

AGENDA
SCHOOL DISTRICT OF MANAWA
POLICY & HUMAN RESOURCES COMMITTEE MEETING

Date: October 3, 2018

Time: Immediately Following the
Special BOE Mtg Starting @ 5:00 p.m.

Location: Board Room
800 Beech St., Manawa

Board Committee Members: Pethke (C), Forbes and J. Johnson

In Attendance:

Recorder: _____ **Timer:** _____

1. Competitive Food Sales Recommendation Policy 8550 (Information / Action)
2. **NEOLA Vol. 27 No. 2** Updates – Mr. LaValle (Information / Action)
3. Consider Approval of ag6320C3 Change Order Approval Process (Information / Action)
4. Policy & Human Resources Committee Planning Guide (Information / Action)
5. Next Meeting Date: _____
6. Next Meeting Items:
 - 1.
 - 2.
 - 3.

1. Competitive Food Sales Recommendation Policy 8550 Action ____ Table ____

2. NEOLA Vol. 27 No. 2 Updates Action ____ Table ____

3. ag6320C3 Change Order Approval Process Action ____ Table ____

4. Policy & Human Resources Committee Planning Guide Action ____ Table ____

5. Next Meeting Date: _____

Chair: _____ **Date:** _____ **Adjourn Time:** _____
Signature



Book	Policy Manual
Section	8000 Operations
Title	REVISED - COMPETITIVE FOOD SALES
Number	po8550
Status	Proposed to Policy & Human Resources Committee
Adopted	November 21, 2016

8550 - **COMPETITIVE FOOD SALES**

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

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

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Legal Title 7 C.F.R. 210.11

Last Modified by Melanie Oppor on September 26, 2018



United States Department of Agriculture

Food and Nutrition Service

Help make the healthy choice
the easy choice for kids at school

A Guide to Smart Snacks in School

For School Year 2018–2019



Learn About Smart Snacks

Do you...

- Coordinate school fundraisers,
- Manage a school store or snack bar,
- Sell food during the school day on campus,
- Manage school vending machines, or
- Want healthier foods on your school's campus?

If you checked any of the boxes above, then the foods and beverages you're selling need to meet the Smart Snacks in School Standards. You play an important role in helping kids get the nutrition they need to grow and learn. Use this guide to learn how!

If you didn't check a box and still want to learn more about encouraging kids to choose Smart Snacks in school, see the resources on page 14.

Why are Smart Snacks important?

- 1 More than a quarter of kids' daily calories may come from snacks.
- 2 Kids who have healthy eating patterns are more likely to perform better academically.
- 3 Kids consume more healthy foods and beverages during the school day. When there are Smart Snacks available, the healthy choice is the easy choice.
- 4 Smart Snacks Standards are a Federal requirement for all foods sold outside the National School Lunch Program and School Breakfast Program.



Which food and beverages sold at school need to meet the Smart Snacks Standards?

- 1 Any food and beverage sold to students at schools during the school day,* other than those foods provided as part of the school meal programs.
- 2 Examples include à la carte items sold in the cafeteria and foods sold in school stores, snack bars, and vending machines.
- 3 Foods and beverages sold during fundraisers, unless these items are not intended for consumption at school or are otherwise exempt by your State agency.

* The school day is defined as the midnight before to 30 minutes after the end of the school day.



The Smart Snacks Standards apply only to locations on the school campus that are accessible to students. So, this does not include places like the teachers' lounge, although you may choose to vend healthy snacks there too.

How can I tell if my snack meets the Smart Snacks Standards?

- 1** See if your snack is listed in the Products section of the Alliance for a Healthier Generation's Smart Foods Planner (<https://foodplanner.healthiergeneration.org/products>). These products were determined to meet the Smart Snacks Standards based on the product's ingredient statement and Nutrition Facts panel.
- 2** Enter information from the food or beverage's Nutrition Facts panel and ingredients list into the Alliance for a Healthier Generation's Smart Snacks Product Calculator (<https://foodplanner.healthiergeneration.org/calculator>). It is important to note that the standards are for the food items as packaged and sold. Therefore, if the item is labeled as having two servings per package, then the information in the Nutrition Facts panel must be multiplied by two. The Smart Snacks Product Calculator does this math for you.
- 3** If your snack doesn't have a nutrition label because it is made from scratch, then you may need to calculate the nutrition information. Your school nutrition program may have nutrient analysis software approved by the United States Department of Agriculture (USDA; <https://go.usa.gov/cvNaC>) which can be used to evaluate recipes.

Look for the blue information icons in the Smart Snacks Product Calculator! These helpful bubbles include additional information and regulatory guidance so you can enter product information correctly and get an accurate result.



Does USDA have a list of approved foods and beverages?

- 1** USDA does not approve individual foods or beverages. Even if a food says “Smart Snacks approved,” you should still evaluate the Nutrition Facts panel and ingredients list.
- 2** You can find examples of foods and beverages that meet the standards by browsing the Products section of the Alliance for a Healthier Generation’s Smart Foods Planner (<https://foodplanner.healthiergeneration.org/products>).
- 3** If you still have questions about a food or beverage, refer to the Smart Snacks in Schools: Questions and Answers (<https://www.fns.usda.gov/sites/default/files/cn/SP23-2014v3os.pdf>) and consult your State agency (<https://www.fns.usda.gov/school-meals/school-meals-contacts>).



Fruits, vegetables, and water with no added ingredients are always Smart Snacks!



How do I find out if my granola bar is a Smart Snack?

Granola bars and other snack bars that have as a first ingredient a whole grain (e.g., whole grain rolled oats), protein food (e.g., nuts), dairy, fruit, or vegetable will meet the general standards. Then, the product must be measured against the nutrient snack standards for calories, sodium, sugar, and fats. You can use the Smart Snacks Product Calculator to assist you with evaluating the product against the snack standards.



Tip:

When checking to see if your snack meets the standards, be sure to consider both how it is packaged as well as how it is sold, including all accompaniments. For example, if butter is added to popcorn, or ranch dressing is sold along with veggies, be sure to count the nutrition information for these condiments when determining if your snack meets the standards.



What are the Smart Snacks Standards for foods?

To qualify as a Smart Snack, a snack or entrée must first meet the general nutrition standards:

- Be a grain product that contains 50 percent or more whole grains by weight (have a whole grain as the first ingredient); or
- Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; or
- Be a combination food that contains at least ¼ cup of fruit and/or vegetable; and
- The food must meet the nutrient standards for calories, sodium, sugar, and fats:

Nutrient	Snack	Entrée
Calories	200 calories or less	350 calories or less
Sodium	200 mg or less	480 mg or less
Total Fat	35% of calories or less	35% of calories or less
Saturated Fat	Less than 10% of calories	Less than 10% of calories
Trans Fat	0 g	0 g
Sugar	35% by weight or less	35% by weight or less

What is an entrée?

For purposes of Smart Snacks, an entrée is defined as the main course of a meal that has a combination of:

- meat/meat alternate + whole grain-rich food;
- vegetable + meat/meat alternate;
- fruit + meat/meat alternate;
- meat/meat alternate alone, except for meat snacks (e.g., beef jerky), yogurt, low-fat or reduced fat cheese, nuts, seeds, and nut or seed butters; and
- a grain only, whole grain-rich entrée that is served as the main dish of the School Breakfast Program reimbursable meal.



Finding Information on the Nutrition Facts Panel and Ingredients List

Enter this information into the Smart Snacks Product Calculator (<https://foodplanner.healthiergeneration.org/calculator>) to see if your snack meets the standards.

Current Label

Nutrition Facts	
Serving Size 2 cups (30g) Servings Per Container 1	
Amount Per Serving	
Calories 140	Calories from Fat 36
% Daily Value*	
Total Fat 4g	6%
Saturated Fat 0g	0%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 170mg	7%
Total Carbohydrate 25g	8%
Dietary Fiber 2g	8%
Sugars 8g	
Protein 1g	
Vitamin A	0%
Vitamin C	0%
Calcium	0%
Iron	0%

INGREDIENTS: Popcorn, sugar, canola oil, salt

↓
First Ingredient

New Label

Nutrition Facts	
1 serving per container	
Serving size	2 cups (30g)
Amount per serving	
Calories	140
% Daily Value*	
Total Fat 4g	5%
Saturated Fat 0g	0%
Trans Fat 0g	
Cholesterol 0mg	0%
Sodium 170mg	7%
Total Carbohydrate 25g	9%
Dietary Fiber 2g	7%
Total Sugars 8g	
Includes 8g Added Sugars	16%
Protein 1g	
Vitamin D 0mcg	0%
Calcium 0mg	0%
Iron 0mg	0%
Potassium 0mg	0%

INGREDIENTS: Popcorn, sugar, canola oil, salt













↓
First Ingredient

Why Two Labels?

Manufacturers still have time to begin using the new and improved Nutrition Facts label, so you will see both label versions for a while. Full implementation is expected by January 1, 2021. For more information visit <https://www.fda.gov>.

Are there healthy exemptions to certain nutrient requirements?

The Smart Snacks Standards reflect practical and flexible solutions for health eating. A few foods or combinations of foods are exempt from certain nutrient standards. Refer to the table below for examples of these exemptions. For additional information, refer to the Smart Snacks Summary Chart at <https://fns-prod.azureedge.net/sites/default/files/cn/allfoods-summarychart.pdf>.

Food	Smart Snacks Standards Exemptions
 Fresh and frozen fruits and vegetables, with no added ingredients  Canned fruits packed in 100% juice or light syrup, with no added ingredients except water  Canned vegetables (no salt added/low sodium), with no added fats	Exempt from all nutrient standards
 Reduced-fat cheese (including part-skim mozzarella)  Nuts, seeds, or nut/seed butters  Apples with reduced-fat cheese*  Celery with peanut butter (and unsweetened raisins)*  Whole eggs with no added fat	Exempt from the total fat and saturated fat standards, but must meet all other nutrient standards
 Seafood with no added fat (e.g., canned tuna packed in water)	Exempt from the total fat standard, but must meet all other nutrient standards
 Dried fruits with no added sugars  Dried cranberries, tart cherries, or blueberries, sweetened only for processing and/or palatability, with no added fats	Exempt from the sugar standards, but must meet all other nutrient standards
 Trail mix of only dried fruits and nuts and/or seeds, with no added sugars or fats	Exempt from the total fat, saturated fat, and sugar standards, but must meet all other nutrient standards

*Paired exemptions are always required to meet the calorie and sodium limits for Smart Snacks.

What are the Smart Snacks Standards for Beverages?

Water



Plain, with or without carbonation

No Limit

Milk*

Unflavored or flavored low-fat and fat-free milk; milk alternatives as permitted by the National School Lunch Program/School Breakfast Program



Elementary School



Middle School



High School

Juice

100% fruit or vegetable juice, with or without carbonation



Elementary School



Middle School



High School

Diluted Juice

100% fruit or vegetable juice diluted with water, with or without carbonation and with no added sweeteners



Elementary School



Middle School



High School

Low- and No-Calorie Beverages (High School Only)

Low- and no-calorie beverages, with or without caffeine and/or carbonation; calorie-free, flavored water



Low Calorie Maximums:*
40 calories/8 fl oz
60 calories/12 fl oz

*Equivalent to 5 calories per fluid ounce.



No Calorie Maximum:*
10 calories/20 fl oz

*Less than 5 calories per 8 fluid ounces.



Do you have questions about Smart Snacks Standards? Get more information by reviewing the *Smart Snacks in School: Questions and Answers* (<https://fns-prod.azureedge.net/sites/default/files/cn/SP23-2014v3os.pdf>) or contact your State agency (<https://www.fns.usda.gov/school-meals/school-meals-contacts>).

How do the Smart Snacks Standards affect school fundraisers?

- 1 Sales of foods and beverages that meet the Smart Snacks Standards and sales of nonfood items (e.g., wrapping paper and apparel) are not limited under the Federal policy.
- 2 Fundraising activities that occur during nonschool hours, on weekends, or at off-campus events are not limited under the Federal policy.
- 3 Fundraisers selling foods that are intended to be consumed outside the school day are not limited under the Federal policy.
- 4 Some State agencies allow a certain number of in-school fundraisers to be exempt from the Smart Snacks Standards. Contact your State agency for more information.



What if my school district wants to have stricter standards?

These Federal standards are the minimum requirements. State agencies and/or local school districts can establish stricter standards, if desired. Consult your school's Local School Wellness Policy for more information.

What are some other resources?

Team Nutrition

<https://teammnutrition.usda.gov>

Access free nutrition education resources like this Guide to Smart Snacks in School handout.

School Meals: Focusing on Smart Snacks

<https://www.fns.usda.gov/healthierschoolday/tools-schools-focusing-smart-snacks>

Read more about Smart Snacks regulations and policies and get answers to common questions.

Best Practices for Healthy School Fundraisers

<https://www.fns.usda.gov/best-practices-healthy-school-fundraisers>

Get ideas for healthier fundraising activities.

**U.S. Department of Agriculture
Food and Nutrition Service**

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FNS-623 | July 2016
Slightly revised August 2018.



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of Overview & Comments
Number	1- Overview & Comments - Vol. 27, No.2 - For Board
Status	

WISCONSIN OVERVIEW AND COMMENTS

**Volume 27, Number 2
July, 2018**

Legal Alerts

1. Curriculum Requirements

The State legislature has, over the past year, incorporated a number of additional mandatory topics into K-12 public education curriculum. Neola policies do not generally incorporate specific curriculum components, with a few exceptions (e.g. human growth and development, Policy 2414). This is provided as information to our clients. The following curriculum components have been added to Wisconsin's required curriculum provisions:

Financial Literacy: 2017 Wisconsin Act 94, effective December 2, 2017, created Wis. Stat. § 121.02(1)(L)7., which requires School Districts to adopt academic standards for financial literacy and incorporate instruction into the curriculum in grades kindergarten to twelve (12).

Nutrition: 2017 Wisconsin Act 152 amends the "personal development" elements of the curriculum to eliminate the express requirement to educate students on the "health values of dairy products" and instead to incorporate the "nutritive value of foods, as outlined in the Dietary Guidelines for Americans, a joint publication of the Federal Department of Health and Human Services and the Department of Agriculture, and knowledge of the role of a nutritious diet in promoting health, preventing chronic disease, and maintaining a healthy weight." Section 118.01(2)(d)2.b., Wis. Stats. This revision to the academic standards has been incorporated into Policy 2131 - Educational Outcome Goals and Expectations.

Opioids: 2017 Wisconsin Act 262, published on April 10, 2018, requires the inclusion of education regarding prescription drug abuse and prevention, as well as the effects of prescription drugs on highway safety and on suicide and suicide prevention. These topics are added to existing curriculum requirements regarding "personal development" found in Section 118.01(2)(d), Wis. Stats. This revision to the academic standards has been incorporated into Policy 2131 - Educational Outcome Goals and Expectations.

2. Early College Credit Program – Formerly Youth Options

In the 2017-2019 Biennial Budget bill, the legislature eliminated the Course Options and Youth Options programs and replaced them with the Early College Credit Program and the Start College Now Program. Neola provided a policy revision in Update 27-1 for the Early College Credit Program (formerly Youth Options).

When the Early College Credit Program was created, the legislature also moved authority to attend a Wisconsin technical college while in high school to those parts of the statutes that govern the technical college system (Chapter 38). Attendance at a technical college is still permitted for certain high school students, but is treated separately than provisions governing attendance at other institutions of higher education. Districts are provided here with a policy, as a sub-policy to the Early College Credit Program, that governs the Start College Now Program. This program, like the Early College Credit Program, took effect July 1, 2018, and first applies to participation in the Fall of 2018. Note that a student must notify the Board by March 1, 2018 of the student's intent to enroll in a technical college under the program in the upcoming Fall. This was the same procedure that took place for enrollment at a technical college under the Youth Options program.

Policy 2271 was revised to replace the Youth Options Program with the Early College Credit Program. This was completed early this year in Update 27-1. Further updates to the policy may be necessary as the program is fully implemented. At this time; however, the Wisconsin Department of Public Instruction has not yet issued administrative rules to fully implement the Program. Revisions have been incorporated into the administrative guidelines to reflect exclusions from the ECCP program requirements for certain post-secondary credit granting arrangements.

Neola continues to monitor the program and in the event regulations are promulgated, and those regulations require revisions to the policy template, we will communicate that timely.

BYLAWS & POLICIES

Policy 0144.1 - Compensation (Revised)

The policy incorporating a recent statutory modification allowing board members to refuse salary has been clarified to deal with the procedure for Board members who are not in the initial year of their term who also wish to refuse to accept salary. This modification is recommended for consistency with Wisconsin Statute 120.07, Wis. Stats..

Policy 0161 – Parliamentary Authority (Revised)

This revision has been made to provide an option for additional flexibility that is acknowledged in *Roberts Rules of Orders* for smaller Boards, as opposed to large assemblies. In addition, expanded disclaimer language has been added to avoid challenges to Board action on the basis of procedural objections. These modifications are recommended but not required.

Policy 0164.2 – Special Meetings (Revised)

Policy 0165.3 - Special Meetings (Deleted)

Policy language regarding special meetings have been combined into one policy for clarity and to better represent the distinctions between special meetings in common school districts and unified districts. Appropriate legal references have been added to the policy. This revision is recommended for clarity and consistency with statute.

Policy 1213 – Student Supervision and Welfare (Revised)

Policy language was clarified to indicate that it pertains exclusively to administrators rather than including administrative assistants who are support staff members. This revision is recommended for clarity.

Policy 1460 - Physical Examination (Revised)

This policy has been revised to reflect the requirement that an administrator who has been offered employment will undergo a tuberculosis screening questionnaire or other tests in accordance with applicable law. Further, the policy has been revised to require that any non-employment recommendations should be directly related to the defined job responsibilities and a reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

Policy 1461 - Unrequested Leaves of Absence/Fitness for Duty (Revised)

This policy has been revised to reflect that it is about administrators who may be unable to perform their duties.

Policy 1623 - Section 504 / ADA Prohibition Against Disability Discrimination (Revised)

Reference to "work days" has been changed to "business days" to be consistent with other policies concerning complaints processing. Note that the use of "working days" is used in some statutory timelines, as is the term "business days". Both terms are defined as any day of the week excluding weekends or recognized holidays. This revision is recommended for consistency.

Policy 2131 - Academic Standards (Revised)

As noted above, the legislature has amended the academic standards, which are incorporated into policy. The revisions provided here reflect the legislative changes and should be adopted in order to have accurate policy language.

Policy 2270 – Religion In The Curriculum (Revised)

Language has been removed from the policy which could be construed as inconsistent with the Board's authority. This revision is recommended for consistency with law and other policies.

Policy 2271 - Early College Credit Program (Revised)

The policy, as noted above, is revised to note that notice of ECCP options must first be provided to 8th grade students, although participation is limited to high school students. The policy is also revised to remove an incorrect statutory reference.

Policy 2271.01 - Start College Now Program (New)

Districts are provided here with a policy, as a sub-policy to the Early College Credit Program, that governs the Start College Now Program. This program, like the Early College Credit Program, took effect July 1, 2018, and first applies to participation in the Fall of 2018. Note that a student must notify the Board by March 1, 2018 of the student's intent to enroll in a technical college under the program in the upcoming Fall. This was the same procedure that took place for enrollment at a technical college under the Youth Options program.

Policy 2412 - Homebound Instruction (Revised)

The policy has been revised to reflect current law and standards as it relates to homebound instruction. For further information review of the relevant Wisconsin Department of Public Instruction document is recommended (https://dpi.wi.gov/sites/default/files/imce/sspw/pdf/homeboundinstruction_sd.pdf). This revision is recommended for consistency with the law.

Policy 2461 - Recording of IEP Team Meetings (Revised)

The use of tape recorders at IEP meetings is not addressed in State or Federal law. The decision about whether parents may tape such meetings is left to the discretion of the local Districts. Any policy limiting or prohibiting a parent's right to tape record an IEP meeting should provide for exceptions if they are necessary to ensure that the parent is able to understand the IEP or the IEP process or to implement other parental rights. A policy limiting or prohibiting a parent's right to tape record IEP meeting involves complex issues of federal constitutional law. Also, it is noted that when recording an IEP meeting, it must be maintained by the district, it must be treated as a pupil record pursuant to State and Federal law.

When making revisions to these policies or adopting this policy for a first time, a District should consult their attorneys.

Policy 3120 - Employment of Professional Staff (Revised)

This policy has been revised to reflect that the Board, by a majority vote, is required to approve the employment of all employees.

This revision is recommended for consistency with law and other policies.

Policy 3120.04 – Employment of Substitutes (Revised)

The policy is revised to allow for either the employment of, or the contracting with a service to provide substitute teachers, and to account for the ever-expanding types of licensure available. The District's interest is in having substitutes that are properly certified and preferably grade level and subject matter certified, but must retain flexibility to use any of various mechanisms for certification.

Revision is also made to clarify and make it easier for the District Administrator who has the authority to end a current assignment or to remove an individual from the substitute list altogether for any reason not arbitrary, capricious, or discriminatory. These revisions are recommended for clarity and consistency.

Policy 3120.10 & Policy 4120.10 - Job Sharing (Revised)

This policy has been revised to remove the seniority language, as it is no longer applicable. Please note, the language regarding half-time positions was maintained, and while it is rare, and is done on a case-by-case basis, employees may employ two employees to hold one full-time position.

These revisions are recommended for clarity and consistency.

Policy 1422, Policy 3122 & Policy 4122 - Nondiscrimination and Equal Employment Opportunity (Revised)

This policy has been revised to remove the language regarding collective bargaining agreements and encourage the use of the Districts Employee Handbook regarding sanctions and monitoring.

Policy 3139 - Staff Discipline (Revised)

An option has been added to the policy to allow for employment termination by the District Administrator unless Board action is required by law. A legal reference to the statutory grievance procedure has also been added to the policy. This revision is optional.

Policy 3160 - Physical Examination (Revised)

This policy has been revised to add a drafting note regarding the legality of blanket pre-employment drug testing. Further, the policy has been revised to require that any non-employment recommendations should be directly related to the defined job responsibilities and a reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

Policy 3230 & Policy 4230 - Conflict of Interest (Revised)

The policy is revised to clarify the prohibition on providing tutoring services for a fee. Many School District employees, particularly teachers, serve as private tutors for students on their own time and arranged outside of school. Provided that these paid services are truly outside the scope of the regular duties of the individual and are not a requirement of any program, class, or project, this can be permitted. These revisions are recommended for clarity and consistency.

Policy 1630.01, Policy 3430.01 and Policy 4430.01 - Family & Medical Leave of Absence ("FMLA") (Revised)

These policies were revised to clarify that, in circumstances where leave is governed solely by the federal Family and Medical Leave Act, an employee may take leave intermittently or on a reduced leave schedule after the birth of a child or placement of a child for adoption or foster care only if the employer agrees (as contrasted with intermittent leave based on a serious health condition of a child where intermittent leave is medically necessary). This revision is recommended for consistency with the law.

Policy 4139 – Staff Discipline (Revised)

An option has been added to the policy to allow for employment termination by the District Administrator unless Board action is required by law. A legal reference to the statutory grievance procedure has also been added to the policy. This revision is optional.

Policy 4160 - Physical Examination (Revised)

This policy has been revised to add a drafting note regarding the legality of blanket pre-employment drug testing. Further, the policy has been revised to require that any non-employment recommendations should be directly related to the defined job responsibilities and a reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.

Policy 4162 - Controlled Substance and Alcohol Policy for Employees that Transport Students (Revised)

This policy has been revised to specify which substances must be tested. The scope of the policy has been clarified to include those employees who perform safety-sensitive functions, as opposed to only "drivers."

This revision is recommended for consistency with law.

Policy 4440 - Job-Related Expenses (Revised)

This policy has been revised to reflect that the District will identify an individual who will be responsible for determining the validity of job-related expenses.

This revision is recommended for consistency with law and other policies.

Policy 5111 – Eligibility of Resident/Nonresident Students (Revised)

Revisions to this policy are made to better describe residency requirements. Also, the policy is revised to eliminate the suggestion that Districts make determinations regarding the immigration status of potential students. This is not the purview of, nor a permissible exercise of local School Districts. Standard residency considerations apply to all student-age individuals, regardless of alienage (with the lone exception of student exchange programs through District-sponsored F-1 status or, in some cases, outside organization-sponsored J-1 status). This revision is recommended for consistency with the law.

Policy 5200 – Attendance (Revised)

The policy has been updated to reference revisions to the law which now permit, but do not require, delivery of notices under the law by way of electronic mail.

The policy update is recommended to assure accuracy as to the permitted notice mechanisms, and must be updated to reflect that mailing notice is only permitted after telephone, personal contact, or email communication (unless the parent has refused email).

Policy 5512 – Use of Tobacco by Students (Revised)

In the continuing efforts to keep up with modern realities, including the constant evolution of student conduct requiring disciplinary or other correction action, this policy is revised to include prohibition on the use of nicotine patches and nicotine gum at the school. Note that possession and use of nicotine products by minors is already prohibited by Wisconsin law.

Policy 5515 – Student Use Of Motor Vehicles (Revised)

Specific office options have been provided for securing permission for a student to drive a motor vehicle on school grounds. This revision is recommended but not required.

Policy 5516 - Hazing (Revised)

This policy is revised to remove the requirement that the Hazing policy be distributed as presently required. There is no separate legal requirement that a hazing policy be created or disseminated; only the bullying policy is required. Hazing is a separate but often inter-related concept and therefore it is reasonable and good practice to have a policy prohibiting it, but the policy references Policy 5517 - Bullying and that policy is subject to annual distribution.

The revision is recommended to avoid taking more responsibility than is required by law in terms of distributing the various policies to students, parents, etc.

Policy 5530 – Drug Prevention (Revised)

Language has been added to this policy to be consistent with the requirements of Wisconsin Act 262, now reflected in Section 118.01(2)(d), Wis. Stats., with respect to the components of education regarding drug abuse issues. This revision is required for consistency with law.

Policy 5540 - The Schools and Governmental Agencies (Revised)

This policy has been revised to reflect that a school official will *attempt* to contact the student's parent before law enforcement questions a student, unless specifically requested not to because such contact would unduly impede the investigation.

The addition of the word *attempt* was included, because school personnel do not have a requirement to reach the parents prior to law enforcement questioning a student.

Policy 5630 – Corporal Punishment (Revised)

This policy has been revised to more closely track the statutory language and also includes an acknowledgement of the need to harmonize the existing corporal punishment statutory language with other State law and policy governing seclusion and restraint (until legislative clarification is available).

Policy 5772 - Weapons (Revised)

The reference to “the criminal justice or juvenile delinquency system” has been changed to be consistent with other policy references. These revisions are recommended for clarity and consistency.

Policy 5870 - Student/Parent Rights (Revised)

The policy deals primarily with student production of goods or services for nonprofit organizations and the like. An option is added to the policy related to the Intellectual Property rights that may or may not attach to any original work product of a student or students. It is recommended that the District not assume to grant or deny a student's rights with respect to work product that may be subject to some IP protection. Rather, this option allows the District to note simply that any such rights (a) will not be the staff members property unless the staff member articulates that in advance and has approval to pursue the project accordingly; and (b) the District does not take any position or make any guarantees with regard to the protectable nature of any item.

The option is not required, but is provided as an option for Districts to consider.

Policy 6330 – Leasing School Property (Revised)

Language which has expired with the passage of time is now removed from the policy and a clarifying clause has been added due to the different powers of common and unified school districts. A legal reference pertaining to unified districts has been added. These revisions are recommended for consistency with current law.

Policy 6520 - Payroll Deductions (Revised)

The policy has been modified to include Section 457 of the Internal Revenue Code, along with the existing reference to Section 403(b).

Policy 6700 – Fair Labor Standards Act (Revised)

This policy is revised to eliminate the requirement that the policy be distributed annually. The law requires posting notices concerning the FLSA, but not distributing the policy every year.

Note as well that this policy provides the Board an opportunity to authorize the use of compensatory time off or to delegate such authority to the District Administrator. In either case, compensatory time off, in lieu of cash overtime payments, may be used only when agreement exists between the specific employee and either the District Administrator or the Board, as selected. Previously, the use of comp time was authorized through collective bargaining to an entire classification of employees. The absence of CBA's covering that issue requires that its continued use be subject to individual agreements.

This revision is recommended for consistency with the law.

Policy 6830 - Audit (Revised)

Minor revisions are made to the policy to clarify and better represent the audit process utilized by Districts and to note that the auditor must prepare the report, but the District administrator is responsible for assuring the report is properly submitted to DPI (which may be accomplished through the auditor).

These revisions are recommended for clarity and consistency with current law.

Policy 7217 - Weapons (Revised)

Reference to 3 inch lock back knives has been removed to be consistent with law and other District policies regarding weapons.

Policy 7440 - Facility Security (Revised)

This policy has been revised to identify that any parent visiting the District are required to comply with Policy 9150 - School Visitors and any other relevant policies and administrative guidelines.

Further, additional grammatical changes have been made.

This revision is recommended for consistency with law and other policies.

Policy 7530.02 - Staff and School Officials Use of Personal Communication Devices (Revised)

This policy has been revised to address staff and school official use of wireless communication devices for business-related purposes (regardless of whether the PCD is provided by the Board or privately owned by the employee). The policy contains provisions related to safe and appropriate use of PCDs, confidentiality of information contained on PCDs, privacy, and archiving.

Policy 8146 - Notification of Educational Options (Revised)

This policy has been revised to reflect the changes to the terminology used regarding Educational Options.

This revision is recommended for consistency with law and other policies.

Policy 8310 - Public Records (Revised)

The policy has been revised to add clarity to the "personal use" exception related to "notes" under the Wisconsin Public Records Law. The Wisconsin Court of Appeals recently issued an unpublished decision interpreting the personal use exception. The analysis of whether a record falls under this exception is fact-intensive, and must be analyzed on a case-by-case basis, but generally the analysis relies on two considerations: (1) was the creation of the notes part of the creator's job responsibilities, or merely as a means to assist in recollection at a later time; and (2) even if originally created for personal usage and not in the discharge of a job duty, were the notes shared with others so as to change the nature of their usage to something other than personal?

Other general updates were also made to the policy language.

In addition, the section related to Records Retention was changed to an option. A School District may adopt the entire schedule, individual sections, or a modified version.

The Wisconsin Public Records Board and the Wisconsin Department of Public Instruction recommend that School Districts adopt the Wisconsin School District Records Retentions Schedule: (<http://publicrecordsboard.wi.gov/docview.asp?docid=15892&locid=165>) and submit the Notification Form to the Wisconsin State Historical Society.

Policy 8340 - Providing a Reference (Revised)

The policy was revised to include options for providing employment references. Importantly, Policy 8340 also addresses the ESSA's prohibition on aiding and abetting sexual abuse. More specifically, School Districts should have policies in place prohibiting school employees from providing references in situations where the employee knows, or has probable cause to believe, that the former employee, contractor, or agent engaged in sexual misconduct regarding a minor or student in violation of the law.

These revisions are recommended for clarity and consistency with current law.

Policy 8405 - Environmental Health and Safety Program (Revised)

This policy was revised to incorporate the options regarding establishment of a District safety committee. Additionally, options regarding indoor environmental quality plan were incorporated.

This revision is recommended for consistency with law and other policies.

Policy 8407 – School Resource Officer Program (New)

Although there are references to a District's interaction with law enforcement in a variety of policies and guidelines, this new policy is designed to acknowledge the existence of a School Resource Officer Program itself, and provide a framework for establishing the written agreement between a law enforcement agency and the Board.

This policy is recommended for Districts with a School Resource Officer program.

Policy 8462 - Mandatory Reporting of Child Abuse and Neglect and Threats of Violence (Revised)

The policy has been revised to reflect the mandatory reporting requirement in the context of a threats of violence targeting the school. This requirement was put in place as part of the school safety legislation passed early this year by the Wisconsin legislature. In addition, reference to mandatory training requirements and procedural options concerning both the training as well as the District's efforts to combat child abuse, neglect, and threats of school violence are added.

Some of the revisions, specifically those requiring reporting of threats of violence, as well as information pertaining to training efforts are required. Other revisions are recommended to make the policy more robust and more user-friendly, but are not required.

Policy 8500 – Food Services (Revised)

This policy has been revised to include language regarding the timeframe for forwarding complaints to the Civil Rights Division of the USDA Food and Nutrition Service.

Note that this requirement comes from a DPI audit of a District's policies. There is no regulatory basis for the 3-day requirement and correspondence with both USDA representatives and DPI representatives confirms that the source of this expectation is unclear, but believed to be the function of an MOU between the USDA and DPI. Requests for the MOU are pending. At this time, it is recommended that the revision be made and adhered to (i.e. training needs to be provided to the staff member responsible for coordinating any complaints) to assure successful audit. Likewise, an optional revision to the circumstances justifying characterizing unpaid meal account balances as bad debt has been made, per one auditor's suggestion, to provide greater flexibility to the administration to continue efforts to collect the funds beyond the end of the school year in which incurred if the administrator feels it appropriate and worthwhile. Note that this is not required and may place additional responsibilities on the administration to affirmatively determine that further efforts are unnecessary. Finally, the policy template includes some corrections to the placement of and description of options relative to the provision of alternate meals. Alternate meals may be provided or not provided to paid or reduced price lunch students with negative account balances and no current funds per the District's decision. The USDA recommends and encourages the provision of alternate meals, as does DPI, but ultimately it is the local School Food Authority that makes the determination as to how to handle it. Programs that do provide such lunches, are expected to do so in a way that minimizes the distress placed on the student as a function of being identified as not having sufficient funds to pay for lunch.

Revision is recommended and, according to current DPI audit expectations, required.

Policy 8760 - Student Accident Insurance (Revised)

Revisions to this policy are made to allow the District to select whether to require insurance. There is no such requirement in the law, and for some Districts, this may present a concern of a disparate impact on groups based on protected classification. It is recommended that any District intending to require proof of insurance for extracurricular participation consult with local counsel prior to doing so.

This revision is recommended but not required.

Policy 9130 - Public Requests, Suggestions, or Complaints (Revised)

The portion of the policy dealing with "Guidelines For Matters Regarding Instructional Materials" has been modified to clarify the appeal steps and provide additional guidance to the Board on the methods it may use to conduct the final review of a committee's decision when under appeal.

A drafting note has also been added to the section dealing with the composition of the committee to caution against including Board members at the review committee level as it could give rise to later complications when the Board itself acts in an appeal capacity.

These revisions are recommended for clarity but not required.

Policy 9160 - Public Attendance at School Events (Revised)

This policy has been revised to add a cross reference to Policy 7217 - Weapons. It requires that persons attending school events will be subject to the provisions to the Districts adopted Weapons policy.

ADMINISTRATIVE GUIDELINES

AG 2260 - Nondiscrimination and Access to Equal Educational Opportunity (Revised)

This AG has been revised to include language that the District intends to support and promote nondiscriminatory practice in all District and school activities. Further, this AG has been revised to provide clarity in the language.

AG 2261 – Procedure for Complaints or Appeals Under the ESSA (Revised)

Updates were made to Administrative Guideline 2261 to conform to the requirements of the Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA).

AG 2271 - Early College Credit Program (Revised)

The guideline is revised to incorporate the provisions of 2017 Wisconsin Act 307 which excluded certain programs from the required measures, particularly tuition expenses, associated with student receipt of postsecondary credit for certain programs under certain conditions. Those exclusionsary circumstances are described in the guideline's revisions.

AG 2412 - Homebound Instruction (Delete)

This AG should be deleted as the language has become outdated and the revisions to District policy encompass current standards established in State law and by the Department of Public Instruction.

AG 3122.01 & AG 4122.01 - Drug-Free Workplace (Revised)

Reference to "material" such as "firearms" and "explosives" have been removed from this policy and replaced with reference to "substances", since the policy deals with drugs, alcohol and controlled substances. These revisions are recommended for clarity and consistency.

AG 1623, AG 3123, & AG 4123 – Section 504/ADA - Prohibition Against Disability Discrimination in Employment (Revised)

The reference to a "negotiated collective bargaining agreement" has been removed from the accommodation discussion as the filling of vacancies is no longer a legal subject of bargaining since Act 10.

AG 3160A/AG 4160A - Physical Examination (Revised)

These AGs have been modified to incorporate the use of a *licensed medical practitioner* as is allowable by State law.

AG 3362.01 & AG 4362.01 - Reporting Threatening Behaviors (Renumbered)

This guideline has been re-numbered to be consistent with Policy 3362.01 & Policy 4362.01 - Threatening Behavior Toward Staff Members.

AG 3440B - Use of Private Car for School Business (Revised)

This AG has been revised to add a cross reference to Policy and AG 8660 - Transportation by Private Vehicle, requiring that all transportation of students must be done consistent with this policy and guideline.

AG 4111A - Creating a Position (Revised)

This AG has been revised to reflect that a job description will be prepared for each new support staff member and that until the Board approves the position no person can be employed to fill the position.

AG 4440B - Use of Private Car for School Business (Revised)

This AG has been revised to add a cross reference to Policy and AG 8660 - Transportation by Private Vehicle, requiring that all transportation of students must be done consistent with this policy and guideline.

AG 5111 – Admission to the District (Revised)

The guideline is revised to clarify the purpose of temporary enrollment, which is to allow a parent to provide proof of residency for enrollment. If no such proof is provided, and the student is not homeless, then the Board will need to determine whether the student may pay tuition to attend. The *Thayer* rule in Wisconsin requires that any school-age individual domiciled in the territory of a School District is entitled to attend unless the sole reason the student is in the District's boundaries is to attend school. A student is a resident then, if he or she can establish a domicile and any reason for being there other than to attend that school.

AG 5112B - Young Kindergarten Programs (Delete)

This AG is being recommended for deletion, as it is not a program utilized in Wisconsin Districts.

AG 5340B - Health Emergencies and First Aid Care (Revised)

This guideline has been revised to reflect that any administration of medication and emergency care will be consistent with Board approved Policy 5330 - Administration of Medication/Emergency Care and AG 5330 - Administration of Medications and AG 5330A - Student Accident/Illness/Concussion.

AG 5514.01 - Use of Motor Vehicles (Delete)

This AG has been recommended for deletion, as the language was previously incorporated in to AG5515.

AG 6510B – Payroll Authorization (Revised)

The guideline has been updated to reflect current authorization practices.

AG 6610A - Student Activity Fund (Revised)

This AG has been revised to clarify the process by which monies collected should be deposited with the school office.

AG 6700 – Fair Labor Standards Act (Revised)

The guideline is revised to reference coaches as exempt under the teacher category based on a U.S. Department of Labor Opinion letter from the Agency Administrator stating that a coach performs the duties of teaching, and clarifying that the exemption does not require that a job requires a teaching certificate in order to be exempt, but rather only states that a teaching certificate is definitive evidence that a position is a teaching position. Coaches, instruct, impart knowledge, etc., and that is the requirement to qualify for the exemption. It is important to note, however, that a coach may still be a non-exempt employee if otherwise employed by the District and the primary function the person serves is a non-exempt function.

Some additional corrections and improvements are made to the guideline as well.

AG 8462 - Student Abuse and Neglect (Revised)

The guideline has been revised to reflect current law related to mandatory reporting obligations, to better incorporate statutory terms, such as “emotional damage”, and other such terminology used in the statute. It also includes new provisions introduced as part of the School Safety Package. Likewise, it includes options recommended by the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention in its materials related to preventing child sexual abuse by youth-serving organizations. These revisions focus on both performing background checks on staff and volunteers that include components targeted at uncovering a history of sexual abuse or deviance relative to children, as well as, providing training targeted at identifying the signs of victimization.

AG 9130 - Public Requests, Suggestions, or Complaints (Revised)

The corresponding administrative guideline has been clarified to remove the reference to the appeal process from the guideline, as the appeal process is covered within the policy and the guideline is more properly focused on only the committee procedures, as opposed to subsequent appeal procedures.

These revisions are recommended for clarity but not required.

FORMS

Form 6605 F1 - Crowdfunding (New)

A sample form has been developed for use in reviewing project proposals for crowdfunding solicitations.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of COMPENSATION
Number	po0144.1
Status	
Adopted	April 25, 2016
Last Revised	April 23, 2018

0144.1 - **COMPENSATION**

As approved by the electors at the annual meeting, Board members shall receive an annual salary or an amount for each School Board meeting the member actually attended, unless the member has provided timely annual notice of refusal to accept the salary. Notice must be provided prior to taking the oath of office and performing any service for the initial year of election or appointment, and may be renewed for subsequent years by notice at least thirty (30) days prior to the member's taxable year, unless statutory exceptions apply. Board members not included in the preceding sentence may refuse to accept the salary by providing notice to the Board Clerk and Treasurer at least thirty (30) days before the start of the Board member's next taxable year. Although the notification applies only to that taxable year, Board members may renew the refusal to accept the salary by sending timely annual notification.

Expenses of a Board member when authorized by the Annual Meeting shall be reimbursed when incurred in the performance of his/her duties or in the performance of functions authorized by the Board and duly vouchered.

The following guidelines have been established by the Board of Education to ensure appropriate and proper reimbursement of expenses for Board members.

- A. When attending a Board-approved, WASB, or CESA #6 conference, all fees, parking, mileage, meals, and housing will be reimbursed.
- B. No entertainment expenses or purchases of alcoholic beverages are reimbursable.
- C. The District reimbursement form detailing the amount and nature of each expense must be submitted to the District office for approval after the expenses have been incurred.

Revised 12/18/17

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Book Policy Manual
Section For Board Review - Vol. 27, No. 2
Title Copy of PARLIAMENTARY AUTHORITY
Number po0161
Status
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0161 - PARLIAMENTARY AUTHORITY

The parliamentary ~~procedure~~^{authority} governing the Board ~~of Education for the orderly conduct of meetings,~~ shall be Robert's Rules of Order, Newly Revised as defined in Chapter XVI, "Boards and Committees" (including such procedural flexibility allowed in Section 49 of Robert's: "Procedure in Small Boards"). ~~Robert's Rules of Order that apply to small boards, Newly Revised, as defined in Chapter XVI, "Boards and Committees"~~

Any failure to comply with the above procedural protocols will not affect the validity of any substantive action taken by the Board within its legal authority.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of SPECIAL MEETINGS
Number	po0164.2
Status	
Adopted	April 25, 2016
Last Revised	December 18, 2017

0164.2 - **SPECIAL MEETINGS**

A special meeting of the Board shall be held upon the written request of any School Board member provided there is compliance with the [following](#) notice provisions of ~~these Bylaws and~~ State law.

Said notice shall state the date, time, place, and subject matter of such special meeting, as well as the name and address of the District. A notice of any special meeting shall be posted at least twenty-four (24) hours before said special meeting at the Board office and such other places as the Board may determine. A copy of said notice shall be served upon each member of the Board by personal delivery to the member or his/her residence or by first-class mail, at least twenty-four (24) hours prior to 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.

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.

Revised 6/19/17

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Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of SPECIAL MEETINGS
Number	po0165.3
Status	
Adopted	April 25, 2016

[DELETE - Added to 0164.2](#)

0165.3 - **SPECIAL MEETINGS**

~~Said notice shall state the date, time, place, and subject matter of such special meeting, as well as the name and address of the District. A notice of any special meeting shall be posted at least twenty four (24) hours before said special meeting at the Board office and such other places as the Board may determine. A copy of said notice shall be served upon each member of the Board by personal delivery to the member or his/her residence or by first class mail, at least twenty four (24) hours prior to the meeting. A special meeting may be held without prior notice if all Board members are present and consent or each member consents in writing even if s/he does not attend.~~
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Legal 120.11(2), Wis. Stats.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of STUDENT SUPERVISION AND WELFARE
Number	po1213
Status	
Adopted	October 17, 2016

1213 - STUDENT SUPERVISION AND WELFARE

Administrators~~Administrative staff members~~ because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the District and personal liability to the administrator ~~staff member~~. It is the intent of the Board of Education to direct the preparation of guidelines that would minimize that possibility.

An administrator~~administrative staff member, or a person who works or volunteers with children~~, who is found to have had sexual contact with a student, including a student age sixteen (16) or older, shall be referred to the proper authorities and be subject to discipline up to and including discharge.

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

It is the responsibility of the District Administrator to maintain the following standards:

- A. Each administrator~~administrative staff member~~ shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
- B. An administrator~~administrative staff member~~ should not volunteer to assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. ~~An administrative staff member shall provide proper instruction in the safety matters presented in assigned course guides.~~
- D. Each administrator~~administrative staff member~~ shall immediately report any accident or safety hazard s/he detects.
- E. Each administrator~~administrative staff member~~ shall immediately report any knowledge of threats of violence by students.
- F. An administrator~~administrative staff member~~ shall not send students on any personal errands.
- G. An administrator~~administrative staff member~~ shall not associate with students, at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs.

This provision should not be construed as precluding an administrative staff member from associating with students in private for legitimate or proper reasons.

- H. If a student comes to an administrator~~administrative staff member~~ to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the administrator~~staff member~~ may help the student make contact with certified or licensed individuals in the District or community who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should an administrator~~staff member~~ attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior.
- I. An administrator~~administrative staff member~~ shall not transport students in a private vehicle without the approval of the District Administrators.
- J. A student shall not be required to perform work or services that may be detrimental to his/her health.

K. ~~Administrator~~~~Administrative staff members~~ shall not engage students in private and/or personal social media and online networking media.

L. ~~Administrator~~~~Administrative staff members~~ are expressly prohibited from posting any video or comment pertaining to any student on private and/or personal social networking media.

Most information concerning a child in school is a confidential student record under Federal and State laws. Any ~~administrator~~~~administrative staff member~~ who shares confidential information with another person not authorized to receive the information may be subject to discipline or civil liability. This includes, but is not limited to, information concerning assessments, grades, behavior, family background, and alleged child abuse (see Policy 8330).

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

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Legal 48.981, 948, 948.095 Wis. Stats.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Number	po1422
Status	
Adopted	October 17, 2016

1422 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

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

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (hereinafter referred to as the "COs").

Carmen O'Brien
Director of Curriculum Assessment
School District of Manawa
800 Beech Street
Manawa, WI 54949
920-596-5840
cobrien@manawa.k12.wi.us

Daniel Wolfgram
High School/Junior High School Principal
School District of Manawa
800 Beech Street
Manawa, WI 54949
920-596-5310
dwolfgram@manawa.k12.wi.us

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

The COs are responsible for coordinating the District's efforts to comply with the applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), the Age Discrimination in Employment Act of 1975, and the Genetic Information Nondiscrimination Act (GINA) to students, their parents, staff members, and the general public.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are expected to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other supervisory employee so that the Board may address the conduct. Any administrator, supervisor, or other supervisory employee who receives such a complaint shall file it with the CO at his/her first opportunity, but no later than two (2) business days.

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

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community (District employees, students, parent(s), and member of the Board), resident of the District, or a visitor to the District. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin an investigation, or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. All members of the School District community must

report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

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

Investigation and Complaint Procedure (See Form 1422 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

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

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

Complaint Procedure

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a complaint, either orally or in writing, with a Principal, the CO, District Administrator, or other supervisory employee. 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 assume the role of CO for such complaints.

Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a Principal, District Administrator, or other supervisory employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) business days.

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

All complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her position to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the District Administrator.

Within two (2) business days of receiving the complaint, the CO will initiate an investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including this Policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;

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

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

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

If the District Administrator requests additional investigation, the District Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the District Administrator must issue a final written decision as described above.

If the District Administrator determines the Complainant was subjected to unlawful discrimination/retaliation, s/he 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.

A Complainant or Respondent who is dissatisfied with the final decision of the District Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the District Administrator's final decision. In an attempt to resolve the complaint, the Board shall review the findings and may meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of its decision. The decision of the Board will be final.

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

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. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The Board will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants will be advised that their identities may become known to the Respondent(s) through the investigation process.

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

All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained in accordance with the School Board's records retention policy.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful 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. All disciplinary action will be taken in accordance with applicable State law. When imposing discipline, the District Administrator shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies [and/or the Employee Handbook](#).

Where the Board becomes aware that a prior remedial action has been taken against an employee, 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 unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised their rights, aided or encouraged any other person in the exercise of any right granted or protected by those laws.

Education and Training

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

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Legal

111.31 et seq., 111.335(d)(2), 118.195, 118.20, Wis. Stats.
Fourteenth Amendment, U.S. Constitution
20 U.S.C. Section 1681, Title IX of Education Amendment Act
20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
34 C.F.R. Part 110 (7/27/93)
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended
29 C.F.R. Part 1635

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of PHYSICAL EXAMINATION
Number	po1460
Status	
Adopted	October 17, 2016
Last Revised	April 23, 2018

1460 - PHYSICAL EXAMINATION

The Board ~~of Education~~ requires any candidate **who has been offered employment**, ~~who has been offered a position in which s/he will come in contact with children or prepare food for children~~, as a condition of employment, to submit to an examination, including a tuberculosis screening questionnaire, subject to further tests, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with 118.25 Wis. Stats., the District Administrator's guidelines, applicable law and/or the [Employee Handbook](#). ~~employee handbook.~~

The Board shall also require the candidate, based on a contingent job offer, to submit to a test for controlled substances the results of which must indicate there is no evidence of unlawful drug use. Such examinations shall be done in accordance with the District Administrator's guidelines and applicable law.

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

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

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

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

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

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

The Board shall assume any fees for required examinations.

Legal

118.25, Wis. Stats.

121.52(b), Wis. Stats.

29 C.F.R., Part 1630

29 C.F.R. Part 1635

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

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

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY
Number	po1461
Status	
Adopted	October 17, 2016
Last Revised	July 17, 2017

1461 - UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

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

The Board authorizes the District Administrator to place an ~~administrator~~ ~~administrative employee~~ on leave for physical or mental condition that affects the employees ability to perform assigned duties in conformance with the law.

The District Administrator shall require that the ~~administrator~~ ~~administrative employee~~ submit to an appropriate examination by a healthcare provider designated by the Board and compensated by the District.

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

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

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

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

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

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

Legal

29 C.F.R., Part 1630

29 C.F.R. Part 1635

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

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

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

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Number	po1623
Status	
Adopted	October 17, 2016

1623 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

The Board ~~of Education~~ 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.

"An individual with a disability" means a person who has, had 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 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.

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.

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 aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

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

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 necessarily required for an individual who is merely regarded as having a disability.

Compliance Officers

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

Carmen O'Brien
Director of Curriculum Assessment
School District of Manawa
800 Beech Street
Manawa, WI 54949

Daniel Wolfgram
High School/Junior High School Principal
School District of Manawa
800 Beech Street
Manawa, WI 54949

920-596-5840
cobrien@manawa.k12.wi.us

920-596-5310
dwoifgram@manawa.k12.wi.us

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

The COs are responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the District COs.

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.

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

Training

The COs will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

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

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.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the COs will be posted throughout the District, and published in the District's recruitment statements or general information publications.

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) calendar 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) ~~businesswork~~ days. If no decision is rendered within ten (10) ~~businesswork~~ 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) ~~businesswork~~ 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) ~~businesswork~~ 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 unlawful 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

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, 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.

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

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")
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Last Revised	December 18, 2017

1630.01 - FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")

Introduction

In accordance with Federal and State law, the Board ~~of Education~~ will provide family and medical leave to administrative staff. The Board's Family and Medical Leave Act policy is intended to conform to and comply with, but not exceed, the requirements of the Federal Family and Medical Leave Act of 1993 ("FMLA") and the Wisconsin Family and Medical Leave Act ("WFMLA"). To the extent that this policy is ambiguous or conflicts with the FMLA or the WFMLA, the FMLA and the WFMLA will govern.

Family and medical leave taken under this policy may be covered by Federal law, State law, or both. When leave taken by a staff member under this policy is governed by both Federal and State law, the more generous provision will control in the event of a conflict. However, when leaves are governed by State or Federal law, but not both, the applicable law will control under this policy. In this regard, staff members should note that certain leaves may be covered by both State and Federal law for only a portion of the leave. To the extent permitted by law, leave under the FMLA, leave under the WFMLA and leave granted under the Board's other policies will run concurrently (at the same time).

Eligibility Requirements

To be eligible for leave under the FMLA, a staff member must have been employed by the Board for at least twelve (12) months in the past seven (7) years **and** must have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the requested leave. All full-time instructional staff members are deemed to meet the 1,250 hour requirement.

To be eligible for leave under the WFMLA, a staff member must have been employed for more than fifty-two (52) consecutive weeks and have worked or been paid for at least 1,000 hours in the preceding fifty-two (52) weeks. The kind and amount of leave available to the staff member under this policy, as well as the staff member's rights during leave, depend upon whether the staff member satisfies the above requirements.

Qualifying Reasons for Leave

The Board provides family and medical leave for eligible staff members under the following circumstances:

- A. for the birth of the eligible staff member's child and to care for a newborn child
- B. for placement with the eligible staff member of a child for adoption or foster care
- C. to care for an eligible staff member's spouse, child or parent with a "serious health condition"

The term "child" generally includes a legal ward or a biological, adopted foster or stepchild. For leaves governed exclusively by the FMLA, the term also includes a son or daughter for whom the staff member has assumed the day-to-day obligations of a parent. A child must be either under eighteen (18) years of age or unable to care for himself/herself due to a physical or mental disability or, for leave under State law only, unable to care for himself/herself due to a serious health condition.

"Parent" includes a staff member's spouse's legal guardian only if the staff member is requesting leave under the WFMLA.

"Spouse" includes a qualified domestic partner for leaves governed by the WFMLA. Domestic partnerships must be registered with the county of residence and proof of such registration may be requested prior to approval of leave. Unregistered domestic partners must

demonstrate that they are 1) both over age eighteen (18); 2) not in a domestic partnership or marriage with another individual; 3) they share a common residence; 4) they are not related in any way that would prohibit marriage under Wisconsin law; 5) they consider each other to be immediate family members and agree to be responsible for the other's living expense.

- D. because of a serious health condition that makes the eligible staff member unable to perform the essential functions of his/her position
- E. because of a qualifying exigency resulting from active military service by the employee's spouse, son, daughter, or parent in covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves

Qualifying exigencies, as defined by Federal regulations, include: 1) short- notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation; (maximum fifteen (15) calendar days); 7) post- deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. Covered active duty means deployment with the Armed Forces to a foreign country.

- F. to care for a service member who is the employee's parent, spouse, child or next of kin who, while on active military duty, sustains a serious injury or illness or aggravation of a pre-existing illness or injury while in the line of duty, while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, in the line of duty which renders the service member medically unfit to perform the member's office, grade, rank, or rating

Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves, provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of 50% or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers. Leave is available for up to twenty-six (26) weeks in a twelve (12) month period. This type of leave is available for serious injury or illness which results in:

1. inpatient medical treatment, recuperation or therapy;
2. outpatient services at a military treatment facility or assignment to a unit established for the purpose of providing command and control of service members receiving outpatient medical services; or
3. assignment to the temporary disability retired list.

The maximum twenty-six (26) weeks of Federal leave to care for a service member includes, and is not in addition to, all other FMLA leave. In other words, employees may not take more than a total of twenty-six (26) weeks of FMLA leave during a single twelve (12) month period for any qualifying reasons under the FMLA. For instance, if an employee takes the maximum twelve (12) weeks of Federal FMLA leave for his/her own serious health condition, the employee may then only take fourteen (14) weeks of FMLA leave within that same twelve (12) month period to care for a military family member injured in the line of duty.

The District Administrator will determine whether an employee's request for leave qualifies under one (1) of the above categories.

Amount of Leave Available

Under the FMLA, if the staff member satisfies the eligibility requirements set forth above, s/he is entitled to a total of twelve (12) work weeks of leave in a calendar year for any of the reasons stated above, with the exception of leave to care for an injured service member, which is provided as described in (F) above.

Under the WFMLA, if the staff member satisfies the eligibility requirements set forth above, s/he is entitled to ten (10) work weeks of leave in a calendar year as follows:

- A. a total of six (6) weeks of leave for the birth of his/her natural child and/or the placement of a child with the staff member for, or as a precondition to, adoption;
- B. a total of two (2) weeks of leave to care for a covered family member with a serious health condition; and
- C. a total of two (2) weeks of leave due to the staff member's serious health condition.

Board policy calls for concurrent Federal/State leave coverage whenever a staff member is eligible for leave under both the FMLA and WFMLA to the extent available under the law. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining an employee's eligibility for FMLA leave.

Definitions of Serious Health Conditions

In conjunction with the certification provided by a healthcare provider, the Board reserves the right to determine whether an illness, injury, impairment or physical or mental condition constitutes a serious health condition entitling a staff member to family or medical leave under State or Federal law.

In general, a "serious health condition" under this policy means an illness, injury, impairment, or physical or mental condition that involves one (1) of the following:

A. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital or other care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

B. Absence Plus Treatment

A period of incapacity of more than three (3) consecutive calendar days* (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

1. treatment two (2) or more times by a healthcare provider, a nurse, physician's assistant or physical therapist under a healthcare provider's supervision, order or referral as appropriate within thirty (30) days of the first date of incapacity; or
2. treatment by a healthcare provider on at least one (1) occasion that results in a regimen of continuing treatment under the supervision of the healthcare provider and occurs within seven (7) days of the first day of incapacity.

*Under the WFMLA, leave may also be available for a "serious health condition" of less than three (3) consecutive days in duration.

C. Pregnancy

Any period of incapacity due to pregnancy, or for prenatal care.

D. Chronic Conditions Requiring Treatment

A chronic condition which:

1. requires periodic visits of at least two (2) times per year for treatment by a healthcare provider, or by a nurse or physician's assistant under a healthcare provider's supervision;
2. continues over an extended period of time (including recurring episodes of a single underlying condition); and
3. may cause episodic rather than continuing periods of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

E. Permanent/Long-Term Conditions Requiring Supervision

A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The staff member or his/her~~You or your~~ family member must be under the continuing supervision of, but need not be receiving active treatment by, a healthcare provider (e.g., Alzheimer's disease, a severe stroke, or the terminal stages of a disease). The continued existence of such a chronic condition is subject to certification no more than once every six (6) months.

F. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a healthcare provider or by a provider of healthcare services under orders of, or on referral by, a healthcare provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, including: cancer (chemotherapy, radiation, etc.); severe arthritis (physical therapy); or kidney disease (dialysis).

Required Staff Member Notice

The staff member must provide the District Administrator with notice in a reasonable and practicable manner before leave taken under this policy is to begin, if the need for leave is foreseeable (e.g., an expected birth, placement or adoption or foster care, or planned medical treatment for the staff member's~~your~~ own serious health condition or that of a family member). When requesting partial or intermittent leave in connection with childbirth or adoption under the WFMLA, the staff member must provide at least as much notice as required for taking other non-emergency or non-medical leave, as well as a definite schedule for the leave. Where advance notice is not practical due to uncertainty as to when leave will be required to begin, a change in circumstances or medical emergency, notice must be given as soon as

practical. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

Staff members must provide an explanation as to why proper advance notice was not provided in such cases and may be required to verify the explanation. Notice that was not provided timely without reasonable explanation may result in the denial of the leave request.

The staff member must provide a written request for leave, the reasons for the requested leave, and the anticipated beginning date and duration of the leave by submitting a FMLA leave request form to the District Administrator (forms available from the U.S. Department of Labor).

When planning medical treatment, the staff member should consult with his/her supervisor and make a reasonable effort to schedule the leave so as not to disrupt unduly the District's operations, subject to the approval of the staff member's healthcare provider. The staff member is ordinarily expected to consult with his/her supervisor in order to work out a treatment schedule which best suits his/her needs, as well as the District's.

If a staff member must take more leave than originally anticipated, s/he must notify the District Administrator within two (2) business days of learning of the circumstances necessitating the extension.

Certification By Healthcare Provider

If a staff member requests leave due to his/her own serious health condition or the serious health condition of his/her spouse, child or parent, the Board requires that the leave request be supported by certification issued and signed by the healthcare provider for the individual with a serious health condition. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed. The Board reserves the right to certify all information permitted by law.

The staff member must provide the fully completed certification to the District Administrator within fifteen (15) calendar days of the date that the certification is provided to the staff member, unless it is not practicable to do so despite the staff member's diligent, good faith efforts. If it is not practicable to return the certification within fifteen (15) calendar days, it must be returned to the District Administrator as soon as practicable.

If the staff member fails to submit the certification, the leave or continuation of leave may be delayed until the certification is submitted. Further, any absence prior to the date the certification is furnished may be considered unauthorized. A staff member who is absent without authorization may be disciplined, up to and including termination.

The District Administrator will give a staff member a reasonable opportunity to cure any deficiency in a certification, but not fewer than seven (7) calendar days. It is the responsibility of the staff member or family member with a serious health condition to use a healthcare provider who will complete and furnish an accurate certification in a timely manner.

A member of the administration, other than the staff member's direct supervisor, may contact the healthcare provider to clarify illegible answers and to authenticate the certification. If the certification is incomplete or otherwise unclear, the administrator must request that the employee obtain updated or completed information from the healthcare provider and return it directly to the administrator.

If the District Administrator doubts the validity of a certification, the District Administrator may require, at the Board's expense that the staff member obtain a second opinion from a Board-designated provider, not regularly employed by the Board. If the opinions of the staff member's and the Board's healthcare providers differ, a third, final and binding opinion may be obtained. The staff member must cooperate in obtaining a second or third opinion including facilitating the transfer of pertinent records to the subsequent healthcare providers.

The District Administrator may request re-certifications on a periodic basis as permitted by law.

Designation of Leave

In all circumstances, it is the responsibility of the District Administrator to designate leave, whether paid or unpaid, as FMLA leave and to give the staff member notice of the designation and his/her rights and responsibilities under this policy.

The District Administrator will give the staff member the notice on each occasion that s/he notifies his/her supervisor of the need for leave that may be FMLA-qualifying, including, but not limited to, when the staff member requests another type of leave for an FMLA-qualifying reason. In the case of intermittent or reduced schedule leave, only one (1) notice will be provided unless the circumstances regarding the leave have changed.

Absent extenuating circumstances, the District Administrator will provide to the employee a "Designation Notice" stating whether a request for leave has been approved or denied within five (5) business days. At a minimum, the staff member will be verbally notified whether leave is being designated as FMLA leave within five (5) business days of the date the staff member provides information to the District Administrator sufficient to enable him/her to determine that the leave is being taken for an FMLA-qualifying reason.

The District Administrator will confirm the verbal notice with the written notice as soon as feasible, but no later than the first payday following the verbal notice (unless the payday is less than one (1) week after the verbal notice, in which case the notice must be no later than the subsequent payday).

Manner In Which Leave Can Be Taken

Leave available under this policy may be taken in full and, under certain circumstances, may also be taken intermittently or on a reduced leave schedule. Intermittent leave is leave taken in separate blocks of time due to a single qualifying reason. Reduced schedule leave is leave that reduces the usual number of working hours per day or week. The staff member must consult with his/her supervisor and make a reasonable effort to schedule intermittent or reduced schedule leave so it does not unduly disrupt the District's operations.

When leave is governed only by the FMLA, intermittent or reduced schedule leave to be with the employee's newborn child, or after the placement of a child with the employee for adoption or foster care, requires the District's agreement, unless the intermittent or reduced schedule leave is due to a serious health condition.

Intermittent or reduced schedule leave due to a serious health condition must be medically necessary. Medically necessary means there must be a medical need for the leave and the leave can be best accommodated through an intermittent or reduced leave schedule, as certified by the healthcare provider in the Certification.

When leave is governed only by the FMLA, the District Administrator may offer a staff member a temporary transfer to another position for which s/he is qualified with equivalent pay and benefits that better accommodates the intermittent or reduced schedule leave when the need for leave is foreseeable based on planned medical treatment or the staff member takes such leave for the birth of a child or for placement of a child for adoption or foster care. The staff member may reject this offer in which case there will be no adverse effect on the leave or entitlement to return to the same or similar position following leave. Any time spent by the staff member in an alternative position will not count against the employee's FMLA leave entitlement.

Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule governed only by the FMLA, which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave, must elect either to:

- A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- B. transfer temporarily to an available alternative position offered by the District Administrator for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

Coordinating Leaves - Substitution

Generally, leave taken under this policy is unpaid. However, for leave governed exclusively by the FMLA, the staff member may use the following leaves provided by the Board, if available:

- A. vacation or personal leave, if available, for any family or medical leave;
- B. accrued paid family leave (i.e., paid leave covering the particular circumstances for which the staff member is seeking leave), if available, for birth, adoption, or to care for a seriously ill family member; and
- C. accrued paid medical or sick leave, if available, to care for a seriously ill family member, or for the staff member's own serious health condition.

A staff member may not substitute paid leave for unpaid FMLA leave taken under this policy in any situation where the Board would not normally provide such paid leave.

For leaves governed by the WFMLA, a staff member may substitute paid or unpaid leave, which s/he have earned and accrued, for leave taken under this policy, if available. The Board reserves the right to deny substitution as permitted by law.

Any paid leave substituted for unpaid FMLA leave or WFMLA leave will decrease, in whole or in part, the staff member's FMLA and/or WFMLA leave entitlement.

Continuation of Benefits

A staff member will remain eligible for group health insurance benefits under the Board's group health plan during leave taken under this policy under the same conditions as coverage would have been provided if the staff member had been actively employed during the entire leave. However, the staff member has the option of choosing not to retain such coverage during family or medical leave.

During leave taken under this policy, the Board will continue to pay any portion of group health insurance premiums for coverage that it was responsible for paying immediately prior to the leave as required by law. The staff member will be responsible for paying his/her portion of health insurance premiums regardless of whether his/her family and medical leave is paid or unpaid. It is the staff member's responsibility to make arrangements with the District Administrator for making premium payments for group health insurance during leaves.

To the extent permitted by law, the Board reserves the right to require the staff member to place up to eight (8) weeks of health insurance premiums in escrow prior to leave, or to discontinue coverage if such premiums are received more than thirty (30) days late.

The staff member's entitlement to benefits other than group health benefits during a period of family or medical leave is determined by the Board's policy regarding provision of such benefits when a staff member is on other types of leave.

If a staff member fails to return to work or fails to remain at work for a period provided under the law, the District may recover its portion of the premiums paid for medical benefit coverage during the leave, unless the reason for the staff member's failure to return to work is due to the continuation of the serious health condition or the onset of a new serious health condition.

Accrual of Benefits

The use of leave under this policy will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave. A staff member will not continue to accrue seniority or any other employment benefit during leave taken under this policy, except that such benefit shall accrue if the staff member elects to use other leaves provided by the Board, and if such benefits would normally accrue during such leave.

Employment Restoration

A staff member will generally be reinstated to the same position s/he held when leave began or a position with equivalent pay, benefits, and other terms and conditions of employment, if such position remains available, and the staff member possesses the ability to perform the essential functions of the job satisfactorily, with or without any accommodation that may be required by the Americans With Disabilities Act of 1990. The staff member, however, has no greater right to reinstatement or benefits than if s/he had been actively employed during the leave. Further, if the staff member gives unequivocal notice of intent not to return to work, s/he is not entitled to be reinstated.

A staff member who exceeds his/her FMLA/WFMLA leave, but remains off work under a non-FMLA/WFMLA leave policy, is not entitled to reinstatement to the same or a similar position under the FMLA/WFMLA; however, the staff member **may** be eligible to be reinstated under the non-FMLA/WFMLA leave policy.

A staff member who is able to return to work prior to the expiration of leave must notify his/her supervisor immediately. Upon such notice, the District Administrator will promptly reinstate the staff member to active employment, provided s/he has the present skill and ability to perform the essential functions of his/her job satisfactorily with or without accommodation. However, the reinstatement need not occur until the third business day following the staff member's notification of his/her ability to return to work.

Fitness For Duty Certification

If leave is due to the staff member's serious health condition, s/he must present certification to return to work to his/her supervisor upon returning to work. The staff member's principal attending physician must complete the certification. The certification must indicate that the staff member has been released to return to work. It must also specify any physical or other limitation on the staff member's ability to perform regular or other duties and the duration of the limitations. No certification will be required when the staff member returns from intermittent leave, except as otherwise permitted or required by the Americans With Disabilities Act of 1990.

The certification will be limited to the particular health condition that caused the staff member's need for leave, except as otherwise permitted by the Americans With Disabilities Act of 1990. If the staff member is an "individual with a disability" within the meaning of the ADA, any fitness-for-duty physical examination or inquiry by the District will be job-related and consistent with business necessity.

Reinstatement may be delayed until the staff member submits the certification. Under such circumstances, if the staff member does not promptly provide a certification or qualify for another leave of absence, s/he may be disciplined, up to and including termination.

With the staff member's permission, the Board's healthcare provider may contact the staff member's healthcare provider to clarify and authenticate the certification, but no additional information may be requested or required, and the staff member's return to work may not be delayed while the contact is being made. No second or third fitness for duty certification may be required.

Confidentiality

All medical information relating to leave, whether written or verbal, shall be kept confidential to the maximum extent possible. All medical documents including, but not limited to, medical certifications and return-to-work statements must be maintained in confidential, secure files separate from personnel files.

No Discrimination

Leave under this policy will not be used as a negative factor in employment actions, such as hiring, promotions, disciplinary actions or under attendance policies.

Miscellaneous

The District Administrator may designate another administrator to perform his/her duties under this policy.

A staff member who fraudulently obtains leave under this policy is not protected by this policy's job restoration or maintenance of health benefits provisions.

The District Administrator shall see that the policy is posted properly.

The District Administrator shall provide a copy of the policy upon the request of a staff member.

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Legal

29 U.S.C. 2601 et. seq.

29 C.F.R. Part 825

103.10, Wis. Stats.

Wis. Admin. Department of Workforce Development (DWD) 225

National Defense Authorization Act of 2010

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of EDUCATIONAL OUTCOME GOALS AND EXPECTATIONS
Number	po2131
Status	
Adopted	October 17, 2016

2131 - EDUCATIONAL OUTCOME GOALS AND EXPECTATIONS

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

Academic Skills and Knowledge

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

Vocational Skills

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

Citizenship

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

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

Personal Development

- A. The skills needed to cope with social change.
- B. Knowledge of the human body and the means to maintain lifelong health, including:
 1. knowledge of the theory and practice of physical education, including the development and maintenance of physical fitness;
 2. knowledge of the nutritive value of foods, as outlined in the Dietary Guidelines of Americans, and knowledge of the role of a nutritious diet in promoting health, preventing chronic disease, and maintaining a healthy weight~~true and comparative vitamin content of food and healthy values of dairy products and their importance for the human diet;~~
 3. knowledge of physiology and hygiene, sanitation, the effects of controlled substances consistent with ch. 161 and alcohol upon the human system, symptoms of disease and the proper care of the body. No student may be required to take instruction in human growth and development, self-esteem, responsible decision-making, interpersonal relationships, sexual activity, human sexuality, reproduction, contraception, family life, parenting, sex stereotypes and protective behavior if his/her parent files with the teacher or principal a written request that the student be exempted. Instruction in physiology and hygiene shall include instruction on sexually transmitted diseases and shall be offered in every high school.
 4. awareness about drug abuse, including prescription drug abuse, and prevention.
- C. An appreciation of artistic and creative expression and the capacity for self-expression.
- D. The ability to construct personal ethics and goals.
- E. Knowledge of morality and the individual's responsibility as a social being, including the responsibility and morality of family living and the value of frugality and other basic qualities and principles referred to in article I, section 22, of the constitution insofar as such qualities and principles affect family and consumer education.
- F. Knowledge of the prevention of accidents and promotion of safety on the public highways, including instruction on the relationship between highway safety and the use of alcohol and controlled substances under ch. 161.
- G. The skills needed to make sound decisions, knowledge of the conditions which may cause and the signs of suicidal tendencies, knowledge of the relationship between youth suicide and the use of alcohol and controlled substances consistent with chapter 161 and knowledge of the available community youth suicide prevention and intervention services. Instruction shall be designed to help prevent suicides by students by promoting the positive emotional development of students.
- H. Knowledge of effective means by which students may recognize, avoid, prevent and halt physically or psychologically intrusive or abusive situations which may be harmful to students, including child abuse, sexual abuse, and child enticement. Instruction shall be designed to help students develop positive psychological, emotional, and problem-solving responses to such situations and avoid relying on negative, fearful, or solely reactive methods of dealing with such situations. Instruction shall include information on available school and community prevention and intervention assistance or services and shall be provided to students in elementary schools.

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

The District Administrator is charged with the responsibility for providing, through the District's curriculum and appropriate administrative guidelines, opportunities for each student to accomplish these goals as well as a valid means for assessing the extent to which each is accomplished.

Student achievement of these educational goals represents the Board's highest priority. It should be the highest priority, as well, for the administration and for all members of the staff.

Legal

118.01, Wis. Stats.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of RELIGION IN THE CURRICULUM
Number	po2270
Status	
Adopted	October 17, 2016

2270 - RELIGION IN THE CURRICULUM

As a public entity, the District must comply with the U.S. Constitution's First Amendment requirement that the District neither establish religion in the schools nor prohibit students' free exercise of religion according to pertinent interpretation and application of those Constitutional provisions by the Courts. Accordingly, no Board ~~of Education~~ employee will promote religion in the classroom or in the District's curriculum, or compel or pressure any student to participate in devotional exercises. Displays of a religious character must conform with Policy 8800 and AG 8800A, AG 8800B, and AG 8800D. Instructional activities shall not be permitted to advance or inhibit any particular religion or religion generally. Teachers shall forward requests for religious accommodation in instruction to the Principal.

An understanding of religions and their effects on civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, curriculum may include, as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The Board acknowledges the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the District schools frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may be religious in nature shall not, by itself, bar their use by the District. The Board directs that professional staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the District's students, not for its conformity to religious principles. Students should receive unbiased instruction in the schools, so they may privately accept or reject the knowledge thus gained, in accordance with their own religious tenets if any.

Accordingly, no student shall be exempted from completion of a required course of study on the grounds that components of the instruction interfere with the free exercise of his/her religion. However, if after careful personal review of the program's lessons and/or materials, a parent indicates to the school that either the content or activities conflict with his/her religious beliefs or value system, the school will honor a written request for his/her child to be excused from a particular class period.

The student will be provided with alternate learning activities during the times of such parent's request for absence.

For the privacy of students whose parents request that they not take part in the particular class period prior arrangements will be made for the student(s) to go to a supervised location where, under the supervision of a staff member the student(s) will be provided with the alternate learning activities during the requested absence.

~~No classroom teacher shall be prohibited from providing reasonable periods of time for activities of a moral, philosophical, or patriotic theme. No student shall be required to participate in such activities if they are contrary to the religious convictions of the student or his/her parents or guardians.~~

The District's instructional materials shall not be designed to influence students to accept or reject a particular religious belief or point of view and the District Administrator shall prepare administrative guidelines to that affect.

Complaints by students or the public regarding any such course of study will be handled in accordance with Board Policy 9130.

See Reference: Policy 8800

See References: AG 8800A, AG 8800B, and AG 8800D

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U.S. Constitutional Amendment 1

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of EARLY COLLEGE CREDIT PROGRAM
Number	po2271
Status	
Adopted	October 17, 2016
Last Revised	April 23, 2018

2271 - EARLY COLLEGE CREDIT PROGRAM

The Board recognizes the value to students and to the District of students participating in programs offered by University of Wisconsin system institutions, tribally controlled colleges and private, non-profit higher education institutions in Wisconsin.

The Board will allow any high school student who satisfies the eligibility requirements to participate in the Early College Credit Program (ECCP) to enroll in an approved course at an ECCP-approved institution of higher education while attending in the District. Students will be eligible to receive college and high school credit for completing course(s) at authorized institutions of higher education provided they complete the course(s) and receive a passing grade.

The School District's responsibility to pay for tuition, fees, books and other necessary materials shall be limited to eighteen (18) postsecondary credits per student.

The District Administrator shall establish administrative guidelines to ensure that the District's Early College Credit Program comports with applicable State law and the administrative rules of the Department of Public Instruction. The District Administrator shall also ensure that all students enrolled in the District in the 8th, 9th, 10th, and 11th grades ~~high school students and their parents~~ are provided with information regarding the Program by October 1st each year.

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Legal	118.37, 118.55, Wis. Stats. P.I. 40
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Book Policy Manual
Section For Board Review - Vol. 27, No. 2
Title NEW POLICY - VOL. 27, NO. 2 - START COLLEGE NOW PROGRAM
Number po2271.01
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NEW POLICY - VOL. 27, NO. 2

2271.01 - START COLLEGE NOW PROGRAM

The District will permit resident high school students who have completed the 10th grade and who meet eligibility criteria, to take courses at a technical college in the Wisconsin Technical College System for the purpose of earning both high school and postsecondary credit. Students who wish to attend a technical college under this policy must request attendance and, if the student is a minor, must provide written approval from the student's parent. Students must request such attendance from the student's resident School District, if attending the District as a non-resident.

General Eligibility Criteria for Students that Have Completed the 10th Grade:

To be eligible to attend courses at a technical college pursuant to this policy, a student:

- A. must be in good academic standing;
- B. must provide written notification to the Board of the School District in which the student resides of his/her intent to attend a technical college under this subsection by March 1st if the student intends to enroll in the fall semester, and by October 1st if the student intends to enroll in the spring semester;
- C. must not be identified as a child-at-risk, pursuant to Policy 5461;
- D. must not be ineligible for participation for having failed a previous class under either this program or the Early College Credit Program (Policy 2271) and failed to reimburse the Board for any required costs; and
- E. must be admitted to the technical college for attendance.

Undue Financial Hardship

The Board may prohibit a student's attendance if the student is a child with a disability and the Board determines that the cost to the School District of any required additional special services for participation in this program would impose an undue financial burden on the District.

Tuition Payments for Technical College Attendance

The District shall pay to the technical college the cost of a student's tuition for attendance, including any additional costs associated with a student's special services, if applicable, if attendance is permitted, except as follows:

- A. For any course that the Board determines does not meet high school graduation requirements or the Board determines the District provides a comparable course. The student may appeal an adverse decision to the Department of Public Instruction. The Board shall notify the student no less than thirty (30) days prior to the start date of the proposed course if it finds that the course either does not meet high school graduation requirements or is comparable to a course offered in the District.
- B. ↔ The student has already completed eighteen (18) postsecondary semester credits.

Transportation Expenses

The District is not responsible for transporting a student attending a technical college under this policy to or from the technical college that the student is attending.

Legal

38.12(14), Wis. Stats.

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Book Policy Manual
Section For Board Review - Vol. 27, No. 2
Title HOMEBOUND INSTRUCTION PROGRAM
Number po2412
Status
Adopted October 17, 2016

REVISED POLICY – VOL. 27, NO. 2

2412 - HOMEBOUND INSTRUCTION PROGRAM

Subject to applicable State and Federal law, the Board of Education shall provide, pursuant to rules of the Department of Public Instruction or appropriate State agency and State/Federal law, individual instruction to students of legal school age who are unable not able to attend classes because they are temporarily not in proper physical or mental condition of a physical or emotional disability. In addition, subject to applicable State and Federal law, the District may provide a homebound study as part of a program or curriculum modification.

A request for homebound instruction should be placed in writing and include the following information. Applications for homebound instruction shall be made by a physician licensed to practice in this State and shall:

- A. ~~(-) certify~~ the nature of the medical condition ~~disability~~;
- B. ~~(-) state~~ the probable duration ~~of the confinement~~;
- C. ~~(-) request such instruction~~;
- D. ~~(-) present~~ evidence of the student's inability ~~ability~~ to participate in an educational program; ~~-~~
- E. ~~(-) indicate~~ whether the student currently has an Individualized Education Plan (IEP) and, if so, whether the student's parent is requesting that the IEP Team reconvene;
- F. ~~(-) indicate~~ whether the student currently has a Section 504 Plan;
- G. ~~(-) indicate~~ whether the student should be evaluated for an IEP and/or Section 504 Plan;
- H. ~~(-) indicate~~ whether the student is or will become a school-age parent;
- I. ~~(-) indicate~~ whether homebound study is requested as part of a program or curriculum modification.

~~Applications must be approved by the _____.~~

Requests for homebound instruction will be considered by the District Administrator. The District Administrator will issue a decision within ninety (90) calendar days of the written request. If the student has been evaluated for special education but was not found to be eligible for special education, then the District Administrator will provide a written decision within thirty (30) calendar days of the written request.

If the request for homebound instruction is granted, a licensed teacher must provide the homebound instruction, and the homebound instruction will commence as soon as practicable after the date of notification for non-special education students. In the case of special education students or students with a Section 504 Plan, homebound instruction will commence as provided in the applicable Plan.

~~The District~~

~~(-) shall begin the instruction~~

~~(-) shall recommend that the instruction begin~~

~~as soon as practicable after the date of notification for nonspecial education students. In the case of special education students under an IEP, the instruction is to begin as soon as practicable after the IEP Team has met to develop an appropriate IEP. The program of~~

~~homebound instruction given each student shall be in accordance with rules of the Department of Public Instruction or other appropriate agency.~~

~~[] Where permitted by law, the District reserves the right to~~

~~(-) withhold~~

~~(-) withhold recommendation for~~

~~— homebound instruction when:~~

~~(-) the instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher;~~

~~(-) a parent or other adult in authority is not at home with the student during the hours of instruction;~~

~~(-) the condition of the student is such as to preclude his/her benefit from such instruction.~~

~~[] The District Administrator shall develop administrative guidelines for implementing the policy.~~

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118.15(3)(a), Wis. Stats.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of RECORDING OF IEP TEAM MEETINGS
Number	po2461
Status	
Adopted	October 17, 2016

2461 - RECORDING OF IEP TEAM MEETINGS

In order to facilitate parents' ability to fully participate in the IEP process, parents of students with disabilities are ordinarily permitted to audio-record IEP Team meetings in accordance with the procedures set forth.

- A. Parents wishing to audio record an IEP Team meeting must utilize their own recording device and tapes and provide notice to the District prior to the date of the scheduled IEP Team meeting.
- B. Parents must obtain the consent of any staff member or other participant in the IEP meeting prior to the meeting in order to tape record the meeting. If any member of the IEP team does not consent to an audio recording of the meeting, the parent will not be permitted to record the meeting, but other accommodation will be made if the tape recording is requested for the parent, due to his/her own disability, to access the IEP process.
- C. If parent(s) elects to audio record an IEP Team meeting, the District will also record the meeting and maintain as a student record, in accordance with State and Federal law.

Video-recording an IEP Team meeting is prohibited, unless it is required to permit a parent to access the IEP process, ensure that the parent is able to understand the IEP or implement the IEP, it only video-recording the IEP meeting will effectively remove a parent's barrier to access ~~to~~ the IEP process caused by a disability. Documentation of the parent's disability and need for accommodations i~~A health-care provider's verification of this need will be~~ required.

If the District records an IEP Team meeting, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.

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Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of EMPLOYMENT OF PROFESSIONAL STAFF
Number	po3120
Status	
Adopted	May 16, 2016
Last Revised	July 17, 2017

3120 - EMPLOYMENT OF PROFESSIONAL STAFF

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

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

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

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

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

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

All applications for employment shall be referred to WECAN.

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

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

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

The employment of professional staff members prior to approval by the Board is authorized exceptionally when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting. This does not apply to any staff member who may only be employed through a Board-approved contract or by a majority vote of the full membership of the Board.

No candidate for employment as professional staff shall receive recommendation for such employment without having proffered visual evidence of proper certification or application for such certification. For staff members instructing children in reading and/or language arts, pre-school and/or grades kindergarten through sixth grade, their certificate must verify successful completion of instruction that includes the teaching of phonics.

For each candidate, a satisfactory background check will be conducted by the Department of Public Instruction or appropriate State agency.

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

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

DISTRICT SUPPORTED ALTERNATIVE LICENSING PROGRAMS

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

EXPERIENCED-BASED LICENSURE FOR TECHNICAL AND VOCATIONAL EDUCATION

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

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

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

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

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

PROFESSIONAL TEACHING PERMIT

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

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

See also AG 3120E

Revised 8/22/16

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

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Number po3120.04
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3120.04 - EMPLOYMENT OF SUBSTITUTES

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

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

Substitutes must possess appropriate certification to teach as a substitute ~~a valid Wisconsin professional certificate and a permit, if substitute teaching in a subject for which s/he is not certified.~~ The District Administrator may determine what licensure is required and make allowances for the use of alternative forms of certification, emergency certification, and other such options as the District Administrator deems appropriate ~~declare that an emergency exists due to the lack of qualified available substitutes and permit the use of a substitute with a bachelor's degree but not a professional certificate.~~ There must also be verification that a satisfactory background check has been conducted by the Department of Public Instruction or appropriate State agency.

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

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

A substitute shall be paid a minimum of a half-day pay once the substitute is called.

(.) ~~Employed S~~substitutes ~~may will~~ receive ~~in June~~ a letter in June of reasonable assurance of continued eligibility for assignment during the ensuing school year ~~employment.~~

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Legal 118.19, Wis. Stats.
P.I. 3.03(8), Wis. Adm. Code

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of JOB SHARING
Number	po3120.10 - TC
Status	
Adopted	May 16, 2016

3120.10 - **JOB SHARING**

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

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

The District will consider job share requests only if the cost (including benefits) of employing two (2) staff members on a half-time basis does not exceed the cost of employing one full-time staff member.

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

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

Job sharing rationale include:

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

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

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

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Number	po3122
Status	
Adopted	May 16, 2016

3122 - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

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

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (hereinafter referred to as the "COs").

Carmen O'Brien
Director of Curriculum & Assessment
800 Beech Street
Manawa, WI 54949

Daniel Wolfram
HS/Jr. HS Principal
800 Beech Street
Manawa, WI 54949

920-596-5840

920-596-5310

cobrien@manawa.k12.wi.uw

dwolfram@manawa.k12.wi.us

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

The COs are responsible for coordinating the District's efforts to comply with the applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), the Age Discrimination in Employment Act of 1975, and the Genetic Information Nondiscrimination Act (GINA) to students, their parents, staff members, and the general public.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are expected to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other supervisory employee so that the Board may address the conduct. Any administrator, supervisor, or other supervisory employee who receives such a complaint shall file it with the CO at his/her first opportunity, but no later than two (2) business days.

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

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community (District employees, students, parent(s), and members of the Board), resident of the District, or a visitor to the District, or receive complaints that are initially filed with a

school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin an investigation, or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

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

Investigation and Complaint Procedure (See Form 3122 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

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

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

Complaint Procedure

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a complaint, either orally or in writing, with a Principal, the CO, District Administrator, or other supervisory employee. 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 assume the role of CO for such complaints.

Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a Principal, District Administrator, or other supervisory employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) business days.

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

All complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her position to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the District Administrator.

Within two (2) business days of receiving the complaint, the CO will initiate an investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including this Policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;

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

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

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

If the District Administrator requests additional investigation, the District Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the District Administrator must issue a final written decision as described above.

If the District Administrator determines the Complainant was subjected to unlawful discrimination/retaliation, s/he 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.

A Complainant or Respondent who is dissatisfied with the final decision of the District Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the District Administrator's final decision. In an attempt to resolve the complaint, the Board shall review the findings and may meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of its decision. The decision of the Board will be final.

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

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. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School 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 Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants will be advised that their identities may become known to the Respondent(s) through the investigation process.

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

All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained in accordance with the School Board's records retention policy.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful 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. All disciplinary action will be taken in accordance with applicable State law. When imposing discipline, the District Administrator shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies and/or Employee Handbook, ~~consistent with the terms of the relevant collective bargaining agreement(s)~~.

Where the Board becomes aware that a prior remedial action has been taken against an employee, 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 unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised their rights, aided or encouraged any other person in the exercise of any right granted or protected by those laws.

Education and Training

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

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Legal

111.31 et seq., 111.335(d)(2), 118.195, 118.20, Wis. Stats.

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

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

34 C.F.R. Part 110 (7/27/93)

42 U.S.C. 2000e et seq., Civil Rights Act of 1964

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

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended

29 C.F.R. Part 1635

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3139 - STAFF DISCIPLINE

The Board ~~of Education~~ retains the right and the responsibility to oversee all District personnel. When the discipline of a staff member becomes necessary such action shall be consistent with the requirements of any applicable Board policy, and State and Federal law. The District Administrator or designee may issue discipline, ~~except short of~~ termination, (.) including termination unless Board action is required by law when she/he deems appropriate and with the seriousness of the offense. ~~7~~ However, student performance on examinations however, may not form the basis for staff discipline.

Investigation of Possible Criminal Activity

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

Staff may be disciplined for violations of Board policy or for other failure to meet the expectations and obligations of their position. No staff member may be subject to arbitrary or capricious disciplinary action.

~~The District Administrator may issue discipline to staff members when she/he deems appropriate. The level of discipline may range from oral reprimands to suspension or termination consistent with Policy 3140. The level of discipline shall be consistent with the seriousness of the offense as determined by the District Administrator.~~

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

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Legal Franklin v. City of Evanston, 384 F.3d 838 (7th Cir. 2004)
Garrity v. New Jersey, 385 U.S. 493 (1967)

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of PHYSICAL EXAMINATION
Number	po3160
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Last Revised	April 23, 2018

3160 - PHYSICAL EXAMINATION

The Board requires any candidate, who has been offered employment, as a condition of employment, to submit to an examination, including a tuberculosis screening questionnaire, subject to further tests, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with 118.25 Wis. Stats., the District Administrator's guidelines, and applicable law.

The Board shall also require the candidate, based on a contingent job offer, to submit to a test for controlled substances the results of which must indicate that there is no evidence of non-prescribed drug use. Such examinations shall be done in accordance with the District Administrator's guidelines and applicable law.

Employees will be required to execute a medical examination release to the Board/District Administrator that complies with the requirements of the Health Insurance Portability and Accountability Act and to allow the District Administrator or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification (see Form 3160 F2).

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

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

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

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

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

The Board shall assume the fees for examinations.

Revised 7/17/17

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Legal

121.52(b), Wis. Stats.

118.25(2)(a), Wis. Stats.

118.25, Wis. Stats.

29 C.F.R., Part 1630

29 C.F.R. Part 1635

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

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

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Number	po3230
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Last Revised	August 22, 2016

3230 - CONFLICT OF INTEREST

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

For these reasons, the Board ~~of Education~~ adopts the following guidelines to ensure that conflicts of interest do not occur. These guidelines apply to all District employees, officers and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all professional employees, officers and agents. Professional employees are expected to perform their duties in a manner free from conflict of interest consistent with 19.59, Wis. Stats.

- A. No professional employee, officer or agent shall engage in or have financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.
- B. Professional employees, officers and agents shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the School District.

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

1. the provision of any private lessons or services for a fee
(.) unless the provision of services is arranged outside of school and is separate from and in addition to regular support provided to students as part of the staff member's regular duties (.) or the service is not provided to students enrolled in one or more class in which the staff member is a teacher or aide.
2. soliciting on school premises or under circumstances which are coercive for the private sale of goods or services to students or other employees
3. the use, sale, or improper divulging of any privileged information about a student or client granted in the course of the employee's, officer's or agent's employment or professional relationship with the School District through his/her access to School District records
4. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
5. the requirement of students or clients to purchase any private goods or services provided by an employee, officer or agent or any business or professional practitioner with whom any employee, officer or agent has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations

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

- D. Professional employees, officers and agents shall not make use of materials, equipment, or facilities of the School District for their own personal financial gain or business interest. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- E. Professional employees, officers and agents shall not participate in the selection, award and administration of any contract to an entity in which they have a pecuniary interest or from which they derive a profit or in which a dependent of the employee has a pecuniary interest or from which the dependent derives a profit. "Dependent" includes the employee's spouse; unemancipated child, stepchild or adopted child under the age of eighteen (18); or individual for whom the employee provides more than one-half (1/2) of the individual's support during a year. A "pecuniary interest" means an interest in a contract or purchase that will result or is intended to result in an ascertainable increase in the income or net worth of the employee or the employee's dependent who is under the direct or indirect administrative control of the professional employee or who receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the employee.

Professional employees, officers and agents cannot solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

However, pursuant to Federal rules, the School District has set standards for when an employee, officer or agent may accept a gift of an unsolicited item of nominal value. For purposes of this section, "nominal value" means that the gift has a monetary value of \$50.00 or less.

[DRAFTING NOTE: Section 200.318 of the Code of Federal Regulations allows for non-Federal entities (Districts) to set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. In such a situation, "nominal value" must be defined. Nominal value is frequently defined as anything of a value less than \$25, however, local standards may differ.]

- F. To the extent that the School District has a parent, affiliate or subsidiary organization, including any charter school authorized by the Board regardless of whether it is an instrumentality of the District or not, that is not a State, local government or Indian tribe, the School District may not conduct a procurement action involving the parent, affiliate or subsidiary organization if the School District is unable, or appears to be unable, to be impartial.
- G. Professional employees, officers and agents must disclose any potential conflict of interest which may lead to a violation of this policy to the School District. Upon discovery of any potential conflict of interest, the School District will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The District will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

- H. Professional employees, officers and agents found to be in violation of this conflict of interest policy will be subject to disciplinary action up to and including termination.

In the event that, within the course of administering a Federally funded grant program or service to the District, any professional employee that identifies a conflict of interest, a potential conflict of interest, or that the appearance of a conflict of interest may arise in the course of administering the Federal grant funds, the employee must immediately notify either the Federal agency administering the grant in a manner consistent with that particular agency's rules on conflict of interests, or the District employee directly responsible for grant compliance. Such notice shall be provided at the earliest possible time.

It is a violation of this policy to take action or to refrain from taking action, or for an employee to otherwise use his/her public position to obtain a financial gain or anything of substantial value for himself/herself or his/her immediate family.

Revised 8/22/16

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Legal	19.59, Wis. Stats.
	2 C.F.R. 200.12
	2 C.F.R. 200.113
	2 C.F.R. 200.318
	7 C.F.R. 3016.36(b)(3)
	7 C.F.R. 3019.42



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")
Number	po3430.01
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Adopted	May 16, 2016
Last Revised	December 18, 2017

3430.01 - FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")

Introduction

In accordance with Federal and State law, the Board ~~of Education~~ will provide family and medical leave to professional staff. The Board's Family and Medical Leave Act policy is intended to conform to and comply with, but not exceed, the requirements of the Federal Family and Medical Leave Act of 1993 ("FMLA") and the Wisconsin Family and Medical Leave Act ("WFMLA"). To the extent that this policy is ambiguous or conflicts with the FMLA or the WFMLA, the FMLA and the WFMLA will govern.

Family and medical leave taken under this policy may be covered by Federal law, State law, or both. When leave taken by a staff member under this policy is governed by both Federal and State law, the more generous provision will control in the event of a conflict. However, when leaves are governed by State or Federal law, but not both, the applicable law will control under this policy. In this regard, staff members should note that certain leaves may be covered by both State and Federal law for only a portion of the leave. To the extent permitted by law, leave under the FMLA, leave under the WFMLA and leave granted under the Board's other policies will run concurrently (at the same time).

Eligibility Requirements

To be eligible for leave under the FMLA, the a staff member must have been employed by the Board for at least twelve (12) months in the past seven (7) years and must have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the requested leave. All full-time instructional staff members are deemed to meet the 1,250 hour requirement.

To be eligible for leave under the WFMLA, the a staff member must have been employed for more than fifty-two (52) consecutive weeks and have worked or been paid for at least 1,000 hours in the preceding fifty-two (52) weeks. The kind and amount of leave available to the staff member under this policy, as well as the staff member's rights during leave, depend upon whether the staff member satisfies the above requirements.

Qualifying Reasons for Leave

The Board provides family and medical leave for eligible staff members under the following circumstances:

- A. for the birth of the eligible staff member's child and to care for a newborn child
- B. for placement with the eligible staff member of a child for adoption or foster care
- C. to care for an eligible staff member's spouse, child or parent with a "serious health condition"

The term "child" generally includes a legal ward or a biological, adopted foster or stepchild. For leaves governed exclusively by the FMLA, the term also includes a son or daughter for whom the staff member has assumed the day-to- day obligations of a parent. A child must be either under eighteen (18) years of age or unable to care for himself/herself due to a physical or mental disability or, for leave under State law only, unable to care for himself/herself due to a serious health condition.

"Parent" includes a staff member's spouse's legal guardian only if the staff member is requesting leave under the WFMLA.

"Spouse" includes a qualified domestic partner for leaves governed by the WFMLA. Domestic partnerships must be registered with the county of residence and proof of such registration may be requested prior to approval of leave. Unregistered domestic partners must

demonstrate that they are 1) both over age eighteen (18); 2) not in a domestic partnership or marriage with another individual; 3) they share a common residence; 4) they are not related in any way that would prohibit marriage under Wisconsin law; 5) they consider each other to be immediate family members and agree to be responsible for the other's living expense.

- D. because of a serious health condition that makes the eligible staff member unable to perform the essential functions of his/her position
- E. because of a qualifying exigency resulting from active military service by the employee's spouse, son, daughter, or parent in covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves

Qualifying exigencies, as defined by Federal regulations, include: 1) short- notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation; (maximum fifteen (15) calendar days); 7) post- deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. Covered active duty means deployment with the Armed Forces to a foreign country.

- F. to care for a service member who is the employee's parent, spouse, child or next of kin who, while on active military duty, sustains a serious injury or illness or aggravation of a pre-existing illness or injury while in the line of duty, while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, in the line of duty which renders the service member medically unfit to perform the member's office, grade, rank, or rating

Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves, provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of 50% or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers. Leave is available for up to twenty-six (26) weeks in a twelve (12) month period. This type of leave is available for serious injury or illness which results in:

1. inpatient medical treatment, recuperation or therapy;
2. outpatient services at a military treatment facility or assignment to a unit established for the purpose of providing command and control of service members receiving outpatient medical services; or
3. assignment to the temporary disability retired list.

The maximum twenty-six (26) weeks of Federal leave to care for a service member includes, and is not in addition to, all other FMLA leave. In other words, employees may not take more than a total of twenty-six (26) weeks of FMLA leave during a single twelve (12) month period for any qualifying reasons under the FMLA. For instance, if an employee takes the maximum twelve (12) weeks of Federal FMLA leave for his/her own serious health condition, the employee may then only take fourteen (14) weeks of FMLA leave within that same twelve (12) month period to care for a military family member injured in the line of duty.

The District Administrator will determine whether an employee's request for leave qualifies under one (1) of the above categories.

Amount of Leave Available

Under the FMLA, if the staff member satisfies the eligibility requirements set forth above, s/he is entitled to a total of twelve (12) work weeks of leave in a calendar year for any of the reasons stated above, with the exception of leave to care for an injured service member, which is provided as described in (F) above.

Under the WFMLA, if the staff member satisfies the eligibility requirements set forth above, s/he is entitled to ten (10) work weeks of leave in a calendar year as follows:

- A. a total of six (6) weeks of leave for the birth of his/her natural child and/or the placement of a child with the staff member for, or as a precondition to, adoption;
- B. a total of two (2) weeks of leave to care for a covered family member with a serious health condition; and
- C. a total of two (2) weeks of leave due to the staff member's serious health condition.

Board policy calls for concurrent Federal/State leave coverage whenever a staff member is eligible for leave under both the FMLA and WFMLA to the extent available under the law. All periods of absence from work due to or necessitated by USERRA-covered service is counted in determining an employee's eligibility for FMLA leave.

Definitions of Serious Health Conditions

In conjunction with the certification provided by a healthcare provider, the Board reserves the right to determine whether an illness, injury, impairment or physical or mental condition constitutes a serious health condition entitling a staff member to family or medical leave under State or Federal law.

In general, a "serious health condition" under this policy means an illness, injury, impairment, or physical or mental condition that involves one (1) of the following:

A. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital or other care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

B. Absence Plus Treatment

A period of incapacity of more than three (3) consecutive calendar days* (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

1. treatment two (2) or more times by a healthcare provider, a nurse, physician's assistant or physical therapist under a healthcare provider's supervision, order or referral as appropriate within thirty (30) days of the first date of incapacity; or
2. treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of the healthcare provider and occurs within seven (7) days of the first day of incapacity.

*Under the WFMLA, leave may also be available for a "serious health condition" of less than three (3) consecutive days in duration.

C. Pregnancy

Any period of incapacity due to pregnancy, or for prenatal care.

D. Chronic Conditions Requiring Treatment

A chronic condition which:

1. requires periodic visits of at least two (2) times per year for treatment by a healthcare provider, or by a nurse or physician's assistant under a healthcare provider's supervision;
2. continues over an extended period of time (including recurring episodes of a single underlying condition); **and**
3. may cause episodic rather than continuing periods of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

E. Permanent/Long-Term Conditions Requiring Supervision

A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The staff member or his/her~~You or your~~ family member must be under the continuing supervision of, but need not be receiving active treatment by, a healthcare provider (e.g., Alzheimer's disease, a severe stroke, or the terminal stages of a disease). The continued existence of such a chronic condition is subject to certification no more than once every six (6) months.

F. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a healthcare provider or by a provider of healthcare services under orders of, or on referral by, a healthcare provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, including: cancer (chemotherapy, radiation, etc.); severe arthritis (physical therapy); or kidney disease (dialysis).

Required Staff Member Notice

The staff member must provide the District Administrator with notice in a reasonable and practicable manner before leave taken under this policy is to begin, if the need for leave is foreseeable (e.g., an expected birth, placement or adoption or foster care, or planned medical treatment for the staff member's~~your~~ own serious health condition or that of a family member). When requesting partial or intermittent leave in connection with childbirth or adoption under the WFMLA, the staff member must provide at least as much notice as required for taking other non-emergency or non-medical leave, as well as a definite schedule for the leave. Where advance notice is not practical due to uncertainty as to the time leave will be required to begin, a change in circumstances or a medical emergency, notice must be given as soon

as practical. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

Staff members must provide an explanation as to why proper advance notice was not provided in such cases and may be required to verify the explanation. Notice that was not provided in a timely manner or/and without reasonable explanation may result in the denial of the leave request.

The staff member must provide a written request for leave, the reasons for the requested leave, and the anticipated beginning date and duration of the leave by submitting a FMLA leave request form to the District Administrator (forms available from the U.S. Department of Labor).

When planning medical treatment, the staff member should consult with his/her supervisor and make a reasonable effort to schedule the leave so as not to disrupt unduly the District's operations, after approval of the staff member's healthcare provider. The staff member is ordinarily expected to consult with his/her supervisor in order to work out a treatment schedule that best suits his/her needs, as well as the District's.

If a staff member must take more leave than originally anticipated, s/he must notify the District Administrator within two (2) business days of learning of the circumstances necessitating the extension.

Certification By Healthcare Provider

If a staff member requests leave due to his/her own serious health condition or the serious health condition of his/her spouse, child or parent, the Board requires that the leave request be supported by certification issued and signed by the healthcare provider for the individual with a serious health condition. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed. The Board reserves the right to certify all information permitted by law.

The staff member must provide the fully completed certification to the District Administrator within fifteen (15) calendar days of the date that the certification is provided to the staff member, unless it is not practicable to do so despite the staff member's diligent, good faith efforts. If it is not practicable to return the certification within fifteen (15) calendar days, it must be returned to the District Administrator as soon as practicable.

If the staff member fails to submit the certification, the leave or continuation of leave may be delayed until the certification is submitted. Further, any absence prior to the date the certification is furnished may be considered unauthorized. A staff member who is absent without authorization may be disciplined, up to and including termination.

The District Administrator will give a staff member a reasonable opportunity to cure any deficiency in a certification, but not fewer than seven (7) calendar days. It is the responsibility of the staff member or family member with a serious health condition to use a healthcare provider who will complete and furnish an accurate certification in a timely manner.

A member of the administration, other than the staff member's direct supervisor, may contact the healthcare provider to clarify illegible answers and to authenticate the certification. If the certification is incomplete or otherwise unclear, the administrator must request that the employee obtain updated or completed information from the health care provider and return it directly to the administrator.

If the District Administrator doubts the validity of a certification, the District Administrator may require, at the Board's expense, that the staff member obtain a second opinion from a Board-designated provider, not regularly employed by the Board. If the opinions of the staff member's and the Board's healthcare providers differ, a third, final and binding opinion may be obtained. The staff member must cooperate in obtaining a second or third opinion including facilitating the transfer of pertinent records to the subsequent healthcare providers.

The District Administrator may request re-certifications on a periodic basis as permitted by law.

Designation of Leave

In all circumstances, it is the responsibility of the District Administrator to designate leave, whether paid or unpaid, as FMLA leave and to give the staff member notice of the designation and his/her rights and responsibilities under this policy.

The District Administrator will give the staff member the notice on each occasion that s/he notifies his/her supervisor of the need for leave that may be FMLA-qualifying, including, but not limited to, when the staff member requests another type of leave for an FMLA-qualifying reason. In the case of intermittent or reduced schedule leave, only one notice will be provided unless the circumstances regarding the leave have changed.

Absent extenuating circumstances, the District Administrator will provide to the employee a "Designation Notice" stating whether a request for leave has been approved or denied within five (5) business days. At a minimum, the staff member will be verbally notified whether leave is being designated as FMLA leave within five (5) business days of the date the staff member provides information to the District Administrator sufficient to enable him/her to determine that the leave is being taken for an FMLA-qualifying reason.

The District Administrator will confirm the verbal notice with the written notice as soon as feasible, but no later than the first payday following the verbal notice (unless the payday is less than one (1) week after the verbal notice, in which case the notice must be no later than the subsequent payday).

Manner In Which Leave Can Be Taken

Leave available under this policy may be taken in full and, under certain circumstances, may also be taken intermittently or on a reduced leave schedule. Intermittent leave is leave taken in separate blocks of time due to a single qualifying reason. Reduced schedule leave is leave that reduces the usual number of working hours per day or week. The staff member must consult with his/her supervisor and make a reasonable effort to schedule intermittent or reduced schedule leave so it does not unduly disrupt the District's operations.

When leave is governed only by the FMLA, intermittent or reduced schedule leave to be with the employee's newborn child, or after the placement of a child with the employee for adoption or foster care, requires the District's agreement, unless the intermittent or reduced schedule leave is due to a serious health condition. Intermittent or reduced schedule leave due to a serious health condition must be medically necessary. Medically necessary means there must be a medical need for the leave and the leave can be best accommodated through an intermittent or reduced leave schedule, as certified by the healthcare provider in the Certification.

Intermittent or reduced schedule leave due to a serious health condition must be medically necessary. Medically necessary means that there must be a medical need for the leave and the leave can be best accommodated through an intermittent or reduced leave schedule, as certified by the healthcare provider in the Certification.

When leave is governed only by the FMLA, the District Administrator may offer a staff member a temporary transfer to another position for which s/he is qualified with equivalent pay and benefits that better accommodates the intermittent or reduced schedule leave when the need for leave is foreseeable based on planned medical treatment or the staff member takes such leave for the birth of a child or for placement of a child for adoption or foster care. The staff member may reject this offer in which case there will be no adverse effect on the leave or entitlement to return to the same or similar position following leave. Any time spent by the staff member in an alternative position will not count against the employee's FMLA leave entitlement.

Instructional staff members (i.e. individuals whose principal function is to teach and instruct students in a class, a small group, or an individual setting) who request intermittent leave or a reduced-leave schedule governed only by the FMLA, which would exceed twenty percent (20%) of the total number of working days over the period of anticipated leave, must elect either to:

- A. take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- B. transfer temporarily to an available alternative position offered by the District Administrator for which the instructional staff member is qualified, and that has equivalent pay and benefits and that better accommodates the recurring periods of leave than the staff member's regular position.

The District Administrator may require instructional staff members who take Federal leave near the end of an academic term to extend their leave through the end of the academic term if:

- A. the leave is commenced more than five (5) weeks from the end of the term but the employee intends to return during the final three (3) weeks of the term and the leave is longer than three (3) weeks in duration;
- B. the leave is commenced within five (5) weeks of the end of the term and the employee intends to return during the final two (2) weeks of the term and the leave period was at least two (2) weeks in duration; or
- C. the leave commences within three (3) weeks of the end of a term and the leave was at least five (5) working days in duration.

Staff members whose leave is extended at the end of an academic term under this section will be charged against their FMLA entitlement only the time that they required for purposes of their leave.

Coordinating Leaves - Substitution

Generally, leave taken under this policy is unpaid. However, for leave governed exclusively by the FMLA, the staff member must use the following leaves provided by the Board, if available:

- A. vacation or personal leave, if available, for any family or medical leave;
- B. accrued paid family leave (i.e., paid leave covering the particular circumstances for which the staff member is seeking leave), if available, for birth, adoption, or to care for a seriously ill family member; and
- C. accrued paid medical or sick leave, if available, to care for a seriously ill family member, or for the staff member's own serious health condition.

A staff member may not substitute paid leave for unpaid FMLA leave taken under this policy in any situation where the Board would not normally provide such paid leave.

For leaves governed by the WFMLA, a staff member may substitute paid or unpaid leave, which s/he have earned and accrued, for leave taken under this policy, if available. The Board reserves the right to deny substitution as permitted by law.

Any paid leave substituted for unpaid FMLA leave or WFMLA leave will decrease, in whole or in part, the staff member's FMLA and/or WFMLA leave entitlement.

Continuation of Benefits

A staff member will remain eligible for group health insurance benefits under the Board's group health plan during leave taken under this policy under the same conditions as coverage would have been provided if the staff member had been actively employed during the entire leave. However, the staff member has the option of choosing not to retain such coverage during family or medical leave.

During leave taken under this policy, the Board will continue to pay any portion of group health insurance premiums for coverage that it was responsible for paying immediately prior to the leave as required by law. The staff member will be responsible for paying his/her portion of health insurance premiums regardless of whether his/her family and medical leave is paid or unpaid. It is the staff member's responsibility to make arrangements with the District Administrator for making premium payments for group health insurance during leaves.

To the extent permitted by law, the Board reserves the right to require the staff member to place up to eight (8) weeks of health insurance premiums in escrow prior to leave, or to discontinue coverage if such premiums are received more than thirty (30) days late.

The staff member's entitlement to benefits other than group health benefits during a period of family or medical leave is determined by the Board's policy regarding provision of such benefits when a staff member is on other types of leave.

If a staff member fails to return to work or fails to remain at work for a period provided under the law, the District may recover its portion of the premiums paid for medical benefit coverage during the leave, unless the reason for the staff member's failure to return to work is due to the continuation of the serious health condition or the onset of a new serious health condition.

Accrual of Benefits

The use of leave under this policy will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave. A staff member will not continue to accrue or any employment benefit during leave taken under this policy, except that such benefit shall accrue if the staff member elects to use other leaves provided by the Board, and if such benefits would normally accrue during such leave.

Employment Restoration

A staff member will generally be reinstated to the same position s/he held when leave began or a position with equivalent pay, benefits, and other terms and conditions of employment, if such position remains available, and the staff member possesses the ability to perform the essential functions of the job satisfactorily, with or without any accommodation that may be required by the Americans With Disabilities Act of 1990. The staff member, however, has no greater right to reinstatement or benefits than if s/he had been actively employed during the leave. Furthermore, if the staff member gives unequivocal notice of intent not to return to work, s/he is not entitled to be reinstated.

A staff member who exceeds his/her FMLA/WFMLA leave, but remains off work under a non-FMLA/WFMLA leave policy, is not entitled to reinstatement to the same or a similar position under the FMLA/WFMLA; however, the staff member **may** be eligible to be reinstated under the non-FMLA/WFMLA leave policy.

A staff member who is able to return to work prior to the expiration of leave must notify his/her supervisor immediately. Upon such notice, the District Administrator will promptly reinstate the staff member to active employment, provided s/he has the present skill and ability to perform the essential functions of his/her job satisfactorily with or without accommodation. However, the reinstatement need not occur until the third business day following the staff member's notification of his/her ability to return to work.

Fitness For Duty Certification

If leave is due to the staff member's serious health condition, s/he must present certification to return to work to his/her supervisor upon returning to work. The staff member's principal attending physician must complete the certification. The certification must indicate that the staff member has been released to return to work. It must also specify any physical or other limitation on the staff member's ability to perform regular or other duties and the duration of the limitations. No certification will be required when the staff member returns from intermittent leave, except as otherwise permitted or required by the Americans With Disabilities Act of 1990.

The certification will be limited to the particular health condition that caused the staff member's need for leave, except as otherwise permitted by the Americans With Disabilities Act of 1990. If the staff member is an "individual with a disability" within the meaning of the ADA, any fitness-for-duty physical examination or inquiry by the District will be job-related and consistent with business necessity.

Reinstatement may be delayed until the staff member submits the certification. Under such circumstances, if the staff member does not promptly provide a certification or qualify for another leave of absence, s/he may be disciplined, up to and including termination.

With the staff member's permission, the Board's healthcare provider may contact the staff member's healthcare provider to clarify and authenticate the certification, but no additional information may be requested or required, and the staff member's return to work may not be delayed while the contact is being made. No second or third fitness for duty certification may be required.

Confidentiality

All medical information relating to leave, whether written or verbal, shall be kept confidential to the maximum extent possible. All medical documents including, but not limited to, medical certifications and return-to-work statements must be maintained in confidential, secure files separate from personnel files.

No Discrimination

Leave under this policy will not be used as a negative factor in employment actions, such as hiring, promotions, disciplinary actions or under attendance policies.

Miscellaneous

The District Administrator may designate another administrator to perform his/her duties under this policy.

A staff member who fraudulently obtains leave under this policy is not protected by this policy's job restoration or maintenance of health benefits provisions.

The District Administrator shall see that the policy is posted properly.

The District Administrator shall provide a copy of the policy upon the request of a staff member.

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Legal

29 U.S.C. 2601 et. seq.

29 C.F.R. Part 825

103.10, Wis. Stats.

Wis. Admin. Department of Workforce Development (DWD) 225

National Defense Authorization Act of 2010

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of JOB SHARING
Number	po4120.10
Status	
Adopted	May 16, 2016

4120.10 - **JOB SHARING**

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

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

The District will consider job-share requests only if the cost (including benefits) of employing two (2) staff members on a half-time basis does not exceed the cost of employing one full-time staff member.

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

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

The following reasons may be invoked by the support staff:

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

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

The Board authorizes the District Administrator to create a job-sharing program, provided it does not adversely affect the District or any of its current staff members.

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Number	po4122
Status	
Adopted	May 16, 2016

4122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

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

District Compliance Officers

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

Carmen O'Brien
Director of Curriculum & Assessment
800 Beech Street
Manawa, WI 54949

Daniel Wolfgram
HS/Jr. HS Principal
800 Beech Street
Manawa, WI 54949

920-596-5840

920-596-5310

cobrien@manawa.k12.wi.uw

dwolfgram@manawa.k12.wi.us

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

The COs are responsible for coordinating the District's efforts to comply with the applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), the Age Discrimination in Employment Act of 1975, and the Genetic Information Nondiscrimination Act (GINA) to students, their parents, staff members, and the general public.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are expected to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other supervisory employee so that the Board may address the conduct. Any administrator, supervisor, or other Supervisory employee who receives such a complaint shall file it with the CO at his/her first opportunity, but no later than two (2) business days.

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

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community (District employees, students, parent(s), and members of the Board), resident of the District, or a visitor to the District, or receive complaints that are initially filed with a

school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin an investigation, or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one (1) of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO must contact the employee within two (2) business days to advise him/her of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure (See Form 4122 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

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

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

Complaint Procedure

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a complaint, either orally or in writing, with a Principal, the CO, District Administrator, or other supervisory employee. 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 assume the role of CO for such complaints.

Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a Principal, District Administrator, or other supervisory employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) business days.

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

All complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her position to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the District Administrator.

Within two (2) business days of receiving the complaint, the CO will initiate an investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including this Policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;

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

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

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

If the District Administrator requests additional investigation, the District Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the District Administrator must issue a final written decision as described above.

If the District Administrator determines the Complainant was subjected to unlawful discrimination/retaliation, s/he 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.

A Complainant or Respondent who is dissatisfied with the final decision of the District Administrator may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the District Administrator's final decision. In an attempt to resolve the complaint, the Board shall review the findings and may meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of its decision. The decision of the Board will be final.

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

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. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School 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 Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants will be advised that their identities may become known to the Respondent(s) through the investigation process.

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

All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained in accordance with the School Board's records retention policy.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful 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. All disciplinary action will be taken in accordance with applicable State law. When imposing discipline, the District Administrator shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies and/or Employee Handbook, ~~consistent with the terms of the relevant collective bargaining agreement(s)~~.

Where the Board becomes aware that a prior remedial action has been taken against an employee, 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 unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised their rights, aided or encouraged any other person in the exercise of any right granted or protected by those laws.

Education and Training

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

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Legal

111.31 et seq., 111.335(d)(2), 118.195, 118.20, Wis. Stats.
Fourteenth Amendment, U.S. Constitution
20 U.S.C. Section 1681, Title IX of Education Amendment Act
20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
34 C.F.R. Part 110 (7/27/93)
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended
29 C.F.R. Part 1635

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of STAFF DISCIPLINE
Number	po4139
Status	
Adopted	May 16, 2016

4139 - **STAFF DISCIPLINE**

The Board ~~of Education~~ retains the right and the responsibility to oversee all District personnel. When the discipline of a staff member becomes necessary such action shall be consistent with the requirements of any applicable Board policy, and State and Federal law. The District Administrator may issue discipline, ~~except short of~~ termination, (.) including termination unless Board action is required by law when she/he deems appropriate and consistent with the seriousness of the offense. ~~7-h~~ However, student performance on examinations, however, may not form the basis for staff discipline.

Investigation of Possible Criminal Activity

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

Staff may be disciplined for violations of Board policy or for other failure to meet the expectations and obligations of their position. No staff member may be subject to arbitrary or capricious disciplinary action.

~~The District Administrator may issue discipline to staff members when she/he deems appropriate. The level of discipline may range from oral reprimands to suspension or termination. The level of discipline shall be consistent with the seriousness of the offense as determined by the District Administrator.~~

All instances of staff discipline are subject to the employee grievance procedure, set forth in Policy 4340.

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Legal 66.0509(1m)(a), Wis. Stats.
Franklin v. City of Evanston, 384 F.3d 838 (7th Cir. 2004)
Garrity v. New Jersey, 385 U.S. 493 (1967)

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of PHYSICAL EXAMINATION
Number	po4160
Status	
Adopted	May 16, 2016
Last Revised	April 23, 2018

4160 - PHYSICAL EXAMINATION

The Board requires any candidate who has been offered a position in which the employee will come in contact with children or prepare food for children, as a condition of employment, to submit to an examination, including a tuberculosis screening questionnaire, subject to further tests, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with 118.25 Wis. Stats., the District Administrator's guidelines and applicable law.

The Board shall also require the candidate, based on a contingent job offer, to submit to a test for controlled substances the results of which must indicate there is no evidence of unlawful drug use. Such examinations shall be done in accordance with the District Administrator's guidelines and applicable law.

Employees will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act in order to allow the report of the medical examination to be released to the Board/District Administrator and to allow the District Administrator or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification (see Form 4160 F2).

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 4122.02, the successful candidate who is required to submit to a medical examination, as well as the medical health care provider that is designated by the Board to conduct the examination, are directed not to collect genetic information or provide any genetic information, including the candidate's family medical history, in the report of the medical examination.

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

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

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

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

The Board shall assume any fees for required examinations.

Revised 7/17/17

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Legal

118.25(2)(a), Wis. Stats.

118.25, Wis. Stats.

121.52(b), Wis. Stats.

29 C.F.R., Part 1630

29 C.F.R. Part 1635

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

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

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of CONFLICT OF INTEREST
Number	po4230
Status	
Adopted	May 16, 2016
Last Revised	August 22, 2016

4230 - CONFLICT OF INTEREST

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

For these reasons, the Board ~~of Education~~ adopts the following guidelines to assure that conflicts of interest do not occur. These guidelines apply to all District employees, officers and agents, including members of the Board. These guidelines are not intended to be all inclusive, nor to substitute for good judgment on the part of all support employees, officers and agents. Support employees are expected to perform their duties in a manner free from conflict of interest consistent with 19.59, Wis. Stats.

- A. No support employee, officer or agent shall engage in or have financial or other interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.
- B. Support employees, officers and agents shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment or professional relationship with the School District.

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

1. the provision of any private lessons or services for a fee
(.) unless the provision of services is arranged outside of school and is separate from and in addition to regular support provided to students as part of the staff member's regular duties (.) or the service is not provided to students enrolled in one or more class in which the staff member is an aide.
2. soliciting on school premises or under circumstances which are coercive for the private sale of goods or services to students or other employees
3. the use, sale, or improper divulging of any privileged information about a student or client granted in the course of the employee's, officer's or agent's employment or professional relationship with the School District through his/her access to School District records
4. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
5. the requirement of students or clients to purchase any private goods or services provided by an employee, officer or agent or any business or professional practitioner with whom any employee, officer or agent has a financial or other relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations

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

- D. Support employees shall not make use of materials, equipment, or facilities of the School District for their own personal financial gain or business interest. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.
- E. Support employees, officers and agents shall not participate in the selection, award and administration of any contract to an entity in which they have a pecuniary interest or from which they derive a profit or in which a dependent of the employee has a pecuniary interest or from which the dependent derives a profit. "Dependent" includes the employee's spouse; unemancipated child, stepchild or adopted child under the age of eighteen (18); or individual for whom the employee provides more than one-half (1/2) of the individual's support during a year. A "pecuniary interest" means an interest in a contract or purchase that will result or is intended to result in an ascertainable increase in the income or net worth of the employee or the employee's dependent who is under the direct or indirect administrative control of the professional employee or who receives a contract or purchase order that is reviewed, approved, or directly or indirectly administered by the employee.

Support employees, officers and agents cannot solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

However, pursuant to Federal rules, the School District has set standards for when an employee, officer or agent may accept a gift of an unsolicited item of nominal value. For purposes of this section, "nominal value" means that the gift has a monetary value of \$50.00 or less.

[DRAFTING NOTE: Section 200.318 of the Code of Federal Regulations allows for non-Federal entities (Districts) to set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. In such a situation, "nominal value" must be defined. Nominal value is frequently defined as anything of a value less than \$25, however, local standards may differ.]

- F. To the extent that the School District has a parent, affiliate or subsidiary organization, including any charter school authorized by the Board regardless of whether it is an instrumentality of the District or not, that is not a State, local government or Indian tribe, the School District may not conduct a procurement action involving the parent, affiliate or subsidiary organization if the School District is unable, or appears to be unable, to be impartial.
- G. Support employees, officers and agents must disclose any potential conflict of interest which may lead to a violation of this policy to the School District. Upon discovery of any potential conflict of interest, the School District will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The District will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

- H. Support employees, officers and agents found to be in violation of this conflict of interest policy will be subject to disciplinary action up to and including termination.

In the event that, within the course of administering a Federally funded grant program or service to the District, any employee that identifies a conflict of interest, a potential conflict of interest, or that the appearance of a conflict of interest may arise in the course of administering the Federal grant funds, the employee must immediately notify either the Federal agency administering the grant in a manner consistent with that particular agencies rules on conflict of interests, or the District employee directly responsible for grant compliance. Such notice shall be provided at the earliest possible time.

It is a violation of this policy to take action or to refrain from taking action, or for an employee to otherwise use his/her public position to obtain a financial gain or anything of substantial value for himself/herself or his/her immediate family.

Revised 8/22/16

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Legal	19.59, Wis. Stats.
	2 C.F.R. 200.12
	2 C.F.R. 200.318
	7 C.F.R. 3016.36(b)(3)
	7 C.F.R. 3019.42

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")
Number	po4430.01
Status	
Adopted	May 16, 2016
Last Revised	December 18, 2017

4430.01 - FAMILY & MEDICAL LEAVE OF ABSENCE ("FMLA")

Introduction

In accordance with Federal and State law, the Board ~~of Education~~ will provide family and medical leave to support staff. The Board's Family and Medical Leave Act policy is intended to conform to and comply with, but not exceed, the requirements of the Federal Family and Medical Leave Act of 1993 ("FMLA") and the Wisconsin Family and Medical Leave Act ("WFMLA"). To the extent that this policy is ambiguous or conflicts with the FMLA or the WFMLA, the FMLA and the WFMLA will govern.

Family and medical leave taken under this policy may be covered by Federal law, State law, or both. When leave taken by a staff member under this policy is governed by both Federal and State law, the more generous provision will control in the event of a conflict. However, when leaves are governed by State or Federal law, but not both, the applicable law will control under this policy. In this regard, the staff member should note that certain leaves may be covered by both State and Federal law for only a portion of the leave. To the extent permitted by law, leave under the FMLA, leave under the WFMLA and leave granted under the Board's other policies will run concurrently (at the same time).

Eligibility Requirements

To be eligible for leave under the FMLA, a staff member must have been employed by the Board for at least twelve (12) months in the past seven (7) years and must have worked at least 1,250 hours during the twelve (12) month period immediately preceding the commencement of the requested leave. All full-time instructional staff members are deemed to meet the 1,250 hour requirement.

To be eligible for leave under the WFMLA, a staff member must have been employed for more than fifty-two (52) consecutive weeks and have worked or been paid for at least 1,000 hours in the preceding fifty-two (52) weeks. The kind and amount of leave available to the staff member under this policy, as well as the employee's rights during leave, depend upon whether the staff member satisfies the above requirements.

Qualifying Reasons for Leave

The Board provides family and medical leave for eligible staff members under the following circumstances:

- A. for the birth of the eligible staff member's child and to care for a newborn child
- B. for placement with the eligible staff member of a child for adoption or foster care
- C. to care for an eligible staff member's spouse, child or parent with a "serious health condition"

The term "child" generally includes a legal ward or a biological, adopted foster or stepchild. For leaves governed exclusively by the FMLA, the term also includes a son or daughter for whom the staff member has assumed the day-to-day obligations of a parent. A child must be either under eighteen (18) years of age or unable to care for himself/herself due to a physical or mental disability or, for leave under State law only, unable to care for himself/herself due to a serious health condition.

"Parent" includes a staff member's spouse's legal guardian only if the staff member is requesting leave under the WFMLA.

"Spouse" includes a qualified domestic partner for leaves governed by the WFMLA. Domestic partnerships must be registered with the county of residence and proof of such registration may be requested prior to approval of leave. Unregistered domestic partners must demonstrate that they are 1) both over age eighteen (18); 2) not in a domestic partnership or marriage with another individual; 3) they share a common residence; 4) they are not related in any way that would prohibit marriage under Wisconsin law; 5) they consider each other to be immediate family members and agree to be responsible for the other's living expense.

- D. because of a serious health condition that makes the eligible staff member unable to perform the essential functions of his/her position
- E. because of a qualifying exigency resulting from active military service by the employee's spouse, son, daughter, or parent in covered active duty or call to covered active duty in the United States Armed Forces including the National Guard and Reserves

Qualifying exigencies, as defined by Federal regulations, include: 1) short- notice deployment; 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation; (maximum fifteen (15) calendar days); 7) post- deployment activities; 8) caring for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty; and 9) additional activities not encompassed in the other categories, but agreed to by the employer and employee. Covered active duty means deployment with the Armed Forces to a foreign country.

- F. to care for a service member who is the employee's parent, spouse, child or next of kin who, while on active military duty, sustains a serious injury or illness or aggravation of a pre-existing illness or injury while in the line of duty, while on covered active duty in the United States Armed Forces, including the National Guard and Reserves, which renders the service member medically unfit to perform the member's office, grade, rank, or rating

Covered active duty means deployment with the Armed Forces to a foreign country. This leave is also available to care for veterans of the United States Armed Forces, including the National Guard and Reserves, provided the veteran was a service member at any time within the five (5) years prior to the start of the treatment, recuperation or therapy. In accordance with applicable regulations, a veteran's serious injury or illness incurred or aggravated in the line of active duty can also be manifested by: 1) a physical or mental condition with a VA Service Disability Rating of 50% or greater and is the condition precipitating the need for leave; or 2) a physical or mental condition that substantially impairs the ability to secure or substantially follow a gainful occupation, or would do so absent treatment; or 3) an injury, including psychological, for which the veteran has been enrolled in the Dept. of V.A. Program of Comprehensive Assistance for Family Care Givers. Leave is available for up to twenty-six (26) weeks in a twelve (12) month period. This type of leave is available for serious injury or illness which results in:

1. inpatient medical treatment, recuperation or therapy;
2. outpatient services at a military treatment facility or assignment to a unit established for the purpose of providing command and control of service members receiving outpatient medical services; or
3. assignment to the temporary disability retired list.

The maximum twenty-six (26) weeks of Federal leave to care for a service member includes, and is not in addition to, all other FMLA leave. In other words, employees may not take more than a total of twenty-six (26) weeks of FMLA leave during a single twelve (12) month period for any qualifying reasons under the FMLA. For instance, if an employee takes the maximum twelve (12) weeks of Federal FMLA leave for his/her own serious health condition, the employee may then only take fourteen (14) weeks of FMLA leave within that same twelve (12) month period to care for a military family member injured in the line of duty.

The District Administrator will determine whether an employee's request for leave qualifies under one (1) of the above categories.

Amount of Leave Available

Under the FMLA, if the staff member satisfies the eligibility requirements set forth above, s/he is entitled to a total of twelve (12) work weeks of leave in a calendar year for any of the reasons stated above, with the exception of leave to care for an injured service member, which is provided as described in (F) above.

Under the WFMLA, if the staff member satisfies the eligibility requirements set forth above, s/he is entitled to ten (10) work weeks of leave in a calendar year as follows:

- A. a total of six (6) weeks of leave for the birth of his/her natural child and/or the placement of a child with the staff member for, or as a precondition to, adoption;
- B. a total of two (2) weeks of leave to care for a covered family member with a serious health condition; and
- C. a total of two (2) weeks of leave due to the staff member's serious health condition.

Board policy calls for concurrent Federal/State leave coverage whenever a staff member is eligible for leave under both the FMLA and WFMLA to the extent available under the law. All periods of absence from work due to or necessitated by USERRA-covered service is counted in

determining an employee's eligibility for FMLA leave.

Definitions of Serious Health Conditions

In conjunction with the certification provided by a healthcare provider, the Board reserves the right to determine whether an illness, injury, impairment or physical or mental condition constitutes a serious health condition entitling a staff member to family or medical leave under State or Federal law.

In general, a "serious health condition" under this policy means an illness, injury, impairment, or physical or mental condition that involves one (1) of the following:

A. Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital or other care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.

B. Absence Plus Treatment

A period of incapacity of more than three (3) consecutive calendar days* (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

1. treatment two (2) or more times by a healthcare provider, a nurse, physician's assistant or physical therapist under a healthcare provider's supervision, order or referral as appropriate within thirty (30) days of the first date of incapacity; or
2. treatment by a healthcare provider on at least one (1) occasion which results in a regimen of continuing treatment under the supervision of the healthcare provider and occurs within seven (7) days of the first day of incapacity.

*Under the WFMLA, leave may also be available for a "serious health condition" of less than three (3) consecutive days in duration.

C. Pregnancy

Any period of incapacity due to pregnancy, or for prenatal care.

D. Chronic Conditions Requiring Treatment

A chronic condition which:

1. requires periodic visits of at least two (2) times per year for treatment by a healthcare provider, or by a nurse or physician's assistant under a healthcare provider's supervision;
2. continues over an extended period of time (including recurring episodes of a single underlying condition); and
3. may cause episodic rather than continuing periods of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

E. Permanent/Long-Term Conditions Requiring Supervision

A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The staff member or his/her family member must be under the continuing supervision of, but need not be receiving active treatment by, a healthcare provider (e.g., Alzheimer's disease, a severe stroke, or the terminal stages of a disease). The continued existence of such a chronic condition is subject to certification no more than once every six (6) months.

F. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a healthcare provider or by a provider of healthcare services under orders of, or on referral by, a healthcare provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, including: cancer (chemotherapy, radiation, etc.); severe arthritis (physical therapy); or kidney disease (dialysis).

Required Staff Member Notice

The staff member must provide the District Administrator with notice in a reasonable and practicable manner before leave taken under this policy is to begin, if the need for leave is foreseeable (e.g., an expected birth, placement or adoption or foster care, or planned medical treatment for the staff member's own serious health condition or that of a family member). When requesting partial or intermittent leave in connection with childbirth or adoption under the WFMLA, the staff member must provide at least as much notice as required for taking other non-emergency or non-medical leave, as well as a definite schedule for the leave. Where advance notice is not practical due to uncertainty

as to the time leave will be required to begin, a change in circumstances or medical emergency, notice must be given as soon as practical. Leave will be accounted for in increments no greater than the smallest increment used for other similar leaves, but in no event greater than one (1) hour increments. Leave entitlement will not be reduced by more than the amount of leave actually taken.

Staff members must provide an explanation as to why proper advance notice was not provided in such cases and may be required to verify the explanation. Notice that was not provided in a timely manner or/and without reasonable explanation may result in the denial of the leave request.

The staff member must provide a written request for leave, the reasons for the requested leave, and the anticipated beginning date and duration of the leave by submitting a FMLA leave request form to the District Administrator (forms available from the U.S. Department of Labor).

When planning medical treatment, the staff member should consult with his/her supervisor and make a reasonable effort to schedule the leave so as not to disrupt unduly the District's operations, after approval of the staff member's healthcare provider. The staff member is ordinarily expected to consult with his/her supervisor in order to work out a treatment schedule that best suits his/her needs, as well as the District's.

If a staff member must take more leave than originally anticipated, s/he must notify the District Administrator within two (2) business days of learning of the circumstances necessitating the extension.

Certification By Healthcare Provider

If a staff member requests leave due to his/her own serious health condition or the serious health condition of his/her spouse, child or parent, the Board requires that the leave request be supported by certification issued and signed by the healthcare provider for the individual with a serious health condition. For service member leave, any certification permitted under 29 C.F.R. 825.310 shall be allowed. The Board reserves the right to certify all information permitted by law.

The staff member must provide the fully completed certification to the District Administrator within fifteen (15) calendar days of the date that the certification is provided to the staff member, unless it is not practicable to do so despite the staff member's diligent, good faith efforts. If it is not practicable to return the certification within fifteen (15) calendar days, it must be returned to the District Administrator as soon as practicable.

If the staff member fails to submit the certification, the leave or continuation of leave may be delayed until the certification is submitted. Further, any absence prior to the date the certification is furnished may be considered unauthorized. A staff member who is absent without authorization may be disciplined, up to and including termination.

The District Administrator will give a staff member a reasonable opportunity to cure any deficiency in a certification, but not fewer than seven (7) calendar days. It is the responsibility of the staff member or family member with a serious health condition to use a healthcare provider who will complete and furnish an accurate certification in a timely manner.

A member of the administration, other than the staff member's direct supervisor, may contact the healthcare or to clarify illegible answers and to authenticate the Certification. If the certification is incomplete or otherwise unclear, the administrator must request that the employee obtain updated or completed information from the health care provider and return it directly to the administrator.

If the District Administrator doubts the validity of a Certification, the District Administrator may require, at the Board's expense, that the staff member obtain a second opinion from a Board-designated provider, not regularly employed by the Board. If the opinions of the staff member's and the Board's healthcare providers differ, a third, final and binding opinion may be obtained. The staff member must cooperate in obtaining a second or third opinion including facilitating the transfer of pertinent records to the subsequent healthcare providers.

The District Administrator may request re-certifications on a periodic basis as permitted by law.

Designation of Leave

In all circumstances, it is the responsibility of the District Administrator to designate leave, whether paid or unpaid, as FMLA leave and to give the staff member notice of the designation and his/her rights and responsibilities under this policy.

The District Administrator will give the staff member the Notice on each occasion that s/he notifies his/her supervisor of the need for leave that may be FMLA-qualifying, including, but not limited to, when the staff member requests another type of leave for an FMLA-qualifying reason. In the case of intermittent or reduced schedule leave, only one notice will be provided unless the circumstances regarding the leave have changed.

Absent extenuating circumstances, the District Administrator will provide to the employee a "Designation Notice" stating whether a request for leave has been approved or denied within five (5) business days. At a minimum, the staff member will be verbally notified whether leave is being designated as FMLA leave within five (5) business days of the date the staff member provides information to the District Administrator sufficient to enable him/her to determine that the leave is being taken for an FMLA-qualifying reason.

The District Administrator will confirm the verbal notice with the written notice as soon as feasible, but no later than the first payday following the verbal notice (unless the payday is less than one (1) week after the verbal notice, in which case the notice must be no later than the subsequent payday).

Manner In Which Leave Can Be Taken

Leave available under this policy may be taken in full and, under certain circumstances, may also be taken intermittently or on a reduced leave schedule. Intermittent leave is leave taken in separate blocks of time due to a single qualifying reason. Reduced schedule leave is leave that reduces the usual number of working hours per day or week. The staff member must consult with his/her supervisor and make a reasonable effort to schedule intermittent or reduced schedule leave so it does not unduly disrupt the District's operations.

When leave is governed only by the FMLA, intermittent or reduced schedule leave to be with the employee's newborn child, or after the placement of a child with the employee for adoption or foster care, requires the District's agreement, unless the intermittent or reduced schedule leave is due to a serious health condition.

Intermittent or reduced schedule leave due to a serious health condition must be medically necessary. Medically necessary means that there must be a medical need for the leave and the leave can be best accommodated through an intermittent or reduced leave schedule, as certified by the healthcare provider in the Certification.

When leave is governed only by the FMLA, the District Administrator may offer a staff member a temporary transfer to another position for which s/he is qualified with equivalent pay and benefits that better accommodates the intermittent or reduced schedule leave when the need for leave is foreseeable based on planned medical treatment or the staff member takes such leave for the birth of a child or for placement of a child for adoption or foster care. The staff member may reject this offer in which case there will be no adverse effect on the leave or entitlement to return to the same or similar position following leave. Any time spent by the staff member in an alternative position will not count against the employee's FMLA leave entitlement.

Coordinating Leaves - Substitution

Generally, leave taken under this policy is unpaid. However, for leave governed exclusively by the FMLA, the staff member must use the following leaves provided by the Board, if available:

- A. vacation or personal leave, if available, for any family or medical leave;
- B. accrued paid family leave (i.e., paid leave covering the particular circumstances for which the staff member is seeking leave), if available, for birth, adoption, or to care for a seriously ill family member; and
- C. accrued paid medical or sick leave, if available, to care for a seriously ill family member, or for the staff member's own serious health condition.

A staff member may not substitute paid leave for unpaid FMLA leave taken under this policy in any situation where the Board would not normally provide such paid leave.

For leaves governed by the WFMLA, a staff member may substitute paid or unpaid leave, which s/he have earned and accrued, for leave taken under this policy, if available. The Board reserves the right to deny substitution as permitted by law.

Any paid leave substituted for unpaid FMLA leave or WFMLA leave will decrease, in whole or in part, the staff member's FMLA and/or WFMLA leave entitlement.

Continuation of Benefits

A staff member will remain eligible for group health insurance benefits under the Board's group health plan during leave taken under this policy under the same conditions as coverage would have been provided if the staff member had been actively employed during the entire leave. However, the staff member has the option of choosing not to retain such coverage during family or medical leave.

During leave taken under this policy, the Board will continue to pay any portion of group health insurance premiums for coverage that it was responsible for paying immediately prior to the leave as required by law. The staff member will be responsible for paying his/her portion of health insurance premiums regardless of whether his/her family and medical leave is paid or unpaid. It is the staff member's responsibility to make arrangements with the District Administrator for making premium payments for group health insurance during leaves.

To the extent permitted by law, the Board reserves the right to require the staff member to place up to eight (8) weeks of health insurance premiums in escrow prior to leave, or to discontinue coverage if such premiums are received more than thirty (30) days late.

The staff member's entitlement to benefits other than group health benefits during a period of family or medical leave is determined by the Board's policy regarding provision of such benefits when a staff member is on other types of leave.

If a staff member fails to return to work or fails to remain at work for a period provided under the law, the District may recover its portion of the premiums paid for medical benefit coverage during the leave, unless the reason for the staff member's failure to return to work is due to the continuation of the serious health condition or the onset of a new serious health condition.

Accrual of Benefits

The use of leave under this policy will not result in the loss of any employment benefit that accrued prior to the start of the staff member's leave. A staff member will not continue to accrue or any employment benefit during leave taken under this policy, except that such benefit shall accrue if the staff member elects to use other leaves provided by the Board, and if such benefits would normally accrue during such leave.

Employment Restoration

A staff member will generally be reinstated to the same position s/he held when leave began or a position with equivalent pay, benefits, and other terms and conditions of employment, if such position remains available, and the staff member possesses the ability to perform the essential functions of the job satisfactorily, with or without any accommodation that may be required by the Americans With Disabilities Act of 1990. The staff member, however, has no greater right to reinstatement or benefits than if s/he had been actively employed during the leave. Furthermore, if the staff member gives unequivocal notice of intent not to return to work, s/he is not entitled to be reinstated.

A staff member who exceeds his/her FMLA/WFMLA leave, but remains off work under a non-FMLA/WFMLA leave policy, is not entitled to reinstatement to the same or a similar position under the FMLA/WFMLA; however, the staff member **may** be eligible to be reinstated under the non-FMLA/WFMLA leave policy.

A staff member who is able to return to work prior to the expiration of leave must notify his/her supervisor immediately. Upon such notice, the District Administrator will promptly reinstate the staff member to active employment, provided s/he has the present skill and ability to perform the essential functions of his/her job satisfactorily with or without accommodation. However, the reinstatement need not occur until the third business day following the staff member's notification of his/her ability to return to work.

Fitness For Duty Certification

If leave is due to the staff member's serious health condition, s/he must present certification to return to work to his/her supervisor upon returning to work. The staff member's principal attending physician must complete the certification. The certification must indicate that the staff member has been released to return to work. It must also specify any physical or other limitation on the staff member's ability to perform regular or other duties and the duration of the limitations. No certification will be required when the staff member returns from intermittent leave, except as otherwise permitted or required by the Americans With Disabilities Act of 1990.

The certification will be limited to the particular health condition that caused the staff member's need for leave, except as otherwise permitted by the Americans With Disabilities Act of 1990. If the staff member is an "individual with a disability" within the meaning of the ADA, any fitness-for-duty physical examination or inquiry by the District will be job related and consistent with business necessity.

Reinstatement may be delayed until the staff member submits the certification. Under such circumstances, if the staff member does not promptly provide a certification or qualify for another leave of absence, s/he may be disciplined, up to and including termination.

With the staff member's permission, the Board's healthcare provider may contact the staff member's healthcare provider to clarify and authenticate the certification, but no additional information may be requested or required, and the staff member's return to work may not be delayed while the contact is being made. No second or third fitness for duty certification may be required.

Confidentiality

All medical information relating to leave, whether written or verbal, shall be kept confidential to the maximum extent possible. All medical documents including, but not limited to, medical certifications and return-to-work statements must be maintained in confidential, secure files separate from personnel files.

No Discrimination

Leave under this policy will not be used as a negative factor in employment actions, such as hiring, promotions, disciplinary actions or under attendance policies.

Miscellaneous

The District Administrator may designate another administrator to perform his/her duties under this policy.

A staff member who fraudulently obtains leave under this policy is not protected by this policy's job restoration or maintenance of health benefits provisions.

The District Administrator shall see that the policy is posted properly.

The District Administrator shall provide a copy of the policy upon the request of a staff member.

Legal

29 U.S.C. 2601 et seq.

29 C.F.R. Part 825

103.10, Wis. Stats.

Wis. Admin. Department of Workforce Development (DWD) 225

National Defense Authorization Act of 2010

Last Modified by Steve LaVallee on September 25, 2018



Book Policy Manual
Section For Board Review - Vol. 27, No. 2
Title Copy of JOB-RELATED EXPENSES
Number po4440
Status
Adopted October 1, 2015
Last Revised June 19, 2017

4440 - JOB-RELATED EXPENSES

The Board ~~of Education~~ may provide for the payment of the actual and necessary expenses, including traveling expenses, of any support staff member of the District incurred in the course of performing services for the District, whether within or outside the District, under the direction of the Board and in accordance with the District Administrator's administrative guidelines.

The validity of payments for job-related expenses shall be determined by the _____.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include but are not limited to alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the District's travel policy and administrative guidelines. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the District's travel policy.

All travel shall comply with the travel procedures and rates established in the administrative guidelines. All costs incurred with Federal funds must meet the cost allowability standards within Board Policy 6110.

To the extent that the District's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the Administrator of General Services, or by the President (or his or her designee), must apply to travel under Federal awards.

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Legal 2 C.F.R. 200.474

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS
Number	po5111
Status	
Adopted	June 20, 2016
Last Revised	December 18, 2017

5111 - ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The Board ~~of Education~~ establishes the following policy for determining the eligibility of students to attend the schools of this District.

- A. The Board will educate, tuition-free, students who are residents of the District. Proof of residency will be required for registration in the District. If residency is with individuals other than a parent, the living arrangement may not be solely for purposes of attending the District's schools. it must be based on a reason other than educational purposes.
- B. The District shall not make residency determinations on the basis of an individual's alienage. provide a free education to those students who are considered by Federal law to be illegal aliens or considered to be homeless by State established criteria.
- C. The District shall consider those students who are homeless or in foster placement to be residents unless residency is determined to be in another district.
- D. Upon request of a student's parent, students who have gained twelfth grade status and who no longer reside within the District shall be permitted to complete their high school education tuition free.
- E. Resident students in grades 9-12 who attend a tribal school, private school or home-based educational program shall be accepted into the District's educational programs for up to two (2) classes if the student satisfies the high school admission standards and sufficient space is available in the classes.
- F. A high school student who now resides in a different school district as a result of a reorganization under Chapter 117 and who has completed 9th and 10th grade at his/her former school district shall be allowed to complete his/her education at the former school district, provided the other district agrees. The school board of residence shall pay the student's tuition. The school of attendance shall count the student in its membership. ~~for State Aid purposes under subchapter II.~~
- G. If a parent (or adult student) presents information to the District certifying that the parent (or adult student), his/her child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program administered by the Wisconsin Department of Justice, the Board shall use the address designated by the Department of Justice to serve as the student's address for enrollment purposes. The District shall place a copy of any certification provided by the parent in the enrollment files.
- H. Children of joint custody orders may attend school without payment of tuition if one (1) parent resides in this District or the order designates as the residential parent the parent with legal residence in the District.
- I. Foreign students, participating in a bona fide, foreign-exchange program ~~and living with a resident host family,~~ may be admitted tuition-free and consistent with Federal law.
- J. Students whose parents do not reside within the District, but who present evidence that they will move into the District within a short period of time, may enroll in the schools of this District as tuition students for the time not in residence. Tuition will be refunded in accordance with State law.
- K. Minor students residing in the District, but not living with a parent, may be required to provide information sufficient to allow the administration to properly determine resident status under law.
- L. Tuition students may be accepted in accordance with State law and the approval of the District Administrator.

- M. Nonresidents may be accepted into the District's Adult Education classes upon payment of the appropriate fees.
- N. Nonresident students may be accepted into the District's Summer or Interim Session School Program upon payment of appropriate fees.
- O. Nonresident students may be accepted into the District's program under the Part-Time and Full-Time Open Enrollment Program.
- P. The following provision apply to a Any student who that has been expelled from another school or district and seeks to enroll in the District during the term of the expulsion order: ~~shall be considered for enrollment as follows:~~

1. **If the student has been expelled from another Wisconsin public school district, the student is not entitled to enroll. The District Administrator may choose whether to recommend the student be enrolled.** In the event that the District Administrator intends to enroll a student during the term of an expulsion order issued by another Wisconsin public school District, the enrollment must be approved by the Board.
2. If the student has been expelled by a public school in another state or by a Wisconsin charter school, the District Administrator may choose to enroll the student, but if the ~~decision is not District Administrator does not intend~~ to enroll the student, the Board must determine that the conduct giving rise to expulsion would have been grounds for expulsion from the District under Policy 5610. The student, or if the student is a minor, the student's parent, shall request that the governing body of the charter school or the public school in another state provide the Board with a copy of the expulsion findings and order, a written explanation of the reasons why the student was expelled, and the term of the expulsion.
3. Conditional Enrollment
 - a. Within five (5) school days after the revocation of a student's conditional enrollment, the student or, if the student is a minor, the student's parent may request a conference with the District Administrator who shall be someone other than a principal, administrator, or teacher in the student's school. If a conference is requested, it shall be held within five (5) school days following the request. If, after the conference, the District Administrator finds that the student did not violate an enrollment condition or that the revocation was inappropriate, the student shall be enrolled in school under the same enrollment conditions under the order previously issued and the conditional enrollment revocation shall be expunged from the student's record. If the District Administrator finds that the student violated an enrollment condition and that the revocation was appropriate, s/he shall mail separate copies of the decision to the student and, if the student is a minor, to the student's parent. The decision of the District Administrator is final.
 - b. If a student's conditional enrollment is revoked, the student's expulsion shall continue to the expiration of the term of the expulsion specified in the expulsion order unless the student or, if the student is a minor, the student's parent and the school board that expelled the student, or the independent hearing panel or independent hearing officer, or the out-of-state public school, agree, in writing, to modify the expulsion order.
 - c. If a student granted conditional enrollment violates an enrollment condition that the student was required to meet after his/her conditional enrollment but before the expiration of the term of expulsion, the District Administrator may revoke the student's conditional enrollment. Before revoking the student's conditional enrollment, the District Administrator shall advise the student of the reason for the proposed revocation, including the enrollment condition alleged to have been violated, provide the student an opportunity to present his/her explanation of the alleged violation, and make a determination that the student violated the enrollment condition and that revocation of the student's conditional enrollment is appropriate. If the District Administrator revokes the student's conditional enrollment, the District Administrator shall give prompt written notice of the revocation and the reason for the revocation, including the enrollment condition violated, to the student and, if the student is a minor, to the student's parent.
 - d. If the District Administrator determines that the student has met the enrollment conditions established in a written order, the District Administrator may grant the student conditional enrollment in a school in the District. The determination of the District Administrator is final.
 - e. The Board may specify in a written order one (1) or more enrollment conditions instead of or in addition to any early reinstatement conditions, if any, imposed by the school board that expelled the student or instead of or in addition to any conditions imposed, if any, by the out-of-state public school that expelled the student. Any enrollment conditions must relate to the reasons for the student's expulsion and may not extend the term of expulsion specified in the expulsion order. The School District Clerk shall mail two (2) copies of the order to the student or, if the student is a minor, to the student's parent. The expelled student or, if the student is a minor, the student's parent shall sign and return one (1) copy of the order to the Board. Within fifteen (15) days after the date on which the order is issued, the expelled student or, if the student is a minor, the student's parent may appeal the determination regarding whether an enrollment condition specified in the order is related to the reasons for the student's expulsion to the Board. The decision of the Board regarding that determination is final and not subject to appeal.

- Q. Students who have begun the school year as residents and who no longer reside in the District may be permitted to complete the school year tuition- free.
- R. Nonresident students may be accepted into the District’s program under the [Part-Time Open Enrollment](#)~~Course Options~~ Program. Nonresident students accepted into the District’s [Part-Time Open Enrollment](#)~~Course Options~~ Program may attend no more than two (2) courses at any time.

Revised 8/22/16

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Legal

- 121.78(2)(a), Wis. Stats.
- 118.51, Wis. Stats.
- 118.52, Wis. Stats.
- 120.13(1), Wis. Stats.
- 121.77, Wis. Stats.
- 121.81, Wis. Stats.
- 121.84, Wis. Stats.
- 42 U.S.C. 11431 et seq.

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of ATTENDANCE
Number	po5200
Status	
Adopted	June 20, 2016
Last Revised	August 22, 2016

5200 - **ATTENDANCE**

State law requires the Board ~~of Education~~ to enforce the regular attendance of students. Furthermore, the Board recognizes that the District's educational program is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

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

Excuse Required

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

School Attendance Officer

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

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

Excused Absences

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

A. Physical or Mental Condition

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

B. Obtaining Religious Instruction

To enable the student to obtain religious instruction outside the school during the required school period (see Policy 5223 - Absences

for Religious Instruction).

C. Permission of Parent or Guardian

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

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

D. Religious Holiday

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

E. Suspension or Expulsion

The student has been suspended or expelled.

F. Program or Curriculum Modification

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

G. High School Equivalency – Secured Facilities

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

H. Child at Risk

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

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

Unexcused Absences

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

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

Truancy Plan

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

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

- A. guidelines for notifying the parents or guardians of the unexcused absences of a student and for meeting and conferring with such parents or guardians

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

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

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

Notice of Truancy

The School Attendance Officer shall notify a truant student's parent or guardian of the student's truancy and direct the parent or guardian to return the student to school no later than the next day on which school is in session or to provide an excuse for the absence. The notice under this paragraph shall be given before the end of the second school day after receiving a report of an unexcused absence. The notice may ~~shall~~ be made by electronic communication, personal contact, or telephone call or 1st class mail, if possible, and a written record of this notice shall be kept. The School Attendance Officer shall attempt to give notice by personal contact, telephone call, or, unless the parent has refused to receive electronic communication, notice by 1st class mail may be given. ~~In the event that an attempt is made to contact the parent by personal contact or telephone call and the parent is not reached, notice may be provided by first class mail. If such notice is not effective, notice shall be made by mail.~~ This notice must be given every time a student is truant until the student becomes a habitual truant.

Notice of Habitual Truancy

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

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

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

- D. a statement of the penalties, under State law or local ordinances that may be imposed on the parent or guardian if s/he fails to cause the child to attend school regularly as required by State law

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

Referral to the District Attorney

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

- A. met with the student's parent or guardian to discuss the student's truancy or attempted to meet with the student's parent or guardian and received no response or were refused
- B. provided an opportunity for educational counseling to the student to determine whether a change in the student's curriculum would resolve the student's truancy and have curriculum modifications under State law

- C. evaluated the student to determine whether learning problems may be a cause of the student's truancy and, if so, have taken steps to overcome the learning problems if tests administered to the student within the previous year indicate that the student is performing at his/her grade level, the student need not be evaluated.
- D. conducted an evaluation to determine whether social problems may be a cause of the student's truancy and, if so, have taken appropriate action or made appropriate referrals

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

Make-up Course Work and Examinations

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

District Administrator Guidelines

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

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

Revised 8/22/16

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Legal 118.15, Wis. Stats.
 118.153, Wis. Stats.
 118.16, Wis. Stats.
 118.162, Wis. Stats.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of USE OF TOBACCO BY STUDENTS
Number	po5512
Status	
Adopted	June 20, 2016

5512 - USE OF TOBACCO BY STUDENTS

The Board ~~of Education~~ is committed to providing students, staff, and visitors with a tobacco and smoke-free environment. The negative health effects of tobacco and nicotine use for both users and non-users, particularly in connection with second hand smoke, are well-established. In addition, students less than eighteen (18) years of age are generally prohibited by law from purchasing or possessing cigarettes and other tobacco products.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute or simulated forms of cigarettes, clove cigarettes and any other lighted smoking devices for burning tobacco or any other substance. This policy also prohibits the use of other products containing nicotine, including but not limited to nicotine patches and nicotine gum unless the provisions of Policy 5330 -Administration of Medication/Emergency Care are followed. Accordingly, the Board prohibits students from using or possessing tobacco or nicotine in any form on District premises, in District vehicles, within any indoor facility owned or while leased or contracted for by the District and used to provide education or library services to children, and at all District-sponsored events.

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Legal	120.12(20), Wis. Stats. 254.92, Wis. Stats. 20 U.S.C. 6081 et seq.
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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of STUDENT USE OF MOTOR VEHICLES
Number	po5515
Status	
Adopted	June 20, 2016
Last Revised	August 22, 2016

5515 - **STUDENT USE OF MOTOR VEHICLES**

The Board ~~of Education~~ regards the use of motor vehicles for travel to and from school by students as an assumption of responsibility on the part of those students -- a responsibility in the care of property, in the observation of safety rules, and in the display of courtesy and consideration toward others.

The Board will permit the use of motor vehicles by students, in accordance with the rules of this District, provided that such students are licensed drivers and have been granted permission by the issuance of a parking permit to operate ~~drive~~ a motor vehicle on school grounds.

The Board will not be responsible for motor vehicles which are lost, stolen, or damaged.

The Board will permit the use of snowmobiles by legally qualified individuals for travel to and from school provided that the snowmobile is operated on designated areas only.

The District Administrator shall develop administrative guidelines for operation and parking of motor vehicles and shall disseminate those rules to all students so affected.

The District Administrator shall establish standards for the granting of permits which shall contain the warning that infraction of the rules may result in the revocation of the permit.

Revised 8/22/16

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of STUDENT HAZING
Number	po5516
Status	
Adopted	June 20, 2016

5516 - **STUDENT HAZING**

The Board of Education believes that hazing activities of any type are inconsistent with the educational process and may in some circumstances be a violation of State law. It prohibits all such activities at any time in school facilities, on school property, and at any District-sponsored activity or event.

Hazing shall be defined for purposes of this policy as performing any act or coercing another, to perform any act of initiation into any class, group, or organization that causes or creates a risk of causing mental, emotional, or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Administrators, faculty members, and other employees of the District shall be alert to possible situations, circumstances, or events that might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Principal or to the District Administrator. The individual informed of the situation shall immediately do the following:

- A. Write all information concerning the reported activity or planned activity received from the person reporting the incident to create a complete record of the initial contact with administration.
- B. Determine if any potential criminal activity has occurred, and if so contact law enforcement immediately.
- C. Determine whether the information received illustrates hazing behavior that is based on the student's or any group of students sex (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or State civil rights laws ("Protected Classes"). If the conduct reported appears to be based on one or more Protected Class, the Administrator shall inform the District Compliance Officer and refer to Policy 5517 – Student Anti-Harassment and proceed accordingly.
- D. If the hazing, or planned hazing does not appear to be based on any Protected Classes, then the Administrator shall proceed to conduct an investigation consistent with the procedures found in Policy 5517.01 - Bullying. If at any point, information surfaces indicating that hazing activity was based on one (1) or more Protected Class, the Administrator or designee conducting the investigation shall contact the Compliance Officer and consult Policy 5517 – Student Anti-harassment.

Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil or criminal penalties. Disciplinary action for students may include, but is not limited to, suspension and/or expulsion. Disciplinary action for staff members may be issued up to and including termination from employment. (See Policy 3139 – Staff Discipline or Policy 4139 – Staff Discipline).

~~The District Administrator shall distribute this policy to all students and District employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or in service programs.~~

Legal

118.13 Wis. Stats.

120.13 Wis. Stats

948.51 Wis. Stats

P.I. 9, 41 Wis. Admin. Code

Fourteenth Amendment, U.S. Constitution

20 U.S.C. 1415

20 U.S.C. 1681 et seq., Title IX of Education Amendments Act

20 U.S.C. 1701 et seq., Equal Educational Opportunities Act of 1974

29 U.S.C. 794, Rehabilitation Act of 1973

42 U.S.C. 1983

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

42 U.S.C. 2000 et seq., Civil Rights Act of 1964

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

34 C.F.R. Sec. 300.600-300.662

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services,
Department of Education, Office of Civil Rights, 1979

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Book Policy Manual
Section For Board Review - Vol. 27, No. 2
Title Copy of DRUG PREVENTION
Number po5530
Status
Adopted June 20, 2016
Last Revised July 17, 2017

5530 - DRUG PREVENTION

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

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

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

- A. all dangerous controlled substances as so designated and prohibited by Wisconsin statute;
- B. chemicals that release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted, pursuant to Board policy;
- E. "look-alikes";
- F. anabolic steroids;
- G. any other illegal substance so designated and prohibited by law.

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

The District Administrator shall prepare guidelines for the identification, elimination, and regulation of drug use in the schools, including education, prevention and standards of conduct. Education shall be intended to develop awareness of: drug abuse, including prescription drug abuse, and prevention; the relationship between highway safety and the use of alcohol and controlled substances, including prescription drugs; and the relationship between youth suicide and the use of alcohol and controlled substances, including prescription drugs.

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Legal 118.01(2)(d), Wis. Stats.
118.24(2)(f), 118.257, 125.09(2), Wis. Stats.
Drug-Free Schools and Communities Act of 1986 as amended
20 U.S.C. 3171 et seq., 3224A



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of THE SCHOOLS AND GOVERNMENTAL AGENCIES
Number	po5540
Status	
Adopted	June 20, 2016
Last Revised	December 18, 2017

5540 - THE SCHOOLS AND GOVERNMENTAL AGENCIES

The Board ~~of Education~~ is committed to maintaining the educational atmosphere of the schools and restricting access by individuals not part of the school system but also recognizes its responsibility to cooperate with law enforcement agencies and its need for assistance from law enforcement in certain circumstances.

When law enforcement requests permission to interview a student at school, the District Administrator or building administrator shall be contacted prior to any further action by law enforcement. The administrator shall determine whether it is appropriate to provide access to the student based on the officer's purpose, whether the officer has stated that there is an emergency involving imminent threat, or whether the officer is in possession of a valid warrant. A warrant shall be deemed valid if executed by a judicial officer and describing the school premises.

If law enforcement is contacted by the administration for assistance, administration shall maintain the lead role in the investigation and shall be present or contact a parent to be present for any interview, to the extent reasonable.

When an agency requests permission to remove a student, or does remove a student without prior permission, the building administrator shall notify the District Administrator.

Law enforcement investigations on school premises fall into two (2) primary categories. First, some investigations will occur at the request of school administration due to suspicion of a violation of school policy that may also be criminal. Second, law enforcement investigations may occur without the initiation of school officials and may or may not involve activity on school grounds.

Different procedures are to be followed in each instance as outlined below:

A. By law enforcement personnel, on request of school authorities

1. An administrator may exercise his/her discretion in determining whether to request assistance of law enforcement in investigating a crime, or allegation of a crime, committed in his/her school building or school grounds during school hours. If assistance is so requested, it shall be directed to the local law enforcement agency and the administration shall remain the primary investigator with assistance from law enforcement. When determining whether to contact law enforcement, a school administrator shall consider the mandatory reporting requirements of Section 48.981 in the event the allegations involve suspected child abuse or neglect.
2. If the administrator requests assistance, a law enforcement officer may conduct an investigation within the school building and interview students as witnesses in school during the school day. Administrators shall take steps to assure that students are not removed from classes if at all possible. The administrator shall be present during the interview unless the law enforcement officer, student or his/her parent requests that the school official not be present. The student may request other representation such as legal counsel. If a student requests legal counsel, the administrator will make an effort to contact the parent(s) and the student will be put in custody of the law enforcement agency. The administrator shall attempt to contact the parent(s) of any student prior to questioning by police. A decision whether to take a student into custody is the decision of the law enforcement officer.
3. If the investigation focuses on a particular student as a prime suspect of crime, the administrator and the law enforcement officer shall abide by the guidelines with respect to any interrogation, search and arrest. Once law enforcement is involved in

an investigation of possible criminal activity on school grounds, assuring that the constitutionally protected rights are respected during the investigation process is the law enforcement officers' responsibility.

4. School officials shall assist and cooperate in investigations as requested by law enforcement and consistent with District responsibility to maintain the confidentiality of student records under State and Federal law.

B. By law enforcement personnel without request of school authorities

1. Law enforcement officers will be asked to make every effort to interview students outside of the school hours and outside of the school setting in those cases where assistance has not been requested by school authorities. This procedure will not apply to circumstances where a serious crime may be involved, or where imminent threats to persons or property may be involved or where law enforcement states that it is not feasible to interview the student outside of school due to the nature of the investigation and that they are not able to provide specific information substantiating the need to immediately interview the student.
2. If law enforcement deem it absolutely necessary to interview a student at school, the law enforcement personnel shall first contact the administrator regarding the planned visit and inform the administrator of the circumstances that require him/her to investigate within the school and obtain his/her approval to interview a student during school hours. The police officer shall not commence his/her investigation until such approval is obtained. The law enforcement personnel may appeal to the District Administrator if it is deemed that approval was unreasonably withheld.

The administrator shall make every effort to maintain the privacy of the student.

3. Accordingly, the administrator shall do the following:

- a. Request that every attempt be made to schedule questioning during a time the student is not in class.
- b. Request that the student be pulled out of class by a school administrator, rather than a police officer, if necessary.
- c. Notify the law enforcement officer that the school official will be attempting to contacting the student's parent(s) prior to questioning, unless specifically requested not to because such contact would unduly impede the investigation.

4. If law enforcement officer is in possession of a valid warrant, school officials shall in no way interfere with the officer's execution of the warrant. A warrant shall be considered "valid" if it accurately describes the school facility and is executed by an authorized judicial official. District officials shall not attempt to evaluate the sufficiency of probable cause upon which the warrant is based.

In the event a law enforcement officer seeks to execute a warrant on school grounds, the officer is to be directed to building administration. The administration shall attempt to assist in executing the warrant by directing the student to report to the office. The school administration shall then (1) contact the student's parent if the student is a minor; and (2) contact the District Administrator. This process shall be followed unless the law enforcement official states that s/he has reason to believe that the subject of the warrant poses an immediate threat to the health and safety of others while in the school. In such a case, school officials shall grant access to the facility for execution of the warrant.

The District Administrator shall prepare guidelines to promote understanding and cooperation between staff members and students and these agencies.

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Legal 120.13(35), Wis. Stats.
 118.257, Wis. Stats.

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Book Policy Manual
Section For Board Review - Vol. 27, No. 2
Title REVISED POLICY - VOL. 27, NO. 2 - CORPORAL PUNISHMENT
Number po5630
Status
Adopted June 20, 2016

REVISED POLICY - VOL. 27, NO. 2

5630 - CORPORAL PUNISHMENT

While recognizing that students may require disciplinary action in various forms, the Board ~~of Education~~ cannot condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Professional staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to the removal of the student from the classroom or school through suspension, expulsion, or other disciplinary intervention.

Professional staff as well as support staff, within the scope of their employment, may use ~~and apply reasonable and necessary force to~~:

- A. reasonable and necessary force to quell a disturbance or prevent an act that threatens physical injury to any person ~~threatening physical injury to self or others;~~
- B. reasonable and necessary force to obtain possession of a weapon or other dangerous object ~~weapons or other dangerous objects upon or within a student's the control of the student;~~
- C. reasonable and necessary force for the purpose of use self-defense or the defense of defend others under 939.48, Wis. Stats.;
- D. reasonable and necessary force for the protection of protect property under 939.49, Wis. Stats.;
- E. reasonable and necessary force to remove a disruptive student from a school premises or motor vehicle, as defined in 125.09(2)(a)1. and 4., Wis. Stats., or from a school-related activities ~~activity, or a District vehicle;~~
- F. reasonable and necessary force to prevent a student from inflicting harm on himself/herself;
- G. reasonable and necessary force to protect the safety of others; ~~;~~
- H. incidental, minor, or reasonable physical contact designed to maintain order and control.

~~In addition, staff members may use or apply incidental, minor, or reasonable physical contact designed to maintain order and control with the scope of employment.~~

In accordance with State law, corporal punishment shall not be permitted. If any staff member, full-time, part-time, or substitute intentionally inflicts, or causes to be inflicted, physical pain by hitting, paddling, spanking, slapping, forcing prolonged maintenance of physically-painful positions, or makes use of any other kind of physical force as a means of disciplining a student, s/he may be subject to discipline up to and including discharge by this Board and possibly criminal assault charges as well. This prohibition applies as well to volunteers and those with whom the District contracts for services.

In determining whether or not a person was acting within the exceptions noted above, if appropriate, deference may be given to reasonable, good faith judgements made by District employees or agents.

The corporal punishment policy and statute shall be interpreted in a manner that is consistent with the State law and policy governing the use of seclusion and restraint.

The District Administrator shall provide administrative guidelines which shall include a list of alternatives to corporal punishment.

[118.305, Wis. Stats.](#)

118.31, Wis. Stats

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Legal 118.305, Wis. Stats.

118.31, Wis. Stats.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of WEAPONS
Number	po5772
Status	
Adopted	October 1, 2015
Last Revised	April 23, 2018

5772 - WEAPONS

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

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

The District Administrator will refer any student who violates this policy to the student's parents and may also make a referral to [law enforcement](#). ~~the criminal justice or juvenile delinquency system.~~ The student may also be subject to disciplinary action, up to and including expulsion.

Policy exceptions include:

- A. weapons under the control of law enforcement personnel while on duty, or qualified former law enforcement officers, off duty law enforcement officers, or out-of-state law enforcement officers;
- B. items pre-approved by the Board as part of a class or individual presentation under adult supervision, including, but not limited to Hunters' Education and Archery Education courses, if used for the purpose and in the manner approved (working firearms and live ammunition are never be approved); and
- C. theatrical props used in appropriate settings with the approval of the building principal.

This policy will be published annually in all District student and staff handbooks. Publication is not a precondition to enforcement of this policy.

Revised 6/19/17

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Legal	120.13(1), Wis. Stats. 943.13, Wis. Stats. 948.605, Wis. Stats. 18 U.S.C. 921(a)(3) 18 U.S.C. 922 20 U.S.C. 7151
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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of STUDENT PRODUCTION OF GOODS AND SERVICES
Number	po5870
Status	
Adopted	June 20, 2016

5870 - **STUDENT PRODUCTION OF GOODS AND SERVICES**

The Board ~~of Education~~ authorizes students to produce goods and services for nonprofit community organizations or groups during school hours or in-school activities only to the extent that such production furthers the educational development of students. Care must be exercised by the administration in interpreting this policy to avoid exploitation of the students.

The building administration will determine the number of such activities that can be accommodated and whether they are aligned to the District curriculum.

(.) Students who develop ideas, concepts, or materials which may carry with them intellectual property characteristics may pursue protection of those rights on their own. No District staff may take steps to claim intellectual property rights relative to any work product created by student(s), except as expressly approved by the District Administrator and agreed to by participating students prior to the commencement of any projects. The District does not determine the protectable nature of any particular work.

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Book Policy Manual
Section For Board Review - Vol. 27, No. 2
Title Copy of LEASING SCHOOL PROPERTY
Number po6330
Status
Adopted July 18, 2016

6330 - LEASING SCHOOL PROPERTY

The Board ~~of Education~~ is authorized to lease ~~for a term exceeding fifteen (15) years~~ school sites, building, and equipment, not needed for school purposes to any person for any lawful use at a reasonable rental fee.

Such action must be approved at an annual or special ~~s~~School ~~d~~District meeting of the electorate.

~~-Lease agreements entered into, modified or extended before April 17, 2004, may not exceed fifteen (15) years.~~

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Legal 120.44(2), Wis. Stats.
120.13(25) Wis. Stats.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of PAYROLL DEDUCTIONS
Number	po6520
Status	
Adopted	July 18, 2016

6520 - **PAYROLL DEDUCTIONS**

The Board ~~of Education~~ directs the District Administrator to ensure that deductions are made from an employee's paycheck as required by law (e.g., State and Federal withholding and employment taxes). The Board also authorizes payroll deductions for the following purposes:

- A. Wisconsin Retirement System (Standard Contribution)
- B. Wisconsin Retirement System (Voluntary Additional Contribution)
- C. Section 125 deductions (cafeteria plans)
- D. contributions to charitable corporations, not-for-profit and community fund organizations
- E. payment of group insurance premiums for a plan in which District employees participate
- F. payment for benefits of part-time employees who elect to participate in benefits provided to full-time staff

Any such deduction must be expressly authorized in writing by the employee.

The Board declares its willingness to enter into an agreement with any of its employees whereby the employee agrees to take a reduction in salary with respect to amounts earned after the effective date of such agreement in return for the Board's agreement to use a corresponding amount to purchase an annuity for such employee (or group of employees desiring the same annuity company) from any company authorized to transact the business as specified in law in accordance with Section 403(b) or 457 of the Internal Revenue Code, and in accordance with the District's administrative guidelines. However, it shall be clearly understood that the Board's only function shall be the deduction and remittance of employee funds.

Said agreement shall comply with all of the provisions of law and may be terminated as said law provides upon notice in writing by either party. Employees shall notify the District Administrator's Office in writing if they wish to participate in such a program.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of FAIR LABOR STANDARDS ACT (FLSA)
Number	po6700
Status	
Adopted	July 18, 2016
Last Revised	July 17, 2017

6700 - FAIR LABOR STANDARDS ACT (FLSA)

The Board ~~of Education~~ will comply with the provisions of State and Federal Law and their respective implementing regulations, relating to minimum wages and overtime. To that end, the Board shall pay at least the minimum wage to all employees. Furthermore, the Board recognizes the safe and efficient operation of the District may occasionally require covered, non-exempt employees to work more than forty (40) hours during a given work week. Such employees shall be paid overtime compensation.

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

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

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

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

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

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

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

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

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

information to the Business Manager, or district office.

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

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

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

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of AUDIT
Number	po6830
Status	
Adopted	July 18, 2016

6830 - **AUDIT**

The Board ~~of Education~~ requires that, after the close of the fiscal year (June 30th), an audit of all accounts of the District be made annually by an independent, certified public accountant. The audit examination shall be conducted in accordance with generally accepted auditing standards and the Wisconsin Uniform Financial Accounting Requirements of the DPI (WUFAR). ~~The audit~~ and shall include all funds over which the Board has direct or supervisory control.

The District Auditor shall ~~also~~ prepare a detailed report which shall be submitted ~~and submit a copy of the District's audit report~~ to the Department of Public Instruction ~~by~~ each year after it has been presented to and approved by the Board. The District Administrator shall assure that the audit report is completed timely and submitted prior to the deadline established by DPI.

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Legal 120.14, Wis. Stats.

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Book	Policy Manual
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Title	Copy of WEAPONS
Number	po7217 - TC
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Last Revised	November 21, 2016

7217 - WEAPONS

The Board of Education prohibits staff members, students, and visitors from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District vehicle to the extent permitted by law without the permission of the District Administrator. Policies regarding staff members are found in Policy 3217 and Policy 4217. The policy pertaining to students is found in Policy 5772.

A volunteer who is a concealed carry permit licensee may transport students for school sponsored events or school-related purposes in his/her own vehicle only if the volunteer has agreed not to carry a concealed weapon while transporting such students. This does not apply to the transportation of students related by blood or marriage to the volunteer if only such students are being transported.

Concealed Carry Permit Holders

No parent or other volunteer may carry or in any fashion possess a concealed weapon, whether they hold a permit or not, while transporting students in a district owned vehicle. Additionally, anyone, including a holder of a concealed carry permit license issued or recognized by the State of Wisconsin, is prohibited by virtue of Wis. Stat. 948.605(2)(b)1r from possessing a concealed weapon anywhere in or on school grounds including parking areas.

Definition of "Weapon"

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

Exceptions to this policy include:

- A. weapons under the control of law enforcement personnel while on duty, or qualified former law enforcement officers, off duty law enforcement officers, or out-of-state law enforcement officers;
- B. contracted personnel that are authorized by law to carry weapons in the course of their professional duties and for which the District and the contracted entity have a contract that authorizes employees of the contracted entity to carry a weapon on school grounds and in school buildings in the performance of their duties (i.e. armored transport services);
- C. items approved by the Board as part of a class or individual presentation under adult supervision, including, but not limited to Hunters' Education or Archery Education courses, if used for the purpose of and in the manner approved (live ammunition shall never be approved);
- D. theatrical props used in appropriate settings with the approval of the building administrator;
- E. starter pistols used in appropriate sporting events.

The District Administrator may refer a visitor or volunteer who violates this policy to law enforcement officials. The visitor or volunteer may also be subject to other action such as loss of volunteer status at the sole discretion of the Board.

Any staff member who has reason to believe that a person has or will violate this policy shall report to the school Principal or their supervisor immediately. Failure to report such information may subject the staff member to disciplinary action, up to and including termination. The staff member may also confront the person if the staff member believes the risk of injury to self or others is minimal or if immediate action is necessary to prevent injury to any person.

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

Revised 11/21/16

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

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of SAFETY AND SECURITY
Number	po7440
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7440 - **SAFETY AND SECURITY**

Promoting the safety of students, staff and others in the school buildings, as well as providing for the protection of the significant financial investment in the District's buildings is a critical function of the Board. Proper safety measures are to be implemented to protect those who use the buildings and to protect the buildings and equipment owned by the Board from theft and vandalism in order to maintain the optimum conditions for carrying out the educational program.

The District Administrator shall develop and supervise a program for the security of the District's students, staff, visitors, school buildings, school grounds, and school equipment in compliance with State and Federal laws. Such a program may include the use of video surveillance and electronic monitoring equipment in appropriate areas in and around the schools and other District facilities, and on school buses.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to students, staff, visitors, and Board property and to require prosecution of those who bring harm to persons and/or property. The Board will seek to repair the damage or seek the payment of a fee to cover such repairs.

Appropriate authorities may be contacted in the case of serious offenses.

The District Administrator is authorized to install video surveillance/electronic monitoring equipment on school property in order to protect the health, welfare and safety of students, staff, visitors and Board property, and other security devices that would assist in the detection of guns and dangerous weapons in school buildings or on District property.

The District Administrator shall report to the Board no later than the next regular Board meeting, any significant incident involving vandalism, theft, personal safety or other security risks and the measures being taken to address the situation.

Public Access to School Facilities

The Board expects that during regular school hours only students and school staff need to be present in the school building. The Board also acknowledges that there will be times during the instructional day that members of the public, including parents, invited guests, or other individuals will for appropriate and legitimate reasons require entry into a school facility. In such cases, the following guidelines shall be followed:

- A. All exterior doors to every school building shall be locked during the instructional day, preventing entry into the building and all visitors to the school building during those times will be directed to a single entrance into the building. This entrance shall be the entrance closest to the main office. Visitors must identify themselves and the purpose of their visit to the school through the intercom system.
- B. All persons other than students and building staff shall check in with the main office of the building and shall complete a visitor log. Each visitor shall be given a visitor tag that shall be worn at all times while in the building. Main office staff must contact the classroom teacher to verify that the visitor is expected.
- C. All visitors are expected to sign out prior to departing the building.
- D. Outside of instructional times, no person other than a staff member may be in any school buildings except for attendance at a public function (such as a sporting event) or based on an approved facility use request pursuant to Policy 7510.

Any visitor to the school may be refused entry or asked to leave the building at any time if the building administrator determines that the visitor's presence is disruptive or is likely to become disruptive to the educational environment, or for other safety or security reasons. If a visitor refuses to leave upon request by the building administrator, the administrator shall contact the school resource officer or local law enforcement as appropriate. No staff member should attempt to physically remove a visitor, unless the visitor poses an imminent safety threat.

Failure to follow the requirements above when entering or remaining in school facilities may be subjected to a fine not exceeding \$1,000 in circumstances tending to provoke a disturbance of the peace.

Any school staff member that witnesses a visitor in the school building who is not wearing a visitor tag as required shall report the visitor's presence to the main office. In the event the main office does not have record of such visitor properly checking in, the office staff shall immediately contact an administrator or, if any administrator is not available, if applicable, appropriate law enforcement.

Parents as Visitors

The Board encourages parental involvement in the education of students in the District. For this reason, it is important to facilitate the involvement of parents in school activities and the educational process while at the same time preserving the integrity of the educational environment for all students. As a balance, the Board adopts the following requirements for parents visiting the school during the instructional day:

- A. Parents shall make arrangements with their child's teacher or with the building administrator in advance of visiting their child at school unless that is not possible.
- B. Parents, like any other visitor, must enter the building through only the only approved visitor entrance and shall check in at the main office in the same fashion as a visitor.

[Parents visiting District schools shall comply with Policy 9150 - School Visitors, and other relevant policies and administrative guidelines.](#)

Parents who do not follow these guidelines or whose presence is disruptive to the educational environment may be asked to leave the building by the Building Administrator. Any decision to permanently expel a parent may only be made by the District Administrator due to the parent's repeated failure to follow rules causing a disruption to the educational environment or for overt threats of harm or actual physical contact with any staff or student.

Court Imposed Restrictions

In any case in which an individual is the subject of a court order restricting the individual's presence at a school building, including any restrictions on the individual's physical proximity to an individual either a student or staff member, the Building Administrator shall inform staff of the situation and if any staff member sees the individual on school premises, that staff member shall immediately contact law enforcement and the main office.

Sex Offenders on School Property

Any person who is a registered sex offender under Wisconsin Law is required to notify the District Administrator ~~or designee~~ of the specific date, time and place of his/her visit to any school facility and must notify the District Administrator of his/her status as a registered sex offender.

Parents of students enrolled in the District must notify the District Administrator of his/her status as a registered sex offender and his/her children enrollment in the District. Notification must occur at the beginning of each school year or at the time the individual is required to register or whenever the child is first enrolled, whichever occurs first.

Notification requirements do not apply if the person will be on school grounds to vote in an election or to attend a non-school sponsored event occurring on the school grounds.

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Legal 120.13(35), 301.475, Wis. Stat.

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7530.02 - STAFF AND SCHOOL OFFICIALS USE OF PERSONAL COMMUNICATION DEVICES

Use of personal communication devices ("PCDs") (as defined in Bylaw 0100) has become pervasive in the workplace. ~~For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g. Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones [e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.], and/or other web-enabled devices of any type.~~ Whether the PCD is Board-owned and assigned to a specific employee or school official, or personally-owned by the employee or school official (regardless of who pays for service), the employee or school official is responsible for using the device in a safe and appropriate manner and in accordance with this policy and its accompanying guideline, as well as other pertinent Board policies and guidelines.

Conducting District Business Using a PCD

[NOTE: FIRST SET OF OPTIONS - CHOOSE OPTION A OR OPTION B]

[OPTION A]

[] Employees and school officials are permitted to use a Board-owned and/or personally-owned PCD to make/receive calls, send/receive e-mails, send/receive texts, send/receive instant messages (.), or _____ [END OF OPTION] that concern District business of any kind.

Employees and school officials are responsible for archiving such communication(s) in accordance with the District's requirements. [INSERT REQUIREMENTS INSTEAD OF GENERAL REFERENCE TO REQUIREMENTS.]

[END OF OPTION A]

[OPTION B]

[] Employees and school officials are prohibited from using a Board-owned and/or personally-owned PCD that concern District business of any kind other than to (.) make/receive telephone calls (.), send/receive e-mails on a District-issued e-mail account (.), or _____ [END OF OPTION].

Employees and school officials who receive District business-related communication(s) on Board-owned and personally-owned PCDs on a function that is not permitted under this policy are still responsible for the following:

1. archiving such communication(s) sent or received in accordance with the District's requirements; and
2. responding to an individual who sends such communication using the employee's or school official's District-issued e-mail account with the following message: "On _____ [insert date], I received a message from you on my (.) Board-owned (.) personally-owned PCD. Pursuant to Board Policy 7530.02, please contact me with such communications regarding District business of any kind via my personal communication device, the District e-mail account from which I am sending this message (.), or _____ [END OF OPTION]. Thank you."

[END OF OPTION B]

[END OF FIRST SET OF OPTIONS]

Safe and Appropriate Use of ~~a PCD~~ **Personal Communication Devices, Including Cell Phones**

Employees or school officials are responsible for operating Board-owned vehicles and potentially hazardous equipment in a safe and prudent manner, and therefore, employees are prohibited from using a PCDs while operating such vehicles or equipment. In the interest of safety for both Board employees and other drivers, employees are required to comply with all applicable laws while driving.

Employees and school officials may not use a PCD in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

Duty to Maintain Confidentiality of Student Personally Identifiable Information - Public and Student Record Requirements

Employees and school officials are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on their PCD regardless of whether they are Board-owned and assigned to a specific employee or personally-owned by the employee.~~s-~~

~~PCD~~Cellular and wireless communications, including calls, text messages, instant messages, and e-mails sent or received from PCDs, may not be secure. Therefore, employees should use discretion when using a PCD relay~~in-relaying~~ confidential information, particularly as it relates to students.

Additionally, ~~PCD~~cellular/wireless communications, including text messages, instant messages and e-mails sent and/or received by a public employee or school official using his/her PCD may constitute public records, ~~if the content of the message concerns District business, or an education record if the content includes personally identifiable information about a student. Cellular/wireless communications that are public records are subject to retention and disclosure, upon request, in accordance with Policy 8310—Public Records. Cellular/wireless communications that are student records should be maintained pursuant to Policy 8330—Students Records. Finally, cellular/wireless communications and other electronically stored information (ESI) stored on the staff member's PCD may be subject to a Litigation Hold pursuant to Policy 8315—Information Management. Staff are required to comply with District requests to produce copies of cellular/wireless communications in their possession that are either public records or education records, or that constitute ESI that is subject to a Litigation Hold.~~

Further, PCD communications about students, including text messages, instant messages, and e-mails sent and/or received by a District employee or school official using his/her PCD may constitute education records if the content includes personally identifiable information about a student.

Communications, including text messages, instant messages, and e-mails sent and/or received by a District employee or school official using his/her PCD, that are public records or student records are subject to retention and disclosure, upon request, in accordance with Policy 8310 - Public Records. Cellular/Wireless communications that are student records should be maintained pursuant to Policy 8330 - Student Records.

It is the responsibility of the District employee or school official who uses a PCD for District business-related use to archive all text messages, instant messages, and e-mails sent and/or received using his/her PCD in accordance with the District's requirements.

Cellular/Wireless communications and other electronically stored information (ESI) stored on the staff member's or school official's PCD may be subject to a litigation hold pursuant to Policy 8315 - Information Management. Staff and school officials are required to comply with District requests to produce copies of cellular/wireless communications in their possession that are either public records or education records or that constitute ESI that is subject to a litigation hold.

At the conclusion of an individual's employment (whether through resignation, nonrenewal, or termination), the employee is responsible for verifying all public records, student records and electronically stored information (ESI) subject to a ~~Litigation H~~hold that are maintained on the employee's PCD are transferred to the District's custody (e.g., server, alternative storage device). The District's IT department/staff is available to assist in this process. Once all public records, student records and ESI subject to a ~~Litigation H~~hold are transferred to the District's custody, the employee is required to delete the records/ESI from his/her PCD. The employee will be required to sign a document confirming that all such records/information has been transferred to the District's custody and deleted from his/her PCD, ~~before the Board will issue any final compensation that is owed to the employee.~~

Similarly, if an employee intends to dispose of, or otherwise stop using, a personal PCD on which s/he has maintained public records, student records and/or ESI that is subject to a Litigation Hold, the employee must transfer the records/ESI to the District's custody before disposing of, or otherwise ceasing to use, the personal PCD. The employee is responsible for securely deleting such records/ESI before disposing of, or ceasing to use, the personal PCD. Failure to comply with these requirements may result in disciplinary action.

If a PCD is lost, stolen, hacked or otherwise subjected to unauthorized access, the employee or school official must immediately notify the District Administrator so a determination can be made as to whether any public records, students records and/or ESI subject to a ~~Litigation H~~hold has been compromised and/or lost. Pursuant to Policy 8305 - Information Security and its accompanying guideline, the~~The~~ District Administrator shall determine whether any security breach notification laws may have application to the situation. Appropriate notifications will be sent unless the records/information stored on the PCD was encrypted.

The Board prohibits employees and school officials from maintaining the following types of student, staff, or District records and/or information on their PCDs:

- A. student personally identifiable information
- B. student information required to be kept confidential pursuant to the Americans with Disabilities Act (ADA)
- C. student health information as defined by the Health Insurance Portability and Accountability Act (HIPAA)

Employees are responsible for making sure no third parties (including family members) have access to records and/or information, which is maintained on a PCD in their possession, that is confidential, privileged or otherwise protected by State and/or Federal law.

Privacy Issues

Except in emergency situations or as otherwise authorized by the District Administrator or as necessary to fulfill their job responsibilities, employees and school officials are prohibited from using PCDs to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or while attending a school-related activity. Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted.

PCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The District Administrator and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

~~Personal Use of PCDs While at Work~~

~~During work hours personal communications made or received, regardless of whether on a PCD or a regular telephone or network computer, can interfere with employee productivity and distract others. Employees are expected to use discretion in using PCDs while at work for personal business. Employees are asked to limit personal communications to breaks and lunch periods, and to inform friends and family members of the Board's policy in this regard.~~

- ~~A. Excessive use of a PCD or cell phone for personal business during work hours is considered outside the employee's scope of employment and may result in disciplinary action.~~
- ~~B. Employees are personally and solely responsible for the care and security of their personally owned PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, personally owned PCDs brought onto its property, or the unauthorized use of such devices.~~

Potential Disciplinary Action

Violation of any provision of this policy may constitute just cause for~~result in~~ disciplinary action up to and including termination. Use of a PCD in any manner contrary to local, State or Federal laws may also result in disciplinary action up to and including termination.

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Adopted October 17, 2016
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8146 - NOTIFICATION OF EDUCATIONAL OPTIONS

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

On an annual basis, a list of all educational options available to children who reside in the District, including public school, private schools participating in a parental choice program, charter schools, virtual schools, full time open enrollment, [Early College Credit Program](#), [Start College Now Program](#), [Part-Time Open Enrollment](#), ~~youth options, course options,~~ and options for students enrolled in a home-based private education program, will be provided to parents.

Revised 7/17/17

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

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Book	Policy Manual
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Number	po8310
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8310 - PUBLIC RECORDS

The Board ~~of Education~~ recognizes its responsibility to maintain the public records of this District and to make such records available for inspection and reproduction.

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

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

~~The public records of this District include any writing prepared, owned, used, in the possession of, or retained by the District, its Board, officers, or employees, to the extent such writings are within the definition of public records under applicable law. "Public records" do not include notes from the personal use of the author, medical records, documents containing genetic information, trial preparation records, confidential law enforcement investigatory records, records the release of which is prohibited by State or Federal law.~~

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

~~The District will comply with the No public records, including, but not limited to, personnel records, personnel files, or staff directories or student records shall include the actual/confidential addresses of students, parents, or employees who are participating in the Safe at Home/Address Confidentiality Program administered by the Wisconsin Department of Justice. Such public records and student records shall only contain the address designated by the Wisconsin Department of Justice to serve as the student's, parent's, or employee's address.~~ (See Policy 5111 - Eligibility of Resident/Nonresident Students, Policy 8320 - Personnel Records and Policy 8330 - Student Records.)

The District may impose a fee upon the requester of a copy of a record of \$0.25 per page, which represents the actual, necessary, and direct cost of reproduction of the record. In addition, the District may impose a fee upon a requester for the actual time spent by District employees in locating a record, if the cost is \$50.00 or more. In calculating location costs, the District will use the applicable employee's hourly rate for salary and benefits.

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

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

~~A resident may receive copies of the District's public records upon payment of a fee. In cases where the cost of locating and reproducing the requested record is estimated to exceed \$50, the District Administrator may require advance payment of the estimated cost from the requester prior to fulfilling the request. The District may charge fees for the actual time spent by District employees in locating the record at the applicable employee's hourly rate for salary and benefits, as well as a reproduction cost of \$0.25 per page as well as postage if applicable. The District may also charge the requester for any equipment required to fill the request (such as DVDs, computer disks, etc.). If payment is required, the District will calculate the actual cost and charge the requester. If advance payment is required, the District will either invoice the requester for the difference between the estimate and actual cost or refund any overpayment.~~

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

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

The District Administrator shall establish administrative guidelines to ensure proper compliance with the intent of this policy and the public records law.

Records Retention Schedule

The District has adopted~~will follow~~ the Wisconsin Department of Public Instruction's~~Administration's~~ guidelines on School District record retention.

~~The most recent edition of the guidelines is dated May, 2010.~~ It may be accessed at the following web address:

<http://publicrecordsboard.wi.gov/docview.asp?docid=15892&locid=165>

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

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Last Revised	July 17, 2017

8340 - **LETTERS OF REFERENCE**

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

The Board ~~of Education~~ recognizes that an employee or former employee's request to an administrator for a letter of reference is an opportunity to share information about the staff member's or former staff member's performance with a prospective employer. A current or former employee shall have no expectation that a letter of reference will be written upon request. The decision to comply with such a request shall be solely at the discretion of the administrator.

If an administrator opts, however, to prepare such a letter, the Board expects that administrator to provide specific and truthful comments concerning the employee or former employee's actual performance that can be substantiated by the individual's personnel file.

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

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Legal 895.487(2), Wis. Stats.

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of ENVIRONMENTAL HEALTH AND SAFETY PROGRAM
Number	po8405
Status	
Adopted	November 21, 2016

8405 - ENVIRONMENTAL HEALTH AND SAFETY PROGRAM

The Board ~~of Education~~ recognizes its responsibility to provide students, employees, and visitors with a safe and healthful environment. To this end, the Board directs the District Administrator to develop a comprehensive program designed to provide a healthy, safe, and secure environment on District property and at District-sponsored activities. It is the intent of the Board that the District will avail itself of current, proven technologies in the fields of health, safety, and environmental sciences.

INDOOR ENVIRONMENTAL QUALITY PLAN (IEQ)

In accordance with the District's recognition of the importance of a safe and healthful environment to the educational atmosphere, the District Administrator shall develop guidelines to provide for IEQ monitoring and maintenance. The plan developed shall be implemented no later than February 2013. The following must be included in the plan the District establishes:

A. an employee designated to serve as the IEQ Coordinator for the District;

Additionally, the District will designate an employee in each of the schools to serve as the IEQ Coordinator for that school.

B. the following strategies shall be delineated by the IEQ Coordinator:

1. methods for communicating with parents, students and other employees regarding any IEQ concerns and remediation plans related to such concerns;
2. a complaint procedure for IEQ concerns of parents, students, or employees;
3. developing a schedule of inspections and routine evaluation of each school buildings' environmental standards consistent with all policies of the District and establish guidelines for remediation of any problems identified in the course of any evaluation or inspection;
4. at least annually review the management plan and provide an update to the Board; and
5. identify additional Board policies governing IEQ issues for consideration.

C. provides for training on environmental quality standards for maintenance employees and for the IEQ coordinators and committee members;

D. develops a schedule of and standards for routine maintenance of District properties.

STUDENT, EMPLOYEE, AND VISITOR HEALTH AND SAFETY

The District shall develop and implement an environmental health and safety program that is positive, proactive, integrates responsibilities within the District, and promotes and incorporates the following:

A. Procedures describing a hazard identification and abatement program that requires the periodic inspection of District facilities, the implementation of immediate and programed corrective actions when deemed necessary by such inspections, and the development of

a District-wide hazard reporting procedure that enables employee/stakeholder participation. This program will also provide guidelines for identifying and responding to hazards that are created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine whether appropriate requirements for environmental health and safety have been met.

- B. Procedures that promote environmental health and safety awareness among employees, students, and stakeholders. These procedures shall include, but not be limited to, ~~the establishment of school and District safety committees, and~~ the establishment of a program of regular communication with students, employees, and stakeholders about pertinent safety and health issues through available media in the District. (.) and the establishment of a District safety committee (.) and school safety committees.
- C. Procedures directed toward the safety and health of students during transportation to and from school, at school, and during participation in school-related activities. These procedures shall include, but not be limited to, promoting bus safety for students, assessing the safety of school traffic patterns, operating school clinics, administering medication and medical treatment, promoting laboratory and shop safety, promoting safety in sports and other outdoor activities, inspecting playground equipment and promoting safety on playgrounds, and assessing environmental exposure.
- D. Procedures related to District employee health and safety issues that include, but are not limited to, providing for work areas free from recognized hazards and defining employer and employee responsibilities and expectations related to health and safety.
- E. Procedures describing an accident reporting and investigation system that provides for identification of root causes, determination of remedial and programmed corrective actions, and communication about accidents to employees and stakeholders.
- F. Procedures for foreseeable emergencies and fire prevention.
- G. Procedures relating to recordkeeping required by State or Federal law.

PHASE-OUT/BANNED PRODUCTS

The District Administrator shall require that any chemicals, insecticides, or other materials that the Federal government is phasing out and/or banning by a certain date be immediately banned from use on Board property.

INDOOR AIR QUALITY – MICROBIAL ABATEMENT

The Board recognizes that excessive moisture levels within the schools can lead to conditions that are optimum for the development of biological contaminants, such as mold, fungi and other microbials on building surfaces. The Board further recognizes that the presence of these contaminants can be harmful on contact with respiratory tissue. Contributing factors to excessive moisture levels include the following:

- A. roof leaks
- B. structural defects in the building
- C. improperly controlled humidity levels
- D. faulty HVAC systems

As preventative measures, the District shall do the following:

- A. address prevention of water intrusion as a priority indoor air quality (IAQ) issue and implement strategies toward its elimination
- B. maintain environmental conditions in occupied areas that are in compliance with applicable regulations and strive to conform to generally accepted industry standards
- C. implement a preventative maintenance program for HVAC systems that shall include, but not be limited to, periodic filter replacement, inspection, cleaning and disinfecting processes, and procedures to eliminate the contribution to indoor air quality problems caused by this equipment
- D. implement a system for insuring materials used and purchased for use in the construction, furnishing and maintenance, including cleaning of facilities, do not contribute to the health hazards to employees and students by degrading the quality of indoor air. In addition, activities that create indoor air quality health hazards shall not be permitted

DIESEL EXHAUST AND SCHOOL BUS IDLING

In accordance with the Environmental Protection Agency's initiative to reduce pollution that is caused by school buses on school property, the Board will take the recommended steps to reduce the negative effect of diesel exhaust on indoor and outdoor air quality on school campuses. This effort shall include, but not be limited to, reducing bus idling time and reinforcing smart driving practices.

POLLUTION CONTROL AND PREVENTION

In an effort to comply with the environmental policy and applicable regulations, the District shall develop and implement procedures designed to prevent air and water pollution, minimize or eliminate waste streams where possible, and identify possible sources of air and water pollution as required by State and Federal law.

USE OF FREE-FLOWING MERCURY CONTAINING PRODUCTS

The District shall not purchase or use for any reason free-flowing elemental mercury.

The District shall not purchase or use any products containing mercury as those products are defined by applicable State law, unless no reasonable alternative product is available and the product with the lowest mercury content is used. This rule does not apply to products whose purchase is required by Federal law or products whose only mercury content is in a button cell battery.

SEE ALSO THE FOLLOWING RELATED POLICIES:

Policy 7420 - Hygienic Management
Policy 7430 - Safety Standards
Policy 8410 - School Safety and Crisis Intervention
Policy 8420 - Emergency Preparedness
Policy 8431 - Preparedness for Toxic Hazards
Policy 8431.01 - Asbestos Management
Policy 8442 - Reporting Accidents
Policy 8450 - Control of Casual-Contact Communicable Diseases
Policy 8453 - Direct Contact Communicable Diseases
Policy 8453.01 - Control of Blood-Borne Pathogens

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Legal	101.11, Wis. Stats.
	118.07, Wis. Stats.
	Chapter 32, Wis. Admin. Code
	29 C.F.R. Part 1910

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Book Policy Manual
Section For Board Review - Vol. 27, No. 2
Title NEW POLICY - VOL. 27, NO. 2 - SCHOOL RESOURCE OFFICER PROGRAM
Number po8407
Status

NEW POLICY - VOL. 27, NO. 2

8407 - SCHOOL RESOURCE OFFICER PROGRAM

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

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

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

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

The building principal(s) shall serve as the designated liaisons between the District and the law enforcement agency(ies) and shall oversee the SRO Program as it pertains to the specific building(s). The District and the law enforcement agency(ies) shall collaborate in determining various responsibilities and requirements under the SRO Program, including programming services. Any services or activities provided or performed by the law enforcement agency(ies) via the SRO Program shall not serve as a substitute for any responsibilities assigned to District personnel.

The agreement between the District and the law enforcement agency shall require the law enforcement agency(ies) to provide the District Administrator Board with an annual report regarding the SRO Program. **[END OF OPTION]** This report shall summarize activities conducted throughout the previous school year and shall include recommendations for the upcoming school year. The District Administrator Board may request additional updates or reports.

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

Legal

Wis. Stat. §§ 968.07(1)(d), (2)

Wis. Stat. § 165.85(2)(c)

Wis. Stat. § 121.02(1)(i)

Wis. Stat. § 120.44 (unified school districts)

Wis. Stat. § 120.13

Wis. Stat. § 118.257

Wis. Stat. § 118.127

Wis. Stat. § 118.125

Wis. Stat. § 118.001

Wis. Stat. § 66.0301

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	REVISED POLICY - VOL. 27, NO. 2 - MANDATORY REPORTING OF STUDENT ABUSE AND NEGLECT AND THREATS OF VIOLENCE
Number	po8462
Status	
Adopted	November 21, 2016

REVISED POLICY - VOL. 27, NO. 2

8462 - MANDATORY REPORTING OF STUDENT ABUSE AND NEGLECT AND THREATS OF VIOLENCE

The Board strictly prohibits any actual or threatened acts of physical, mental, sexual, or other form of abuse directed towards students by any person in any District-owned, operated, or leased facility, or at any school-sponsored activity. Likewise, the Board strictly prohibits any threats of violence in or targeted at any school. All incidents or suspected incidents of such conduct must be reported as described in this policy and in State law and will be investigated. All District employees, regardless of position, are required to make a report in the following instances:

- A. when the staff member has reasonable cause to suspect that a child seen in the course of the staff member performance of their job duties has been abused or neglected, or has been threatened with abuse or neglect, regardless of the identity of the suspected perpetrator;

The report shall be made to local law enforcement or social services.

- B. when the staff member believes in good faith based on a threat made by any person regarding violence targeted at a school, that the health and safety of any person is in serious or imminent threat. Any such threats shall be immediately reported to law enforcement as described in policy.

~~The Board of Education is concerned with the physical and mental well being of all children of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law;~~

Any staff member who, in good faith, believes that circumstances require reporting shall do so without conducting any further investigation concerning the subject matter of the report. When a report is made, the staff member shall immediately notify the building level administrator or District Administrator that a report has been made and provide detail concerning the basis for the report.

Training

The Board shall require every employee to receive training provided by the Department of Public Instruction (DPI) in identifying children who have been abused or neglected and in the laws and procedures detailed herein governing the reporting of suspected or threatened child abuse and neglect. Such training shall be completed within the first six (6) months of employment in the District and thereafter at least once every five (5) years after the initial training. The District Administrator shall coordinate all training (.) and shall prepare administrative guidelines that provide information concerning the prevention of child abuse or neglect and threats of school violence, as well the signs that a student may be a victim of or at risk of becoming a victim of abuse or neglect.

The required training shall also include training on the laws governing the reporting of threats of violence in or targeted at a school.

~~Each District employee who has reasonable cause to suspect child abuse or neglect has occurred or is occurring shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a child by other than accidental means~~

Procedures for Reporting - Child Abuse and Neglect

The employee shall immediately call the local office of the Child Welfare Department, social services department, or local law enforcement agency ~~(-)~~ and shall secure prompt medical attention if pertinent ~~for any such injuries reported.~~

Employees shall also notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect and Threats of Violence.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order, or as otherwise compelled by law. A reporting employee shall not be dismissed or otherwise penalized for making a good faith report of child abuse or neglect. The details of any reported incident, including the identities of the individuals involved or noted in the report, shall be kept confidential to the extent permitted. Any staff member who disseminates such information other than as permitted or required by policy or legal obligation may be subject to disciplinary action. Any staff member who reports suspected child abuse or neglect will not be subject to disciplinary action and is immune from civil liability to the extent provided for by law.

~~Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the District is a violation of the law and may subject the disseminator to civil liability for resulting damages and disciplinary action.~~

Each principal should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the District Administrator.

Procedures for Reporting - Threats of Violence

An employee, regardless of position, who receives a threat or hears a threat of violence in or targeted at a school shall immediately inform law enforcement. The report shall contain detailed information concerning the nature of the threat. The staff member shall cooperate fully with law enforcement. When such a report is made, the staff member shall also inform the building administrator or District Administrator. If a threat is reported to the building administrator, s/he shall immediately notify the District Administrator and coordinate the District's coordination with law enforcement, students, and parents as the circumstances require.

All threats of violence are to be taken seriously. No staff member who reports a threat in good faith shall be subject to disciplinary action. Failure to report a threat may result in disciplinary action.

49.981, Wis. Stats.
118.07(5), Wis. Stats.
175.32, Wis. Stats.

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Legal 48.981, Wis. Stats.
 118.07(5), Wis. Stats.
 175.32, Wis. Stats.

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of FOOD SERVICES
Number	po8500
Status	
Adopted	November 1, 2015
Last Revised	July 17, 2017

8500 - FOOD SERVICES

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

The Board shall also provide a breakfast program in accordance with procedures established by the Department of Public Instruction.

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

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

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

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

In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

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

- A. the student's medical condition or symptoms of a condition that restricts one (1) or more major life activity or function; ~~the student's disability and the major life activity affected by the disability;~~
- B. an explanation of how the condition or symptom affects the student's diet; and ~~an explanation of why the disability affects the student's diet; and~~
- C. the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

On a case by case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who are not "disabled persons", but have a signed statement from a qualified medical authority that the student cannot consume certain food items due

to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:

A. the medical or dietary need that restricts the student's diet; and

B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted

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

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

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

A periodic review of the food-service accounts shall be made by the Business Manager. Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a- la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

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

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

Negative Account Balances

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

Students may be permitted to accumulate negative food service account balance as determined by the District Administrator. The District Administrator shall determine the manner of determining permissible account balances by grade level. A student shall not be permitted to purchase a la carte items without sufficient account balance or cash on hand. Likewise, any student that has a negative account balance may not purchase a la carte items with cash unless the student is also able to bring his/her account current.

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

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

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

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

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

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

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

~~No foods or beverages, other than those associated with the District's food-service program, are to be sold during food-service hours. The District's food-service program shall serve only food items and beverages determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for American and Smart Snack Rules. Any competitive food items and beverages that are available~~

~~for sale to students a la carte in the dining area between midnight and thirty (30) minutes following the end of the last lunch period shall also comply with the current USDA Dietary Guidelines for Americans and Smart Snack Rules. Foods and beverages unassociated with the food service program may be vended in accordance with the rules and regulations set forth in Board Policy 8540.~~

Nondiscrimination Statement

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

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

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

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

A. Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

B. Fax: (202) 690-7442; or

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

This institution is an equal opportunity provider.

All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the District must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service within three (3) days.

[SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs](#)

[SP 59-2016 Modifications to Accommodate Disabilities in the School Meal Program](#)

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

[Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.](#)

[Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq., 42 U.S.C. 1758](#)

[15.137, Wis. Stats.](#)

[93.49, Wis. Stats.](#)

[115.34 - 115.345, Wis. Stats.](#)

[120.10\(16\), Wis. Stats.](#)

[120.13\(10\), Wis. Stats.](#)

[7 C.F.R. Part 15b](#)

[7 C.F.R. Part 210](#)

[7 C.F.R. Part 215](#)

[7 C.F.R. Part 220](#)

[7 C.F.R. Part 225](#)

[7 C.F.R. Part 226](#)

[7 C.F.R. Part 227](#)

[7 C.F.R. Part 235](#)

[7 C.F.R. Part 240](#)

[7 C.F.R. Part 245](#)

[42 U.S.C. Chapter 13](#)

[Revised 11/21/16](#)

Legal

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

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

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

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

42 U.S.C. 1758

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

7 C.F.R. Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245, 3015

42 U.S.C., Chapter 13

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of STUDENT ACCIDENT INSURANCE
Number	po8760
Status	
Adopted	November 21, 2016
Last Revised	November 21, 2016

8760 - **STUDENT ACCIDENT INSURANCE**

The Board ~~of Education~~ recognizes the need for insurance coverage for injuries to students caused by accidents occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the schools. Therefore, at the beginning of each school year, the Board shall offer parents the opportunity to participate in group accident insurance.

() A signed statement of insurance coverage on the part of the student's parent or guardian shall be a prerequisite for student registration in any school activity having a potential for personal injury. [NOTE: This option should only be selected with the approval of the District's legal counsel, after consideration of discriminatory impact concerns.]

Revised 11/21/16

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Legal 120.13(2)(a)

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Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of PUBLIC REQUESTS, SUGGESTIONS, OR COMPLAINTS
Number	po9130
Status	
Adopted	April 23, 2018

9130 - **PUBLIC REQUESTS, SUGGESTIONS, OR COMPLAINTS**

Any individual(s), having a legitimate interest in the staff, programs and operations of this District shall have the right to present a request, suggestion, or complaint to the District and the Board ~~of Education~~. At the same time, the Board has a right to protect the staff from inappropriate harassment. It is the intent of this policy to provide guidelines for considering and addressing public requests, suggestions, or complaints in an efficient, reasonable, and equitable manner. Requests, suggestions, or complaints made by District staff members are covered by Policy 1422, Policy 3122, and Policy 4122.

It is the desire of the Board to address any such matters through direct, informal discussions and other means. It is only when attempts at informal resolution fail that more formal procedures shall be used.

Generally, requests, suggestions, or complaints reaching the Board or Board members shall be referred to the District Administrator for consideration. Any individual presenting such a matter shall be provided with a copy of this policy.

Guidelines for Matters Regarding a Staff Member

A. First Level

Generally, if the matter concerns a staff member the individual(s) should discuss the matter with the staff member. The staff member shall take appropriate action within his/her authority and District administrative guidelines to deal with the matter.

Discussion with the staff member may not be appropriate in some situations including, for example, where the matter involves suspected child abuse, substance abuse, or any other serious allegation that may require investigation or inquiry by school officials prior to approaching the staff member.

As appropriate, the staff member shall report the matter and whatever action may have been taken to the immediate supervisor.

B. Second Level

If the matter has not been satisfactorily addressed at the First Level or it would be inappropriate to discuss the matter with the staff member, the individual(s) may discuss the matter with the staff member's supervisor, if applicable. Discussions with the supervisor shall occur promptly following any discussion with the staff member.

C. Third Level

If the matter has not been satisfactorily addressed at the Second level, and the matter does not involve the District Administrator, the individual(s) may submit a written request for a conference to the District Administrator. This request should include:

1. the specific nature of the request, suggestion or complaint and a brief statement of the facts giving rise to it;
2. the respect in which it is alleged that the individual(s) (or child of a complainant) has been affected adversely;
3. the action which the individual(s) wishes taken and the reasons why it is felt that such action be taken.

The request must be submitted promptly after discussion with the staff member's supervisor. The District Administrator shall respond in writing to the individual(s) and shall advise the Board of any resolution of the matter.

D. Fourth Level

If the matter has not been satisfactorily addressed at the Third Level, or at the First Level in the case of a matter involving the District Administrator, the individual(s) may submit a written request to the Board to address the matter. Any such request must be submitted within ten (10) days of receiving the District Administrator's written response.

The Board, after reviewing all material relating to the matter, shall provide the individual(s) with a written response.

If the individual(s) contacts an individual Board member to discuss the matter, the Board member shall inform the individual that s/he has no authority to act in his/her individual capacity and may refer the individual(s) to this guideline or the District Administrator for further assistance.

Guidelines for Matters Regarding District Services or Operations

If the matter relates to a District procedure or operation, it should be addressed, initially, to the person with administrative responsibility and then in subsequently higher levels as prescribed in "Guidelines for Matters Regarding a Professional Staff Member".

Guidelines for Matters Regarding Enrollment Disputes

If the matters relates to disputes concerning student residency determination, Homelessness under the McKinney-Vento Act, or related issues, the matter should be addressed initially to the District's Residency or Homelessness Coordinator, and then to the Third Level of the process for "Matters Regarding a Staff Member".

Guidelines for Matters Regarding the Educational Program

If the matter relates to a District program, it should be addressed, initially, to the Curriculum Director and then in subsequently higher levels as prescribed in "Matters Regarding a Professional Staff Member".

Guidelines for Matters Regarding Instructional Materials

The District Administrator shall prepare ~~information so as to provide administrative guidelines to ensure~~ that students and parents are adequately informed each year regarding their right to inspect instructional materials used as part of the educational curriculum and the procedure for completing such an inspection. See Policy 2414, AG 9130A and Form 9130 F3.

If the request, suggestion, or complaint relates to instructional materials such as textbooks, library books, reference works, and other instructional aids used in the District, the following procedure shall be followed:

A. The criticism is to be addressed to the Curriculum Director, in writing, and shall include:

1. author;
2. title;
3. the complainant's familiarity with the material objected to;
4. sections objected to by page and item;
5. reasons for objection.

B. Upon receipt of the information, the Curriculum Director may, after advising the District Administrator of the complaint, and upon the District Administrator's approval, appoint a review committee, which shall comply with the open meetings law.

C. If the request, suggestion, or complaint relates to the human growth and development curriculum or instructional materials, it shall be referred to the advisory committee responsible for developing the human growth and development curriculum and advising the Board on the design, review and implementation of the curriculum. (See Policy 2414).

D. The committee, in evaluating the questioned material, shall be guided by the following criteria:

1. the appropriateness of the material for the age and maturity level of the students with whom it is being used
2. the accuracy of the material
3. the objectivity of the material
4. the use being made of the material

- E. The material in question may not be temporarily withdrawn from use pending the committee's recommendation to the District Administrator.
- F. The committee's recommendation shall be reported to the District Administrator in writing within ten (10) business days following the formation of the committee. The District Administrator will advise the individual(s), in writing, of the committee's recommendation and the District Administrator's decision. The District Administrator shall also~~and~~ advise the Board of the committee's recommendation and his/her decision. ~~action taken or recommended.~~
- G. The individual(s) may submit an appeal the District Administrator's decision in writing to the Board President~~recommendation~~ within ten (10) business days of receiving the decision~~to the Board. The appeal shall be submitted in writing to the District Clerk for the Board.~~ The written appeal and all written material relating to it shall be referred to the Board for consideration.
- H. The Board shall review the matter and advise the individual(s), in writing, of its decision as soon as practicable. The Board shall determine on a case-by-case basis whether its review will include appearances by the petitioner and administration, be conducted based on written submissions, or only on the record produced by the Committee.

No challenged material may be permanently removed from the curriculum or from a collection of resource materials except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

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Legal 118.01, Wis. Stats.
 118.019, Wis. Stats.
 20 U.S.C. 1232h

Last Modified by Steve LaVallee on September 25, 2018



Book	Policy Manual
Section	For Board Review - Vol. 27, No. 2
Title	Copy of PUBLIC ATTENDANCE AT SCHOOL EVENTS
Number	po9160
Status	
Adopted	November 21, 2016
Last Revised	July 17, 2017

9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

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

The Board directs that no alcoholic beverage or other controlled substance be possessed, consumed, or distributed nor any betting occur at any function occurring on District premises.

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

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

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

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

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

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

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

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

[Persons attending school events are subject to the provisions of Policy 7217 - Weapons.](#)

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

Guidelines governing the use of non-District audio/visual recording equipment at any District-sponsored event or activity are to be distributed early enough that members of the audience who wish to record the event make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

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

All notices, signs, schedules, and other communications about school events shall contain the following statement:

"Upon request to the District Office, submitted twenty-four (24) hours in advance, the District shall make reasonable accommodation including the provision of informational material in an alternative format as necessary for a disabled person to be able to participate in this activity. At least twenty-four (24) hours advance notice of the need for accommodation is appreciated."

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

Last Modified by Steve LaVallee on September 25, 2018



Book AG 1st Draft Clean
Section 6000 Finances
Title CHANGE ORDER APPROVAL PROCESS
Number ag6320C3
Status

Change Order Approval Process

When the District Administrator or Business Manager receives a change order from a contractor/vendor on a district project costing \$10,000 or more, the following process will be used for authorization of the change order:

1. The District Administrator will send an electronic message or make a phone call to each Board Member detailing the change order and the District Administrator's recommendation.
2. Each Board Member will be asked whether s/he endorses the change order.
3. Allow twenty-four hours from the time the message or call was sent for Board Members to reply. [If there is no reply from a Board Member after 24 hours with more than one attempt to contact or the person is not accessible (traveling, ill, etc.), the Member's vote will be considered an abstention.]
4. If all Board Members endorse the change order, the District Administrator is authorized to approve the change order.
5. If one or more Board Members does not endorse the change order, the District Administrator will work with the Board President to call a Special Board Meeting as soon as is practicable, but no later than three working days, to take action on authorization of the change order.