEE MEETING

Manawa School District Office - Board Room  
800 Beech Street, Manawa WI  
(920)596-2525

**Wednesday, November 1, 2023**  
**6:55 P.M.**

**Board of Education Committee Members:**  
**Reierson (C), Hansen, & Krueger**

❖ **CALL TO ORDER**

❖ **ROLL CALL - Verification of Quorum**  
➤ *B.O.E. Members Present:*

❖ **COMPLIANCE WITH OPEN MEETING LAW NOTIFICATION** [*§19.84(2) Wis. Stats.*]

❖ **AGENDA**

1. MS FFA Program - Advisor Memo
2. District Administrator Evaluation Process Discussion
3. Policy Direction/Discussion (1000's, 3000's, & 4000's)
4. NEOLA Policy Updates - Vol 32 No 2

a. PO 0164 Meetings

*(new policy)*

NEOLA NOTES: This policy has been revised to incorporate all references to meetings, including regular and special meetings, into a single policy specific to Common/Union High School Districts. Additional optional language has been added to address virtual attendance.  
Recommended

b. PO 0164.1 Regular Meetings

*(rescind - info included in PO 0164)*

NEOLA NOTES: This policy is rescinded and replaced by Policy 0164.

c. PO 0164.2 Special Meetings

*(rescind - info included in PO 0164)*

NEOLA NOTES: This policy is rescinded and replaced by Policy 0164.

d. PO 0165.1 Notice of Meetings

*(rescind - info included in PO 0164)*

NEOLA NOTES: This policy is rescinded and replaced by Policy 0164.

*(PO 0165.1 references Policy 8309 - Open Meetings for Non-Board Committees)*

\* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

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



# School District of Manawa

## Policy & Human Resources COMMITTEE MEETING

Manawa School District Office - Board Room  
800 Beech Street, Manawa WI  
(920)596-2525

e. PO 0165.2 Change of Regular Meetings

*(rescind - info included in PO 0164)*

*NEOLA NOTES: This policy is rescinded and replaced by Policy 0164.*

*(PO 0165.2 references Policy 0166 - Agenda)*

f. PO 8913 - Section 504 / ADA Prohibition Against Disability Discrimination in Employment

*(new policy)*

*NEOLA NOTES: This policy is added as a consolidation of existing policies found in Policy 1623/3123/4123, all of which have been rescinded in this update (noted above). The consolidation of these policies will assure consistent verbiage and procedures for all covered groups of individuals and given that the policy covers accommodation requirements in addition to nondiscrimination, it also encompasses more operational considerations, therefore it fits in the 8000 section. In addition to consolidating the policies, the language of the policy has been revised in several ways, specifically: to clarify the mutual roles of employee and employer in the disability accommodation process (the so-called "interactive process"), to replace restrictive timelines in an investigation while noting that investigations are to be done as efficiently as practicable, but allowing for a more generally reasonable timeline, and finally to remove reference to a "hearing" that is in practice a meeting opportunity, as opposed to the connotations associated with the term "hearing".*

g. PO 1623 Section 504/ADA Prohibition Against Disability Discrimination in Employment

*(rescind - info included in PO 8913)*

*NEOLA NOTES: These policies are rescinded and now included as a single policy in this update. The new consolidated policy is listed as Policy 8913. Future updates will include a similar process for other such policies.*

h. PO 3123 Section 504/ADA Prohibition Against Disability Discrimination in Employment

*(rescind - info included in PO 8913)*

*NEOLA NOTES: These policies are rescinded and now included as a single policy in this update. The new consolidated policy is listed as Policy 8913. Future updates will include a similar process for other such policies.*

i. PO 4123 Section 504/ADA Prohibition Against Disability Discrimination in Employment

*(rescind - info included in PO 8913)*

*NEOLA NOTES: These policies are rescinded and now included as a single policy in this update. The new consolidated policy is listed as Policy 8913. Future updates will include a similar process for other such policies.*

\* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

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



# School District of Manawa

## Policy & Human Resources COMMITTEE MEETING

Manawa School District Office - Board Room  
800 Beech Street, Manawa WI  
(920)596-2525

j. PO 3120.07 Employment of Casual Resource Personnel

(*rescind - obsolete policy language*)

*NEOLA NOTES: This policy is removed because it is not reflective of current practice or verbiage. Consultants retained by a district are not treated as "casual resources personnel", but rather via contract arrangements which are covered elsewhere in policy. The language is therefore obsolete and deletion is recommended.*

k. PO 8700 Nursing Mothers

(*new policy*)

*NEOLA NOTES: The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) expands the rights afforded nursing mothers that were previously provided to non-exempt employees to cover all employees. Neola is providing a combined policy to cover all employee groups to replace the current nursing mother policy (Policy 4430.05). The requirements are now in effect and, although the requirements only apply when an employee makes a request for space and time to express breastmilk, it is advisable to give consideration to how these rights will be administered when a request is made. For example, administrators are advised to consider what space will be suitable for use in each of the district's buildings, and how schedules can be managed, particularly in the case of classroom teachers. Doing so in advance of any request being made, will make the implementation easier when a request is received.*

l. PO 4430.05 Nursing Mothers

(*rescind - included in PO 8700 to cover all employee groups*)

*NEOLA NOTES: The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) and the Pregnant Workers Fairness Act (PWFA) take effect in the next few months, and will cover all public school employers and most school employees. Previously this requirement only applied to non-exempt employees. In response, we are recommending that Policy 4430.05 be rescinded and the Board add a singular policy related to Nursing Mothers at Policy 8700 to cover all employee groups.*

m. PO 2451 Program and Curriculum Modifications

(*revision*)

*NEOLA NOTES: The policy language is revised to reflect the option, included in statute, for a designee of the Board to deal with such requests. Districts where this process has been delegated to a designee of the Board should adopt this revision to assure that the Board has formally provided for that process.*

n. PO 5250 Program or Curriculum Modification

(*rescind - info included in PO 2451*)

*NEOLA NOTES: This policy is deleted as the content is included within Policy 2451 - Program and Curriculum Modifications.*

\* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

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



# School District of Manawa

## Policy & Human Resources COMMITTEE MEETING

*Manawa School District Office - Board Room  
800 Beech Street, Manawa WI  
(920)596-2525*

o. PO 5505 Academic Honesty

*(new policy)*

NEOLA NOTES: This new policy is provided to address the topic of academic honesty but also to deal with the impact of emerging technologies that make engaging in academic dishonesty more accessible such as artificial intelligence.

p. PO 7540.08 Artificial Intelligence

*(new policy)*

NEOLA NOTES: This new policy is intended to address the potential impact of Artificial Intelligence (AI) in multiple district contexts as cross-referenced in the policy.

q. PO 5350 Suicide Prevention, Intervention, and Postvention for Death by Suicide

*(replacement)*

NEOLA NOTES: This policy replaces the existing policy 5350 to account for significant revisions. The new policy includes general prevention provisions, including instructional elements, and also provides more procedures pertinent to specific student situations involving suicide intervention. This policy was developed with the assistance of suicide prevention experts.

5. Review of Administrative Guidelines

- a. Fundraising Policy - Administrative Guidelines
- b. Any review or action of AG's needed on other policies posted in this agenda.

❖ **FUTURE MEETING AGENDA ITEMS**



❖ **ADJOURN**

UPCOMING MEETING(S):

- Regular **Board of Education** Meetings take place the 4th Monday every month.
- **Building & Grounds Committee** Meetings take place the 2nd Wednesday every month.
- **Finance Committee** Meetings take place the 2nd Wednesday every month.
- **Curriculum Committee** Meetings take place the 1st Wednesday every month.
- **Policy & Human Resource Committee** Meetings take place the 1st Wednesday every month.

\* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

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



# School District of Manawa

## Policy & Human Resources COMMITTEE MEETING

Manawa School District Office - Board Room  
800 Beech Street, Manawa WI  
(920)596-2525

**Wednesday, November 1, 2023**  
**6:55 P.M.**

**Board of Education Committee Members:**  
**Reierson (C), Hansen, & Krueger**

❖ **CALL TO ORDER**

❖ **ROLL CALL** - *Verification of Quorum*

➤ *B.O.E. Members Present:*

❖ **COMPLIANCE WITH OPEN MEETING LAW NOTIFICATION** [*§19.84(2) Wis. Stats.*]

❖ **AGENDA**

1. MS FFA Program - Advisor Memo
2. District Administrator Evaluation Process Discussion
3. Policy Direction/Discussion (1000's, 3000's, & 4000's)
4. NEOLA Policy Updates - Vol 32 No 2

a. PO 0164 Meetings

*(new policy)*

NEOLA NOTES: This policy has been revised to incorporate all references to meetings, including regular and special meetings, into a single policy specific to Common/Union High School Districts. Additional optional language has been added to address virtual attendance.  
Recommended

b. PO 0164.1 Regular Meetings

*(rescind - info included in PO 0164)*

NEOLA NOTES: This policy is rescinded and replaced by Policy 0164.

c. PO 0164.2 Special Meetings

*(rescind - info included in PO 0164)*

NEOLA NOTES: This policy is rescinded and replaced by Policy 0164.

d. PO 0165.1 Notice of Meetings

*(rescind - info included in PO 0164)*

NEOLA NOTES: This policy is rescinded and replaced by Policy 0164.

*(PO 0165.1 references Policy 8309 - Open Meetings for Non-Board Committees)*

e. PO 0165.2 Change of Regular Meetings

*(rescind - info included in PO 0164)*

\* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

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



# School District of Manawa

## Policy & Human Resources COMMITTEE MEETING

Manawa School District Office - Board Room  
800 Beech Street, Manawa WI  
(920)596-2525

NEOLA NOTES: This policy is rescinded and replaced by Policy 0164.  
(PO 0165.2 references Policy 0166 - Agenda)

f. PO 8913 - Section 504 / ADA Prohibition Against Disability Discrimination in Employment

(new policy)

NEOLA NOTES: This policy is added as a consolidation of existing policies found in Policy 1623/3123/4123, all of which have been rescinded in this update (noted above). The consolidation of these policies will assure consistent verbiage and procedures for all covered groups of individuals and given that the policy covers accommodation requirements in addition to nondiscrimination, it also encompasses more operational considerations, therefore it fits in the 8000 section. In addition to consolidating the policies, the language of the policy has been revised in several ways, specifically: to clarify the mutual roles of employee and employer in the disability accommodation process (the so-called "interactive process"), to replace restrictive timelines in an investigation while noting that investigations are to be done as efficiently as practicable, but allowing for a more generally reasonable timeline, and finally to remove reference to a "hearing" that is in practice a meeting opportunity, as opposed to the connotations associated with the term "hearing".

g. PO 1623 Section 504/ADA Prohibition Against Disability Discrimination in Employment

(rescind - info included in PO 8913)

NEOLA NOTES: These policies are rescinded and now included as a single policy in this update. The new consolidated policy is listed as Policy 8913. Future updates will include a similar process for other such policies.

h. PO 3123 Section 504/ADA Prohibition Against Disability Discrimination in Employment

(rescind - info included in PO 8913)

NEOLA NOTES: These policies are rescinded and now included as a single policy in this update. The new consolidated policy is listed as Policy 8913. Future updates will include a similar process for other such policies.

i. PO 4123 Section 504/ADA Prohibition Against Disability Discrimination in Employment

(rescind - info included in PO 8913)

NEOLA NOTES: These policies are rescinded and now included as a single policy in this update. The new consolidated policy is listed as Policy 8913. Future updates will include a similar process for other such policies.

j. PO 3120.07 Employment of Casual Resource Personnel

(rescind - obsolete policy language)

NEOLA NOTES: This policy is removed because it is not reflective of current practice or verbiage. Consultants retained by a district are not treated as "casual resources personnel", but rather

\* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

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



# School District of Manawa

## Policy & Human Resources COMMITTEE MEETING

Manawa School District Office - Board Room  
800 Beech Street, Manawa WI  
(920)596-2525

*via contract arrangements which are covered elsewhere in policy. The language is therefore obsolete and deletion is recommended.*

### k. PO 8700 Nursing Mothers

*(new policy)*

*NEOLA NOTES: The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) expands the rights afforded nursing mothers that were previously provided to non-exempt employees to cover all employees. Neola is providing a combined policy to cover all employee groups to replace the current nursing mother policy (Policy 4430.05). The requirements are now in effect and, although the requirements only apply when an employee makes a request for space and time to express breastmilk, it is advisable to give consideration to how these rights will be administered when a request is made. For example, administrators are advised to consider what space will be suitable for use in each of the district's buildings, and how schedules can be managed, particularly in the case of classroom teachers. Doing so in advance of any request being made, will make the implementation easier when a request is received.*

### l. PO 4430.05 Nursing Mothers

*(rescind - included in PO 8700 to cover all employee groups)*

*NEOLA NOTES: The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) and the Pregnant Workers Fairness Act (PWFA) take effect in the next few months, and will cover all public school employers and most school employees. Previously this requirement only applied to non-exempt employees. In response, we are recommending that Policy 4430.05 be rescinded and the Board add a singular policy related to Nursing Mothers at Policy 8700 to cover all employee groups.*

### m. PO 2451 Program and Curriculum Modifications

*(revision)*

*NEOLA NOTES: The policy language is revised to reflect the option, included in statute, for a designee of the Board to deal with such requests. Districts where this process has been delegated to a designee of the Board should adopt this revision to assure that the Board has formally provided for that process.*

### n. PO 5250 Program or Curriculum Modification

*(rescind - info included in PO 2451)*

*NEOLA NOTES: This policy is deleted as the content is included within Policy 2451 - Program and Curriculum Modifications.*

### o. PO 5505 Academic Honesty

*(new policy)*

*NEOLA NOTES: This new policy is provided to address the topic of academic honesty but also to deal with the impact of emerging technologies that make engaging in academic dishonesty more accessible such as artificial intelligence.*

### p. PO 7540.08 Artificial Intelligence

\* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

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



# School District of Manawa

## Policy & Human Resources COMMITTEE MEETING

Manawa School District Office - Board Room  
800 Beech Street, Manawa WI  
(920)596-2525

(new policy)

NEOLA NOTES: This new policy is intended to address the potential impact of Artificial Intelligence (AI) in multiple district contexts as cross-referenced in the policy.

q. PO 5350 Suicide Prevention, Intervention, and Postvention for Death by Suicide  
(replacement)

NEOLA NOTES: This policy replaces the existing policy 5350 to account for significant revisions. The new policy includes general prevention provisions, including instructional elements, and also provides more procedures pertinent to specific student situations involving suicide intervention. This policy was developed with the assistance of suicide prevention experts.

5. Review of Administrative Guidelines

- a. Fundraising Policy - Administrative Guidelines
- b. Any review or action of AG's needed on other policies posted in this agenda.

❖ FUTURE MEETING AGENDA ITEMS



❖ ADJOURN

UPCOMING MEETING(S):

- Regular **Board of Education** Meetings take place the 4th Monday every month.
- **Building & Grounds Committee** Meetings take place the 2nd Wednesday every month.
- **Finance Committee** Meetings take place the 2nd Wednesday every month.
- **Curriculum Committee** Meetings take place the 1st Wednesday every month.
- **Policy & Human Resource Committee** Meetings take place the 1st Wednesday every month.

\* Any person with a qualifying disability under the Americans with Disabilities Act that requires the meeting or material to be in accessible format, please contact the District Administrator to request reasonable accommodation. The meeting room is wheelchair accessible. This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public hearing. There may be a time for public comment during the meeting as indicated in the agenda.

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





## School District of Manawa

*Students Choosing to Excel, Realizing Their Strengths*

**Board/Committee Meeting Date:** 11/1/23

**Agenda Item:**

**Subject:** Manawa Middle FFA Advisor Memo

**Presenter(s):** Michelle Johnson

**I. Overall Content/Purpose:**

The purpose of this memo is to propose a Manawa Middle FFA Advisor position.

**II. Point of Emphasis / Key Communication(s):**

1. This proposal is the establishment of a paid Middle School FFA Advisor position (\$250) to support the growth and development of middle school students through project learning (e.g. exhibiting at the Waupaca County Fair, Wisconsin FFA Science Fair, and other skill development activities). The FFA program has proven to be a valuable extracurricular activity for our students, teaching them important life skills, leadership, and a strong work ethic while fostering an appreciation for agriculture. However, in order to take the program to the next level, we believe that having an additional advisor to supervise the educational endeavors of middle school FFA is essential. In order to join Manawa FFA in middle school, students must have a guided SAE (Supervised Agricultural Experience) program. The recommendation would have Corrie Ziemer assist with this growth opportunity. Manawa FFA membership would be allowed from 6th grade to three years after graduation.

**\*For Policy and Human Resource Committee Review**

**III. Board Motion (Vote)**

**IV. Contact for More Information:**

V. **Name:** Michelle Johnson **email:** [mjohnson@manawaschools.org](mailto:mjohnson@manawaschools.org)



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	New Bylaw - Vol. 32, No. 2, July 2023 - V1 [Common/Union High Schools Only] - MEETINGS
Code	po0164
Status	From Neola

### **New Bylaw - Vol. 32, No. 2 - V1 [Common/Union High Schools Only]**

0164 - **MEETINGS**

#### **Regular Meetings**

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

#### **Change of Regular Meetings**

If the Board adopts a resolution changing the date, time, or place of a regularly scheduled meeting, the meeting notice shall state the date, time, place, and subject matter of the rescheduled meeting, as well as the name and address of the District. Said notice shall be posted

( ) on the front door of the Administrative Office Building and

at such places as the Board may determine. Meeting notices of scheduled Board meetings shall be posted in accordance with State law. (See also Policy 0166 - Agenda)

#### **Special Meetings**

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

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

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

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

#### **Notice of Meetings**

Public notice of all Board meetings, ( ) and other meetings subject to Policy 8309 - Open Meetings for Non-Board Committees, **[END OF OPTION]** shall be given pursuant to statute. Such notice shall be given, without cost, to any news media which submits a written request for meeting notices and to a news medium likely to give notice in the District's geographic area. In addition, such notice shall be made public in at least one (1) of the following ways:

- A. posting the notice in at least three (3) public places likely to give notice to persons affected;
- B. posting the notice in at least one (1) public place likely to give notice to persons affected and on the governmental body's website; or
- C. by paid publication in a news medium likely to give notice to persons affected.

The notice shall be given, without cost, to the District's official newspaper, the \_\_\_\_\_. **[DRAFTING NOTE: The official newspaper of the District, if required according to criteria in 985.05, Wis. Stats.]**

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

The notice shall also contain the following statement:

"Upon request to the \_\_\_\_\_, submitted twenty-four (24) hours in advance, the District shall make reasonable accommodation including the provision of informational material in an alternative format for a disabled person to be able to attend this meeting." **[DRAFTING NOTE: this language is not required in the meeting notice, however, it is recommended because the Board is obligated to make meetings accessible, including with accommodations, to persons with a disability who wish to attend the meeting regardless of whether this statement is included or not. This clause provides the obligation to give advance notice of any such need so as to assist in providing the accommodation rather than the individual making such requests on the day of or at the meeting itself].**

**[END OF OPTION]**

#### **Cancellation of Meetings**

If a regularly scheduled and legally noticed meeting needs to be canceled (e.g., inclement weather, electrical outage, broken water pipe, lack of quorum, etc.), the Board President or designee shall have the authority to cancel or reschedule the meeting. To the extent practical, a notice of cancellation should be provided, similar to the notice of the meeting.

#### **Virtual Participation in Meetings**

Unless otherwise determined by the Board , Board President **[END OF OPTION]** or due to an order by an authorized authority preventing in-person attendance at a meeting, Board members are expected to attend meetings in person at the location set by the Board for the meeting. A Board member may attend virtually in instances where a member is unable to attend in person due to a scheduled absence from the District or due to a physical restriction preventing attendance. The Board member is responsible for making advance arrangements with the District administration to facilitate participation in the meeting.

Any Board member attending a meeting remotely may vote in accordance with Bylaw 0167.1 – Voting.

Board members are not provided with technology to facilitate remote Board attendance unless the Board authorizes such expenditure.

**[END OF OPTION]**

Any Board member attending a meeting or who intended to attend a meeting remotely but is unable to attend or unable to maintain attendance due to technological complications, such as a poor connection or other equipment failures, will be considered absent for all or part of the meeting. The meeting may continue in the member's absence provided that a quorum is still present.

© Neola 2023

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

**Last Modified by Ryan Peterson on August 15, 2023**



Book Policy Manual  
 Section Vol. 32, No. 2, July 2023  
 Title Rescind Bylaw - Vol. 32, No. 2, July 2023 - REGULAR MEETINGS  
 Code po0164.1  
 Status From Neola  
 Adopted April 25, 2016  
 Last Revised December 18, 2017

**Rescind Bylaw - Vol. 32, No. 2**

~~0164.1~~ **REGULAR MEETINGS**

~~**[COMMON AND UNION SCHOOL DISTRICTS]**~~

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

~~**[UNIFIED SCHOOL DISTRICT]**~~

~~The Board shall hold a meeting at least once each month.~~

~~© Neola 2017~~

Legal [for common and union high school districts] 120.11(1), Wis. Stats.  
 [for unified school districts] 120.43(2), Wis. Stats.

**Last Modified by Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Rescind Bylaw - Vol. 32, No. 2, July 2023 - SPECIAL MEETINGS
Code	po0164.2
Status	From Neola
Adopted	April 25, 2016
Last Revised	November 16, 2020

### **Rescind Bylaw - Vol. 32, No. 2**

#### **~~0164.2 SPECIAL MEETINGS~~**

#### **~~{FOR COMMON OR UNION HIGH SCHOOL DISTRICTS}~~**

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

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

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

#### **~~FOR UNIFIED SCHOOL DISTRICTS~~**

~~Special meetings of the Board may be called by the President or by the written request of a majority of the members of the Board provided there is compliance with the notice provision of these Bylaws and State law.~~

#### **~~{END OF OPTIONS}~~**

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

#### **~~© Neola 2020~~**

Legal	19.84(3), Wis. Stats.
	120.11(2), Wis. Stats.
	120.43(2), Wis. Stats.

**Last Modified by Ryan Peterson on August 15, 2023**



Book Policy Manual  
 Section Vol. 32, No. 2, July 2023  
 Title Rescind Bylaw - Vol. 32, No. 2, July 2023 - NOTICE OF MEETINGS  
 Code po0165.1  
 Status From Neola

### **Rescind Bylaw - Vol. 32, No. 2**

#### **0165.1 NOTICE OF MEETINGS**

~~Public notice of all Board meetings, ( ) and other meetings subject to Policy 8309 Open Meetings for Non Board Committees, [END OF OPTION] shall be given pursuant to statute. Such notice shall be given, without cost, to any news media which submits a written request for meeting notices and to a news medium likely to give notice in the District's geographic area. In addition, such notice shall be made public in at least one of the following ways:~~

- ~~A. posting the notice in at least three (3) public places likely to give notice to persons affected;~~
- ~~B. posting the notice in at least one (1) public place likely to give notice to persons affected and on the governmental body's website; or~~
- ~~C. by paid publication in a news medium likely to give notice to persons affected.~~

~~[ ] The notice shall be given, without cost, to the District's official newspaper, the \_\_\_\_\_ . [DRAFTING NOTE: The official newspaper of the District, if required according to criteria in 985.05, Wis. Stats.]~~

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

~~The notice shall also contain the following statement:~~

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

#### **© Neola 2021**

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

**Last Modified by Ryan Peterson on August 15, 2023**



Book Policy Manual  
 Section Vol. 32, No. 2, July 2023  
 Title Rescind Bylaw - Vol. 32, No. 2, July 2023 - CHANGE OF REGULAR MEETINGS  
 Code po0165.2  
 Status From Neola  
 Adopted April 25, 2016  
 Last Revised April 24, 2023

**Rescind Bylaw - Vol. 32, No. 2**

~~0165.2~~ **CHANGE OF REGULAR MEETINGS**

~~If the Board adopts a resolution changing the date, time, or place of a regularly scheduled meeting, the meeting notice shall state the date, time, place, and subject matter of the rescheduled meeting, as well as the name and address of the District. Said notice shall be posted~~

~~(-) on the front door of the Administrative Office Building and~~

~~at such places as the Board may determine. Meeting notices of scheduled Board meetings shall be posted in accordance with State law. (See also Policy 0166 - Agenda)~~

© Neola 2022

**Last Modified by Ryan Peterson on August 15, 2023**





Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Renumbered/Revised Policy - Vol. 32, No. 2, July 2023 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po8913
Status	From Neola

### **Renumbered/Revised Policy - Vol. 32, No. 2**

#### **16238913 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board prohibits discrimination against any employee or applicant based upon his/her/their 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~~ believes they are being regarded as having a disability. Employees requesting reasonable accommodation must cooperate with school officials in obtaining specific medical opinion that identifies the precise limitations resulting from the disability and potential reasonable accommodations that could overcome those limitations.

**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").

**[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim that pertains to the other CO, as appropriate.]**

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(School District Title)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Office Address)

\_\_\_\_\_  
(E-mail Address)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(School District Title)

---

 (Telephone Number)

---

 (Office Address)

---

 (E-mail Address)

The name(s), title(s), and contact information of this/these individual(s) will be published annually:

- A. on the School District's website.
- B.  in the staff handbooks.
- C.  in the School District Annual Report to the public.
- D.  on each individual school's website.
- E.  in the School District's calendar
- F.  \_\_\_\_\_.

The COs are responsible for coordinating the District's efforts to comply with 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~~ they have been discriminated against on the basis of ~~his/her~~ their 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~~ should 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 **as soon as practicable relative to the ability to complete a thorough investigation but** within ~~ten (10)~~**sixty (60)** days. If no decision is rendered within ~~ten (10)~~**sixty (60)** 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 meeting** with all parties involved in an attempt to resolve the complaint.
- The District Administrator will render **his/her/their** decision within ten (10) days of the **hearing meeting**.
- E. The employee may be represented, at **his/her/their** 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.

### **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 a recommendation to the Board. For example, 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 may be required to answer questions that could also involve criminal investigation or sanctions, including the existence of a co-occurring law enforcement investigation are still required to answer questions concerning the District investigation, but are entitled to do so without waiving their Constitutional right against self-incrimination that applies during a criminal investigation. should be provided a Garrity warning apprising the person of their obligations to answer questions truthfully and honestly while preserving the right against self-incrimination in the context of any resulting criminal investigation or prosecution. Employees should be advised of this right, through what is often referred to as a "Garrity Warning". The Garrity Warning informs the employee that the employee is required to respond to questions posed during the investigation and that answers to questions relating to the employee's conduct may be used by the District for determining appropriate discipline, but will not be provided to law enforcement officials in the course of their independent criminal investigation, unless otherwise required by law. (See Form 8913 F1 - Garrity Warning)

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.

### **OCR Complaint**

At any time, if an employee believes that ~~s/he has~~**they have** been subjected to discrimination based upon ~~his/her~~**their** 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**

The CO is responsible for overseeing the 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 - **Information Management**) created and/or received as part of an investigation, which may include but are not limited to:

- 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; **[REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]**

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

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

© Neola 20~~21~~23

Legal                      29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended  
                                  42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended  
                                  29 C.F.R. Part 1630  
                                  34 C.F.R. Part 104

**Last Modified by Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Rescind Policy - Vol. 32, No. 2, July 2023 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po1623
Status	From Neola
Adopted	October 17, 2016
Last Revised	June 26, 2023

### Rescind Policy - Vol. 32, No. 2

#### ~~1623~~ — SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

The Board prohibits discrimination against any employee or applicant based upon his/her 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").

**[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim that pertains to the other CO, as appropriate.]**

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(School District Title)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Office Address)

\_\_\_\_\_  
(E-mail Address)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
\_\_\_\_\_



~~{School District Title}~~

~~{Telephone Number}~~

~~{Office Address}~~

~~{E-mail Address}~~

~~The name(s), title(s), and contact information of this/these individual(s) will be published annually:~~

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

~~The COs are responsible for coordinating the District's efforts to comply with 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**

The CO is responsible for overseeing the 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/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; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]~~

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

- 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.~~

~~© Neola 2021~~

Legal                    29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended  
                               42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended  
                               29 C.F.R. Part 1630  
                               34 C.F.R. Part 104

**Last Modified by Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Rescind Policy - Vol. 32, No. 2, July 2023 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po3123
Status	From Neola
Adopted	October 17, 2016
Last Revised	June 26, 2023

### Rescind Policy - Vol. 32, No. 2

#### ~~3123~~ — SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

~~The Board prohibits discrimination against any employee or applicant based upon 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).~~

~~**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.~~

~~**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.~~

~~**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 District'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 Compliance Officers (also known as Section 504 Compliance Officers/ADA Coordinators; hereinafter referred to as the COs):

**[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim that pertains to the other CO, as appropriate.]**

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(School District Title)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Office Address)

\_\_\_\_\_  
(E-mail)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
\_\_\_\_\_

~~{School District Title}~~

~~{Telephone Number}~~

~~{Office Address}~~

~~{E-mail}~~

~~The name(s), title(s), and contact information of this/these individual(s) will be published annually:~~

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

~~The COs are responsible for coordinating the District's efforts to comply with 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 District 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, age appropriate and 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 the terms of any code 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**

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/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; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]~~

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

- 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.~~

~~© Neola 2021~~

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 Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Rescind Policy - Vol. 32, No. 2, July 2023 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po4123
Status	From Neola
Adopted	October 17, 2016
Last Revised	June 26, 2023

### Recind Policy - Vol. 32, No. 2

#### **4123 — SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board prohibits discrimination against any employee or applicant based upon his/her 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.

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).

**[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim that pertains to the other CO, as appropriate.]**

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(School District Title)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Office Address)

\_\_\_\_\_  
(E-mail)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(School District Title)

\_\_\_\_\_  
 \_\_\_\_\_  
 (Telephone Number)

\_\_\_\_\_  
 \_\_\_\_\_  
 (Office Address)

\_\_\_\_\_  
 \_\_\_\_\_  
 (E-mail)

The name(s), title(s), and contact information of this/these individual(s) will be published annually:

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

The District 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 District 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. 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 a CO within the time limits specified below. The District's CO is 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, age appropriate and 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 the terms of any relevant code 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**

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/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; **[REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time, and location of the training, the name and title (or credentials) of the presenter, and a copy of the materials reviewed or presented during the training.]**~~

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

- 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.~~

**© Neola 2021**

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 Ryan Peterson on August 15, 2023**





Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Rescind Policy - Vol. 32, No. 2, July 2023 - EMPLOYMENT OF CASUAL RESOURCE PERSONNEL
Code	po3120.07
Status	From Neola
Adopted	May 16, 2016

### **Rescind Policy - Vol. 32, No. 2**

#### **~~3120.07~~ EMPLOYMENT OF CASUAL RESOURCE PERSONNEL**

~~It is the purpose of this policy to allow the casual 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 special 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, 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 casual 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.~~

~~© Neola 1997~~

**Last Modified by Ryan Peterson on August 15, 2023**



Book Policy Manual  
 Section Vol. 32, No. 2, July 2023  
 Title New Policy - Vol. 32, No. 2, July 2023 - NURSING MOTHERS  
 Code po8700  
 Status From Neola

### **New Policy - Vol. 32, No. 2**

#### **8700 - NURSING MOTHERS**

The Board supports staff members who choose to breast feed and/or express breast milk following the birth of a child. When any staff member, whether a professional staff member or support staff member has notified their supervisor of the staff member's intent to express breast milk during the workday, the [ ] principal [ ] District Administrator [ ] \_\_\_\_\_ **[End of Options]** shall make necessary arrangements to provide the following:

- A. An appropriate location that is suitable for expressing breast milk. The location must be shielded from view and not accessible during usage by any other person. The location provided may not be a bathroom.
- B. A reasonable amount of time to complete the activity based on an established schedule of frequency the staff member requires. The staff member is responsible for providing a schedule of frequency and for completing the process efficiently.

A participating employee must record time spent expressing breast milk at work [ ] which will be recorded as unpaid time, unless the employee also performs work related responsibilities during this time **[END OF OPTION]**. **[Drafting Note: the law does not require employers to pay employees during time provided to express breast milk unless it would otherwise pay an employee for the same amount of break time for other reasons. This applies to both exempt and non-exempt employees such that a Board may determine that it is easier to consider break time under this policy as compensable time].** Any staff member who has given birth to a child and opts to express breast milk thereafter is entitled to the benefits of this policy.

Any staff member who has provided notice of the need to express breast milk at work and has complied with the responsibilities of doing so in this policy is eligible to do so for up to one (1) calendar year from the birth of the child.

No staff member who requires break time to express breastmilk consistent with this policy shall be subjected to retaliation or any form of adverse treatment for doing so.

Any staff member who feels they have been denied adequate protections or feels they have been retaliated against or otherwise treated unfairly as a result of availing themselves of the rights described in this policy shall report such concerns to the District Administrator. Any such report shall specify the alleged deficiency and desired resolution so that the District Administrator may provide an appropriate resolution, within ten (10) calendar days of the report.

The benefits described in this policy shall be administered concurrently with other benefits, such as Family Medical Leave Act (FMLA) rights.

© Neola 2023

Legal 29 U.S.C. 218d

**Last Modified by Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Rescind Policy - Vol. 32, No. 2, July 2023 - NURSING MOTHERS
Code	po4430.05
Status	From Neola
Adopted	May 16, 2016

### **Rescind Policy - Vol. 32, No. 2, June 2023**

#### **~~4430.05 — NURSING MOTHERS~~**

~~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 ( ), or until such time as the child reaches the age of one.~~

~~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.~~

#### **~~© Neola 2010~~**

Legal 29 U.S.C. 207 (Section 4207)

**Last Modified by Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Revised Policy - Vol. 32, No. 2, July 2023 - PROGRAM OR CURRICULUM MODIFICATIONS
Code	po2451
Status	From Neola

### **Revised Policy - Vol. 32, No. 2**

#### **2451 - PROGRAM OR CURRICULUM MODIFICATIONS**

The Board recognizes that the regular school program may not be appropriate for all students. Some students may need program or curriculum modifications to successfully meet the District's academic goals and/or graduation requirements. (See Policy 5461 - Children At-Risk of Not Graduating from High School)

Any student's parent, or the student if the parent is notified, may submit a written request to the Board, to provide the student with program or curriculum modifications, including, but not limited to:

- A. modifications within the student's current academic program;
- B. a school work training or work-study program;
- C. enrollment in an alternative public school or program located in the School District in which the student resides;
- D. enrollment in any nonsectarian private school or program, or tribal school, located in the School District in which the student resides, which complies with the requirements of State and Federal law;
- E. homebound study, including nonsectarian correspondence courses or other courses of study approved by the Board or nonsectarian tutoring provided by the school in which the child is enrolled;
- F. enrollment in any public educational program located outside the School District in which the student resides, pursuant to a contractual agreement between school districts.

The written request shall be provided to the ( ) building principal ( ) District Administrator [END OF OPTIONS] who will provide it to the Board or an administrator who is designated to do so, must handle such requests. The Board or appropriate staff member shall render its decision, in writing, within ninety (90) days of a request, except that if the request relates to a student who has been evaluated by an Individualized Education Program team and has not been recommended for special education, the decision must be made within thirty (30) days of the request. If the request is denied, the reasons for the denial must be included. A parent may request reconsideration of any decision made by the Board or the designated administrator in response to a request for program or curriculum modifications and such request must be reviewed by the Board. The Board is required to render its determination upon review in writing.

Annually, the District shall notify students and parents of the provisions of this policy. Inclusion of such notification in the student handbook shall satisfy this requirement.

[ ] The District Administrator shall issue an administrative guideline specifying the process for submitting a request for program or curriculum modifications and how such requests shall be handled when received by the District. [END OF OPTION]

© Neola ~~2019~~2023

Legal 118.15, Wis. Stats.

**Last Modified by Ryan Peterson on August 15, 2023**





Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Rescind Policy - Vol. 32, No. 2, July 2023 - PROGRAM OR CURRICULUM MODIFICATIONS
Code	po5250
Status	From Neola

### **Rescind Policy - Vol. 32, No. 2**

#### **~~5250 — PROGRAM OR CURRICULUM MODIFICATIONS~~**

~~In accordance with Policy 5200 — Attendance, the Board may excuse a student from regular school attendance to participate in a program or curriculum modification leading to high school graduation or a high school equivalency diploma.~~

~~Any such request for a program or curriculum modification from the parent, or the student if the parent is notified, shall be in writing.~~

~~The Board, or its designee, shall provide a written decision within ninety (90) days to a properly submitted request for a program or curriculum modification. If the request is denied, the reasons for denial shall be included in the written decision. An exception is if the student has been evaluated by an IEP team but not recommended for special education, then the written decision must be provided within thirty (30) days.~~

~~[ ] The Board designates the District Administrator to make decisions for program or curriculum modifications. [END OF OPTION]~~

~~Any decision made by the Board or its designee regarding a request for a program or curriculum modification may be appealed by the parent to the Board, and the Board shall provide a written decision to the parent.~~

~~The request for a program or curriculum modification may include, but is not limited to, the following:~~

- ~~A. modifications within the student's current academic program;~~
- ~~B. a school work training or work study program;~~
- ~~C. enrollment in any alternative public school or program located in the school district in which the student resides;~~
- ~~D. enrollment in any nonsectarian private school or program, or tribal school, located in the School District in which the student resides in accordance with applicable State and Federal law;~~
- ~~E. homebound study, including nonsectarian correspondence courses or other courses of study approved by the Board, or nonsectarian tutoring provided by the school in which the student is enrolled;~~
- ~~F. enrollment in any public educational program located outside the School District in which the student resides, which may be pursuant to a contractual agreement between the school districts.~~

~~Annually, the District shall notify students and parents of the provisions of this policy. Inclusion of such notification in the student handbook shall satisfy this provision.~~

~~[ ] The District Administrator shall issue an administrative guideline specifying the process for submitting a request for program or curriculum modifications and how such requests shall be handled when received by the District.~~

**© Neola 2023**

Legal 118.15(1)(d), 118.15(1)(dm), 118.15(1)(e), 118.15(1)(f), Wis. Stats.

**Last Modified by Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	New Policy - Vol. 32, No. 2, July 2023 - ACADEMIC HONESTY
Code	po5505
Status	From Neola

### **New Policy - Vol. 32, No. 2**

#### **5505 – ACADEMIC HONESTY**

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

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

Academic dishonesty includes, but is not limited to:

- A. plagiarism (of ideas, work, research, speech, art, music, etc.);
- B. forgery of another’s work;
- C. presenting the results from an artificial intelligence platform as one’s own ( ) (See Policy 7540.08 - Artificial Intelligence (AI));
- D. downloading or copying information from other sources and presenting it as one’s own;
- E. using language translation work of someone else when the expectation is doing one’s own translation;
- F. copying another person’s work;
- G. allowing another person to copy one’s own work;
- H. stealing another person’s work;
- I. doing another person’s work for them;
- J. distributing copies of one’s work for use by others;
- K. distributing copies of someone else’s work for use by others;
- L. intentionally accessing another’s work for the purpose of presenting it as one’s own;
- M. distributing or receiving answers to assignments, quizzes, tests, assessments, etc.
- N. distributing or receiving questions from quizzes, tests, assessments, etc.
- O. ( ) \_\_\_\_\_;
- P. ( ) \_\_\_\_\_.

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



All teachers, beginning in the elementary grades, will educate students as to what constitutes academic dishonesty and what is acceptable and unacceptable behavior in District schools regarding academic integrity. ( ) Such education shall reference this Board policy.

Students who violate this policy are subject to disciplinary consequences.

Teachers are authorized, in consultation with their Principal, to apply appropriate consequences for violations of this policy. Disciplinary consequences for significant violations may include removal from the class with a failing grade, removal from student leadership positions, elimination of honors recognition, loss of membership in honor organizations, as well as other disciplinary consequences appropriate to the nature of the violation.

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

Repeated violations of this policy ( ) at the high school level **[END OF OPTION]** will result in additional disciplinary consequences, up to and including suspension and expulsion.

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

A summary of this policy shall be included in the Student Handbook and the Employee Handbook.

© Neola 2023

Legal                      118.01, 118.164, 120.12, Wis. Stats.

**Last Modified by Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	New Policy - Vol. 32, No. 2, July 2023 - ARTIFICIAL INTELLIGENCE (AI)
Code	po7540.08
Status	From Neola

### **New Policy - Vol. 32, No. 2**

#### **7540.08 - ARTIFICIAL INTELLIGENCE (AI)**

The Board recognizes the positive impact that artificial intelligence (AI) technology may have in the District's educational program and operations. The District Administrator is authorized to support the use of artificial intelligence technology when its use is consistent with the District's mission, goals, and operational integrity.

Any use of artificial intelligence technology in the District's educational program or operations must be in accordance with State and Federal law as well as Board policies ( ) including, but not limited to the following: Policy 5505 – Academic Honesty; Policy 5500 – Student Code of Classroom Conduct; Policy 5500.01 – Conduct in Virtual Classroom; Policy 5517 – Student Anti-Harassment; Policy 5517.01 – Bullying; Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs and Activities; Policy 8330 – Student Records; Policy 2240 – Controversial Issues in the Classroom; Policy 7540.03 – Student Technology Acceptable Use and Safety; and Policy 7540.04 – Staff Technology Acceptable Use and Safety. **[Drafting Note: Confirm and Select as Needed] [END OF OPTION]**

Violation of this policy may result in disciplinary consequences. Students may be disciplined for violations, up to and including suspension or expulsion. Staff may be disciplined for violations, up to and including suspension or termination of employment. The Administration will refer any illegal acts to law enforcement.

© Neola 2023

**Last Modified by Ryan Peterson on August 15, 2023**



Book	Policy Manual
Section	Vol. 32, No. 2, July 2023
Title	Replacement Policy - Vol. 32, No. 2, July 2023 - SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION
Code	po5350
Status	From Neola
Adopted	October 1, 2015
Last Revised	April 25, 2022

### **Replacement Policy - Vol. 32, No. 2**

#### **5350 - SUICIDE PREVENTION, INTERVENTION, AND POSTVENTION**

The Board recognizes that suicide is a leading cause of death among youth and must be taken seriously. In order to attempt to reduce suicidal behavior and its impact on students and families, the District Administrator shall develop prevention, intervention, and postvention strategies and procedures.

The District Administrator may involve school health professionals, school counselors, administrators, other staff, parents/guardians, students, local health agencies and professionals, and community organizations in planning, implementing, and evaluating the district's strategies for suicide prevention, intervention, and postvention.

( ) The District's comprehensive health education program shall promote the healthy mental, emotional, and social development of students including, but not limited to, the development of problem-solving skills, coping skills, and self-esteem. Suicide prevention instruction shall be incorporated into the health education curriculum in the secondary grades. Such instruction shall be aligned with state content standards and shall be designed to help students analyze signs of depression and self-destructive behaviors, including potential suicide, and to identify suicide prevention strategies.

The District Administrator may offer parents education or information which describes the severity of the youth suicide problem, the district's suicide prevention curriculum, risk factors and warning signs of suicide, basic steps for helping suicidal youth, and/or school and community resources that can help youth in crisis.

#### **Prevention and Instruction**

Using the Department of Public Instruction notice, the District Administrator shall annually inform the professional staff of the resources available from the Department and other resources regarding suicide prevention. The District Administrator shall also implement procedures to obtain payment or reimbursement for professional mental health services provided by any licensed treatment professional.

Suicide prevention strategies may include, but not be limited to, efforts to promote a positive school climate that enhances students' feelings of connectedness with the school and is characterized by caring staff and harmonious interrelationships among students.

Developmentally appropriate, student-centered education materials will be integrated into the curriculum of all K-12 health classes. The content of these materials will: **[Drafting Note - Letters A-D are required by statute]**

- A. encourage positive social and emotional development.
- B. teach life skills such as problem-solving and sound decision-making.
- C. provide knowledge of the relationship between youth suicide and the use of alcohol and controlled substances.

- D. promote awareness of the warning signs of suicide, how to respond to potential suicidal persons and available community counseling and mental services.
- E.  stress the importance of safe and healthy choices and coping strategies.
- F.  instruct how to recognize risk factors and warning signs of mental disorders and suicide in oneself and others.
- G.  facilitate help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help. In addition, schools may provide supplemental small group suicide prevention programming for students.

### **Staff Development**

Suicide prevention training for staff shall be designed to help staff identify and respond to students at risk of suicide. The training shall be offered under the direction of a school counselor/school psychologist and/or in cooperation with one or more community mental health agencies and must include information on:

- A.  the role of protective factors with an emphasis on school climate, connectedness, caring staff, and positive student relationships, and building support for these protective factors within staff and community as a positive purpose of suicide prevention.
- B.  research identifying risk factors, such as previous suicide attempt(s), history of depression or mental illness, substance use problems, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability, and other factors.
- C.  warning signs that may indicate suicidal intentions include changes in students' appearance, personality, or behavior. Warning signs of this nature should receive particular attention when displayed by an individual in one or more of the following groups:
  1. Youth bereaved by suicide
  2. Youth with disabilities, mental illness, or substance abuse
  3. Homeless youth
  4. LGBTQ youth
  5. Youth in the juvenile justice or welfare system
  6. Native American youth
  7. Youth on the fringes of mainstream social groups
- D.  research-based instructional strategies for teaching the suicide prevention curriculum and promoting mental and emotional health.
- E.  school and community resources and services.
- F.  District procedures for intervening when a student attempts, threatens, or discloses the desire to die by suicide.

Training will be provided  annually  regularly **[END OF OPTIONS]** for all teachers and staff.

### **Suicide Intervention; Civil Liability Exemption**

Any School District officer, employee, or volunteer who in good faith attempts to prevent suicide by a student is immune from civil liability for their acts or omissions in respect to the suicide or attempted suicide.

### **Postvention**

The Board recognizes that the death of a staff member or student, whether by suicide or other means, that affects the entire school and community. In the event of a staff member or student's death, it is critical that the school's response be swift, consistent, and intended to protect the student body and community.

This policy has related AGs that will help guide this response. Following the AG in the context of any student or staff death will aid in providing for a swift, consistent, and thoughtful approach.

### **Confirming the News and Convening the Education Support Team**

Upon receiving news of a student's or employee's death, including an unconfirmed rumor, a staff member must immediately contact the Principal, and/or designee. Contact must be made whether this is during or outside school hours.

The  District Administrator  Principal **[END OF OPTIONS]** will:

- A.  contact the  District Administrator  Board President.
- B.  contact key staff who will comprise the support team; i.e., teaching and classified staff, parents, students, and/or community members.
- C.  compose a potential "shared statement" to for students and staff so the same message is disseminated to everyone. This statement should not be read over the intercom but delivered in person by a teacher who has a relationship with the students. This is very important in grades where the deceased student had close connections to his/her classmates.
- D.  compose a potential public statement to notify the community at large what the school is experiencing and that the school is focused on providing support to the students. This may be beneficial in the event that the matter becomes publicly discussed, including on social media.
- E.  will convene the educational support team which may include:
  1.  administrators
  2.  school counselor(s)
  3.  school psychologist(s)
  4.  social worker(s)
  5.  \_\_\_\_\_

In the case of a death by suicide, other concerns such as the prevention of suicide contagion will be taken into account. Suicide contagion is the process by which suicidal behavior or a suicide completion influences an increase in the suicide risk of others. Identification, modeling, and guilt are each thought to play a role in contagion. Although rare, suicide contagion can result in a cluster of suicides within a community.

#### **Publication and Distribution**

This policy will be included in age-appropriate student handbooks and on the school website.

© Neola 2023

Legal	115.365, Wis. Stats. (Assistance for Schools for Suicide Prevention Programs)
	118.01(2)(d)7, Wis. Stats. (Educational Goals and Expectations)
	118.295, Wis. Stats. (Suicide Intervention, Civil Liability Exemption)
	895.48(1), Wis. Stats. (Liability Exemption)

**Last Modified by Ryan Peterson on August 15, 2023**