



AGENDA

Wisconsin Rapids Board of Education
Personnel Services Committee

510 Peach Street · Wisconsin Rapids, WI 54494 · 715-424-6701

Sandra Hett, Chair
Anne Lee
Mary Rayome
John Krings, President

August 3, 2015

Location: Board of Education, 510 Peach Street, Wisconsin Rapids, WI
Conference Room C

Time: 5:30 p.m.

- I. Call to Order
- II. Public Comment
- III. Actionable Items
 - A. Resignations
 - B. Appointments
- IV. Updates and Reports
 - A. Substitute Teacher Compensation
 - B. Supplemental Pay for Technology Education Teachers
 - C. Exempt Status for School District Nurses
- V. Policy Review and Approval
 - A. 411 - Student Non-Discrimination and Anti-Harassment Policy
 - B. 411 Exhibit 1 - Complaint Form
 - C. 411.5 - Bullying
 - D. 511 - Non-Discrimination and Equal Employment Opportunity
 - E. 511.5 - Employee Anti-Harassment
 - F. 511.5 Exhibit 1 - Employee Harassment Complaint Form
 - G. 347 Rule(1) - Guidelines for the Control and Maintenance of Student Records
- VI. Consent Agenda
- VII. Adjournment

The Wisconsin open meetings law requires that the Board, or Board Committee, only take action on subject matter that is noticed on their respective agendas. Persons wishing to place items on the agenda should contact the District Office at 715-424-6701, at least seven working days prior to the meeting date for the item to be considered. The item may be referred to the appropriate committee or placed on the Board agenda as determined by the Superintendent and/or Board President.

With advance notice, efforts will be made to accommodate the needs of persons with disabilities by providing a sign language interpreter or other auxiliary aids, by calling 715-424-6701.

School Board members may attend the above Committee meeting(s) for information gathering purposes. If a quorum of Board members should appear at any of the Committee meetings, a regular School Board meeting may take place for purposes of gathering information on an item listed on one of the Committee agendas. If such a meeting should occur, the date, time, and location of the Board meeting will be that of the particular Committee as listed on the Committee agenda.



Wisconsin Rapids Board of Education
Personnel Services Committee

510 Peach Street · Wisconsin Rapids, WI 54494 · 715-424-6701

BACKGROUND

Sandra Hett, Chair
Anne Lee
Mary Rayome
John Krings, President

August 3, 2015

Location: Board of Education, 510 Peach Street, Wisconsin Rapids, WI
Conference Room C

Time: 5:30 p.m.

- I. Call to Order
- II. Public Comment
- III. Actionable Items
 - A. Resignations

The administration recommends approval of the following professional staff resignations:

Heather Friday	Location: Vesper Community Academy Position: Grade 5 (1.0 FTE) Effective: July 14, 2015 Date of Hire: August 28, 2002
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Criste Greening	Location: East Junior High School Position: Special Education (1.0 FTE) Effective: July 29, 2015 Date of Hire: August 21, 2006
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The administration recommends approval of the following support staff resignations:

Kelly Reinicke	Location: WRAMS Position: Library Aide (5 hrs/day) Effective: July 16, 2015 Date of Hire: October 6, 2009
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Ellen Frye	Location: Lincoln High School Position: Special Education Aide (7.0 hrs/day) Effective: July 24, 2015 Date of Hire: September 17, 2012
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- B. Appointments

The administration recommends approval of the following professional staff appointments:

James Lynch	Location: East Junior High School Position: Cross-Categorical (LD/ED) (1.0 FTE) Education: Master's – Franciscan University, OH – November 2014 BS – Franciscan University, OH – December 2011 Major/Minor: Master's – Educational Administration BS – Intervention Specialist Salary: \$44,750
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Mitchell Wolding	Location:	Grant Elementary School
	Position:	Physical Education (0.88 FTE)
	Education:	BS – UW Oshkosh – December 2014
	Major/Minor:	BS – Physical Education, Health Education
	Salary:	\$33,000
Stefanie Drake	Location:	Lincoln High School
	Position:	Cross- Categorical (EBD) (1.0 FTE)
	Education:	Master's – St. Xavier University – December 2009 BS – UW Eau Claire – December 2005
	Major/Minor:	Master's – Education and Leadership BS – Broadfield Social Studies, Sociology Education, Political Science, History, Alternative Education
	Salary:	\$46,250
Malorie Baker	Location:	Washington Elementary School
	Position:	Grade 3 (1.0 FTE)
	Education:	BS – UW Oshkosh – January 2015
	Major/Minor:	Elementary Education
	Salary:	\$37,500

The administration recommends approval of the following support staff appointment:

Tammy Holberg	Location:	Lincoln High School
	Position:	Receptionist/Secretary to Associate Principal(s) (7.39 hrs/day)
	Effective Date:	August 11, 2015
	Hourly Wage:	\$15.56

IV. Updates and Reports

A. Substitute Teacher Compensation

Discussion with possible action on a recommendation for a pay increase for substitute teachers to take effect beginning with the start of the 2015-16 school year.

B. Supplemental Pay for Technology Education Teachers

Discussion with possible action on a recommendation for a supplemental pay increase for three technology education teachers that were hired by the school district within the last two years and are currently under contract to teach in the school district for the 2015-16 school year.

C. Exempt Status for School District Nurses

Discussion with possible action on a recommendation for the reclassification of school district nurses to exempt status, along with a pay increase for 2015-16, to take effect beginning with the start of the 2015-16 school year.

V. Policy Review and Approval

- A. 411 - Student Non-Discrimination and Anti-Harassment Policy
- B. 411 Exhibit 1 - Complaint Form
- C. 411.5 - Bullying
- D. 511 - Non-Discrimination and Equal Employment Opportunity
- E. 511.5 - Employee Anti-Harassment
- F. 511.5 Exhibit 1 - Employee Harassment Complaint Form
- G. 347 Rule(1) - Guidelines for the Control and Maintenance of Student Records

VI. Consent Agenda

Personnel Services Committee members will be asked which agenda items from the Committee meeting will be placed on the consent agenda for the regular Board of Education meeting.

VII. Adjournment

411 STUDENT NON-DISCRIMINATION AND ANTI-HARASSMENT ~~POLICY~~

The School District of Wisconsin Rapids is committed to equal educational opportunity for all District students. The District will not deny any person admission to, participation in, or the benefits of any curricular, extra-curricular, pupil services, recreational or other program or activity because of a person's gender, race, national origin, ancestry, creed, religion, pregnancy, marital or parental status, sexual orientation, transgender status, gender identity, or physical, mental, emotional or learning disability, or any other characteristic protected under State or Federal civil rights laws. This policy does not, however, prohibit the District from placing a student in a school, class, program or activity based on objective standards of individual performance or need.

The District strives to provide a safe, secure and respectful learning environment for all students in school buildings, on school grounds, and school buses and at school-sponsored activities. The District prohibits all forms of discrimination and harassment. The District consistently and vigorously addresses discrimination and harassment so that there is no disruption to the learning environment and learning process.

Discrimination means any action, policy or practice, including bias, stereotyping and pupil harassment, which is detrimental to a person or group of persons and differentiates or distinguishes among persons, or which limits or denies a person or group of persons opportunities, privileges, roles or rewards based, in whole or in part, on gender, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, transgender status, gender identity, physical, mental, emotional or learning disability, or any other characteristic protected under State or Federal civil rights laws, or which perpetuates the effects of past discrimination.

Harassment means unwanted, abusive behavior of a physical, verbal, non-verbal or written nature, directed towards a student or group of students based, in whole or in part, on gender, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, transgender status, gender identity, physical, mental, emotional or learning disability, or any other characteristic protected under State or Federal civil rights laws which substantially interferes with a student's school performance or creates an intimidating, hostile or offensive school environment. Sexual harassment is a form of harassment and consists of unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. It includes conduct directed by a person at another person of the same or opposite gender.

Any student who engages in harassment or discrimination, or retaliates against another person because of reporting harassment or discrimination or participating in an investigation, is subject to immediate discipline, up to and including suspension and expulsion from the District.

This policy applies to the acceptance and administration of gifts, bequests, scholarships and other aids, benefits, or services to students from private agencies, organizations or persons. It also applies to school sponsored food service programs, the selection of instructional and library media materials, and the methods, practices and materials used for testing, evaluating and counseling students.

This policy does not, however, prohibit the use of special testing or counseling materials or techniques to meet the individual needs of students. Furthermore, this policy does not prohibit separate locker rooms, showers and toilets for males and females, although the District will maintain comparable separate facilities. Finally, this policy does not prohibit separate programs in interscholastic athletics for males and females, although the District will provide programs that are comparable in type, scope and District support.

Reporting

Students, administrators, teachers, staff, and all other school personnel are responsible for reporting any form of discrimination or harassment. The District encourages all students, as well as third parties, to promptly report incidents of discrimination or harassment to a teacher, administrator, supervisor, or other District employee or official so that the District may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall forward the complaint to the District's designated Compliance Officer without undue delay, but not later than two (2) business days. The District's designated Compliance Officer is the Director of Human Resources. Complaints should be submitted to:

Ryan Christianson
Director of Human Resources
School District of Wisconsin Rapids
510 Peach Street
Wisconsin Rapids, WI 54494

If the Director of Human Resources is unavailable, or if there is a perceived conflict of interest involving the Director of Human Resources, or if reporting to the Director of Human Resources would not be appropriate under the circumstances, the Director of Curriculum & Instruction will act as the District Compliance Officer. Complaints should be addressed to:

Kathi Stebbins-Hintz
Director of Curriculum & Instruction
School District of Wisconsin Rapids
510 Peach Street
Wisconsin Rapids, WI 54494

Investigation and Complaint Procedure

Complaints regarding harassment or discrimination may be submitted either orally or in writing, in accordance with the reporting procedure above. A complainant should identify the individual(s) involved in the alleged harassment or discrimination, provide a description of the incident(s), and any potential witnesses. If the complainant is unwilling to provide a written complaint containing this information, the Compliance Officer shall attempt to interview the complainant and prepare a summary. The complainant will then be asked to review the summary for accuracy and sign it.

The District will first allow a complainant the opportunity to resolve the complaint on an informal basis, if the complainant requests to do so. If the parties resolve the matter, the Compliance Officer will prepare a written statement outlining the resolution. However, if the complainant is not satisfied with the outcome, the District will proceed with formally investigating the complaint.

The District's Compliance Officer, after receipt of a complaint, will begin review and investigation of the complaint, or will designate a specific individual to perform the investigation. The Compliance Officer will also determine whether any immediate action needs to be taken to protect the complainant from further harassment or discrimination pending the outcome of the investigation. The District's Compliance Officer will send the complainant written acknowledgement of the complaint within forty-five (45) days after receipt. If the Compliance Officer, or his or her designee, determines that the complaint meets the definition of "bullying," under the District's bullying policy, because the allegations are not based on a student's protected characteristics, the complaint should be transferred for investigation under that policy.

The Compliance Officer, or his/her designee, will investigate harassment and discrimination complaints promptly, thoroughly, and impartially. The investigation may include interviews with the complainant and potential witnesses, as well as a review of any documents or evidence. In addition, the Compliance Officer will contact the individual(s) subject to the complaint regarding the allegations and provide an opportunity to submit a response. The Compliance Officer should keep the parties informed of the status of his or her investigation. At the conclusion of his or her investigation, the Compliance Officer, or his/her designee, will prepare a written report regarding the investigation, including a description of his or her conclusions and any action taken, within ninety (90) days after receipt of the complaint, unless additional time is required to conduct a complete investigation and the involved parties agree to an extension. The Compliance Officer, or his/her designee, shall send a copy of the report to the complainant, the alleged harasser, and the Superintendent.

If any party is not satisfied with the results of the investigation or the Compliance Officer's decision, he or she may appeal the decision to the Board of Education. To appeal the decision, a party must submit a written appeal to the Board within ten (10) days after the District sends the investigation report to the parties. The Board of Education will hold private conferences with the parties within thirty (30) days after the Board receives the written appeal. In response to the appeal, the Board will send a written decision to the parties and the Compliance Officer and Superintendent within ten (10) days after the private conferences.

Either party may appeal the Board of Education's decision to the State Superintendent of Public Instruction. Parties should send appeals to the following address:

State Superintendent
Wisconsin Department of Public Instruction
P.O. Box 7841
Madison WI 53707-7841

Students with a disability under Section 504 of the Rehabilitation Act may also request a Section 504 due process hearing.

At any time, students may also file a complaint with the U.S. Department of Education's Office for Civil Rights at the following address:

Chicago Office
Office for Civil Rights
U.S. Department of Education
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544

Copies of the complaint procedures shall be kept in each building office. Reference to policies and procedures for filing a complaint are included in student handbooks and sent home to all parents annually.

In the event that the alleged harassment constitutes a crime or requires mandatory reporting under Wis. Stat. § 48.981, the Compliance Officer or Superintendent must report the alleged conduct to the appropriate social service and/or law enforcement agency. In conjunction with this report, the Compliance Officer will continue his or her investigation.

LEGAL REF.: Wis. Stat. § 48.981
Wis. Stat. § 118.13

Wis. Admin. Code P.I. 9, 41
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. § 2000 et seq., Civil Rights Act of 1964
42 U.S.C. § 2000d et seq.
42 U.S.C. § 12101 et seq., The Americans with Disabilities Act of 1990
34 C.F.R. § 300.600-300.662

CROSS REF.: 411.5 – Bullying
411 Exhibit 1 – Complaint Form

411 EXHIBIT 1 – COMPLAINT FORM



Name: _____ School Official Investigating Complaint: _____

Date of Report: _____ Date of Incident: _____

I wish to report an incident involving (Name of person, school: give department, program, activity, etc.):

1. Describe the incident, participants, background to the incident and any attempts you have made to resolve the problem. Please note relevant dates, times, and places. You may attach another document or use the back of this sheet if you wish to share more information.

2. List any witness or witnesses: _____

3. Proposed solution, if any:

I certify that there is no falsification of the above information and events are accurately depicted to the best of my knowledge.

Signature of Complainant: _____ Date: _____

Form Board Approved: August_____, 2015

411.5 BULLYING

The School District of Wisconsin Rapids strives to provide a safe, secure and respectful learning environment for all students in school buildings, on school grounds, and school buses and at school-sponsored activities. Bullying has a harmful social, physical, psychological and academic impact on bullies, victims and bystanders. The District consistently and vigorously addresses bullying so that there is no disruption to the learning environment and learning process.

Bullying is deliberate or intentional behavior using words or actions, intended to cause fear, intimidation or harm. Bullying may be repeated behavior and involves an imbalance of power. The behavior may or may not be motivated by an actual or perceived distinguishing characteristic, such as, but not limited to: age; national origin; race; ethnicity; religion; gender; gender identity; sexual orientation; transgender status; physical attributes; physical or mental ability or disability; and social, economic or family status.

Harassment is unwanted, abusive behavior of a physical, verbal, non-verbal or written nature, directed towards a student or group of students based, in whole or in part, on gender, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, transgender status, gender identity, physical, mental, emotional or learning disability, or any other characteristic protected under State or Federal civil rights laws which substantially interferes with a student's school performance or creates an intimidating, hostile or offensive school environment. Harassment is prohibited by the District's student non-discrimination and anti-harassment policy.

First Reading - Original Language 7-6-15

Harassment means unwanted, abusive behavior of a physical, verbal, non-verbal or written nature, directed towards a student or group of students based, in whole or in part, on gender, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, transgender status, gender identity, physical, mental, emotional or learning disability, or any other characteristic protected under State or Federal civil rights laws which substantially interferes with a student's school performance or creates an intimidating, hostile or offensive school environment. Sexual harassment is a form of harassment and consists of unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. It includes conduct directed by a person at another person of the same or opposite gender. Harassment is prohibited by the District's student non-discrimination and anti-harassment policy.

Second Reading - Includes requested changes to language by PSC on 7-6-15 which would replace the text box shown above.

Bullying behavior can be:

1. Physical (e.g. assault, hitting or punching, kicking, theft, threatening behavior)
2. Verbal (e.g. threatening or intimidating language, teasing or name-calling, racist remarks)
3. Indirect (e.g. spreading cruel rumors, intimidation through gestures, social exclusion and sending insulting messages or pictures by mobile phone or using the internet)
 - a. Cyber bullying is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate in a deliberate, repeated or hostile and unwanted manner under a person's true or false identity. Any communication of this form which disrupts or prevents a safe and positive educational environment may be considered cyber bullying. Cyber bullying is unacceptable and a violation of the District's technology acceptable use policy and procedures.

Bullying behavior is prohibited in all schools, buildings, property and educational environments, including any property or vehicle owned, leased or used by the District. This includes public transportation regularly used by students to go to and from school. Educational environments include every activity under school supervision.

All school staff members and school officials who observe or become aware of acts of bullying are required to report these acts to the building principal.

Any other person, including a student who is either a victim of the bullying or is aware of the bullying or any other concerned individual is encouraged to report the conduct to the building principal.

Reports of bullying may be made verbally or in writing and may be made confidentially. All such reports, whether verbal or in writing, will be taken seriously and a clear account of the incident is to be documented. A written record of the report, including all pertinent details, will be made by the recipient of the report.

The school official receiving a report of bullying shall immediately notify the building principal. If the building principal is unavailable, or if there is a perceived conflict of interest involving the building principal, or if reporting to the building principal would not be appropriate under the circumstances, the school official should contact the Superintendent or his/her designee.

There shall be no retaliation against individuals making such reports. Individuals engaging in retaliatory behavior will be subject to disciplinary action.

The person assigned by the District to conduct an investigation of the bullying report shall, without undue delay, interview the person(s) who are the victim(s) of the bullying and collect whatever other information is necessary to determine the facts and the seriousness of the report. Parents and/or guardians of each pupil involved in the bullying will be notified prior to the conclusion of the investigation. The District shall maintain the confidentiality of the report and any related pupil records to the extent required by law.

If the investigation reveals that the reported conduct may have created an intimidating, hostile or offensive school environment, and was based on a characteristic protected by State or Federal civil rights law, the report will be forwarded for investigation under the District's student non-discrimination and anti-harassment policy.

If it is determined that students participated in bullying behavior or retaliated against anyone due to the reporting of bullying behavior, District administration and/or the school board may take immediate disciplinary action, including: suspension, expulsion and/or referral to law enforcement officials for possible legal action as appropriate. Pupil services staff will provide support for the identified victim(s).

This ~~The~~ policy will be distributed annually to all students enrolled in the District, and their parents and/or guardians. The District will also provide a copy of the policy to any person who requests it.

LEGAL REF.: Wis. Stat. § 118.46

CROSS REF.: 411 – Student Non-Discrimination and Anti-Harassment Policy
411 Exhibit 1 – Complaint Form

511 NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

The School District of Wisconsin Rapids offers equal employment opportunities and prohibits discrimination based on an employee's or applicant's age, race, color, creed, religion, genetic information, handicap or disability, marital or parental status, gender, sexual orientation, transgender status, gender identity, national origin, ancestry, citizenship, arrest record, conviction record, pregnancy, veteran status, military service, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or Wisconsin, use or nonuse of lawful products off District premises during non-working hours and away from District-sponsored activities, or other protected group status, as required by State or Federal law.

The Superintendent shall appoint a Compliance Officer to coordinate the District's compliance with applicable Federal and State laws and regulations, including addressing inquiries or complaints regarding discrimination or denial of equal access.

LEGAL REF.: Wis. Stat. § 111.31 et seq., Wis. Stat. § 118.195, Wis. Stat. § 118.20
20 U.S.C. § 1681 et seq., Title IX
29 U.S.C. § 701 et seq., Rehabilitation Act of 1973, as amended
42 U.S.C. § 2000e et seq., Civil Rights Act of 1964
42 U.S.C. § 12112, Americans with Disabilities Act of 1990, as amended
42 U.S.C. § 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635

CROSS REF.: ***511.5 – Employee Anti-Harassment***

511.5 EMPLOYEE ANTI-HARASSMENT

The School District of Wisconsin Rapids prohibits all forms of harassment. Any person subject to the control and supervision of the District who engages in harassment, or retaliates against another person because of a harassment report or participation in an investigation, will be subject to immediate discipline, up to and including discharge. Persons subject to the control and supervision of the District include, but are not limited to, students, teachers, employees, administrators, and volunteers. In addition, the District will take appropriate action to address reported harassment of District employees by third parties, including vendors, and persons who participate in school activities or events authorized by the District.

Harassment consists of unwanted, abusive behavior of a physical, verbal, non-verbal or written nature, directed towards an individual or group of individuals based, in whole or in part, on age, race, color, creed, religion, genetic information, handicap or disability, marital or parental status, gender, sexual orientation, transgender status, gender identity, national origin, ancestry, citizenship, arrest record, conviction record, pregnancy, veteran status, military service, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or Wisconsin, or other protected group status, which substantially interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. Sexual harassment is a form of harassment and consists of unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. It includes conduct directed by a person at another person of the same or opposite gender.

Reporting/Complaint Procedure

Any employee that believes he or she has been subjected to harassment prohibited by this policy is encouraged to promptly report the alleged harassment so that the District may address the conduct before it becomes severe, pervasive, or persistent. Administrators, teachers, staff, and all other school personnel ~~Teachers, administrators, and other school officials~~ who become aware of alleged harassment must immediately report the alleged incident(s). In addition, any other person who becomes aware of alleged harassment prohibited by this policy is encouraged to report it in accordance with the procedures outlined below.

The reporting party is encouraged to submit a written complaint using the District's form, available in the District office and from the principal of each building. Any oral complaint shall be reduced to writing by the person receiving the complaint. Any complaint concerning a violation of this policy shall be submitted to the Director of Human Resources at the following address:

Ryan Christianson
Director of Human Resources
Wisconsin Rapids School District
510 Peach Street
Wisconsin Rapids, WI 54494

If reporting to this person would not be appropriate under the circumstances, the reporting party may submit a report directly to the Superintendent at the following address:

Colleen Dickmann
Superintendent
Wisconsin Rapids School District
510 Peach Street
Wisconsin Rapids, WI 54494

The Director of Human Resources (or another appropriate administrator) will send the reporting party written acknowledgement of the complaint within forty-five (45) days after receipt of the complaint.

The District will allow complainants the opportunity to resolve harassment complaints on an informal basis, if the complainant requests to do so. Upon a complainant's request, the building principal (or if the building principal would not be appropriate under the circumstances, the complainant may contact the Superintendent directly) will facilitate a meeting between the complainant and the alleged harasser. If the parties resolve the matter, the building principal (or Superintendent) will prepare a written statement outlining the resolution. If the complainant is not satisfied with the outcome of the meeting, the District will proceed with its investigation of the complaint.

The District will investigate harassment complaints promptly, thoroughly, and impartially. The Director of Human Resources shall conduct the investigation or appoint a designee or outside consultant to do so. The Director of Human Resources will prepare a written report regarding the investigation, including a description of the District's conclusions and any action taken, within ninety (90) days after the District receives the complaint, unless additional time is necessary in order to conduct a complete investigation. However, additional time may be necessary depending on the nature of the allegations. The Director of Human Resources shall send a copy of the report to the complainant, the alleged harasser, and the Superintendent.

→ If either party is not satisfied with the results of the investigation report or the District's decision, he or she may appeal the decision to the Board of Education. To appeal the decision, a party must submit a written appeal to the Board within ten (10) days after the District sends the investigation report to the parties. The Board of Education will hold a private conference with the parties within thirty (30) days after the Board receives the written appeal. In response to the appeal, the Board will send a written decision to the parties and the Superintendent within ten (10) days after the private conference(s).

At any time, a complainant may also file a complaint with the U.S. Department of Education's Office for Civil Rights at the following address:

Chicago Office
Office for Civil Rights
U.S. Department of Education
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661-4544

Every employee will receive a copy of this policy upon hire. A copy of this policy will be kept in each building office and maintained on the District webpage. Every employee will receive/review this policy on an annual basis through the District's in-service.

LEGAL REF.: Wis. Stat. § 111.31
Wis. Stat. § 118.195
Wis. Stat. § 118.20
20 U.S.C. § 1681 et seq., Title IX
29 U.S.C. § 701 et seq., Rehabilitation Act 1973
29 U.S.C. § 794
29 C.F.R. Part 1635
42 U.S.C. § 1983
42 U.S.C. § 2000d et seq.
42 U.S.C. § 2000e et seq.
42 U.S.C. § 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. § 12101 et seq.
42 U.S.C. § 12112, Americans with Disabilities Act of 1990

CROSS REF.: 511 – Non-Discrimination and Equal Employment Opportunity
511.5 Exhibit 1 – Employee Harassment Complaint Form
Employee Handbooks

511.5 EXHIBIT 1 – EMPLOYEE HARASSMENT COMPLAINT FORM

◆ EMPLOYEE HARASSMENT COMPLAINT FORM ◆

Name: _____ **School Official Investigating Complaint:** _____

Date of Report: _____ **Date of Incident:** _____

I wish to report an incident involving (Name of person, school: give department, program, activity, etc.):

1. Describe the incident, participants, background to the incident and any attempts you have made to resolve the problem. Please note relevant dates, times, and places. You may attach another document or use the back of this sheet if you wish to share more information.

2. List any witness or witnesses: _____

3. Proposed solution, if any:

I certify that there is no falsification of the above information and events are accurately depicted to the best of my knowledge.

Signature of Complainant: _____ **Date:** _____

Form Board Approved: August _____, 2015

347-RULE(1) GUIDELINES FOR THE CONTROL AND MAINTENANCE OF STUDENT RECORDS

Definitions

Student records include all records relating to individual students, regardless of format, other than notes or records maintained for personal use by teachers or other certified personnel which are not available to others, and records necessary for and available to persons involved in the psychological treatment of a student.

- a. Progress records include a statement of the courses taken, grades awarded therein, the student's extracurricular activities, the student's immunization records and the student's attendance records.
- b. Behavioral records include psychological tests, personality evaluations, records of conversations, written statements relating specifically to an individual student's behavior, tests relating specifically to achievement or measurement of ability, student physical health records other than immunization records, law enforcement agency records and any other student records that are not progress records.
 - (1) Law enforcement agency records include those records obtained from a law enforcement agency relating to (1) the use, possession or distribution of alcohol or a controlled substance by a student enrolled in the District, (2) the illegal possession of a dangerous weapon by a child, (3) an act for which a district student was taken into custody based on the law enforcement officer's belief that he/she violated or was violating certain specified laws, and (4) the act for which a juvenile enrolled in the District was adjudged delinquent. The law enforcement agency may provide such record information to the District on its own initiative or upon request of the superintendent or designee, subject to the agency's official policy. The District may also enter into an interagency agreement with law enforcement and other appropriate agencies to provide for the routine disclosure of record information in accordance with state law provisions. If a law enforcement agency denies access to any of the aforementioned records, the District may file a petition with the court seeking access to the records based on legitimate educational or safety interests in the records.
 - (2) Law enforcement unit records include those records maintained by a law enforcement unit of the District that were created for the purpose of law enforcement. A "law enforcement unit of the District" is an individual, office, department, division or other component of the District that is authorized by the Board of Education to do any of the following: 1) enforce any law or ordinance, or refer to the appropriate authorities a matter for enforcement of any law or ordinance against any person other than the school district, and/or 2) maintain the physical security and safety of a public school.
 - (3) Court records include those records received from a court clerk concerning a juvenile enrolled in the District who: (1) has had a petition filed with a court alleging that he/she has committed a delinquent act that would be a felony if committed by an adult, (2) has been adjudged delinquent, (3) has school attendance as a condition of his/her court dispositional order, or (4) has been found to have committed a delinquent act at the request of or for the benefit of a criminal gang that would be a felony if committed by an adult, and has been adjudged delinquent on that basis.
- c. Student physical health records include basic health information about a student, including the student's immunization records, an emergency medical card, a log of first-aid and medicine administered to the student, an athletic permit card, a record concerning the student's ability to participate in an education program, the results of any routine screening test such as for hearing, vision or scoliosis, and any follow-up to such test, and any other basic health information as determined by the State Superintendent of Public Instruction.

- d. Patient health records include all records relating to the health of a student prepared by or under the supervision of a health care provider which are not included in the student “physical health records” definition above.
- e. **The following information is designated in the District as directory data and may be released upon request in accordance with law and District procedures: Student’s name, present address, telephone listing, major field of study, date of birth, participation in activities and sports, weight and height of members of athletic teams, photographs, degrees and awards received, name of school most recently attended.**

Confidentiality

Individuals collecting or using personally identifiable information in the district will receive training or instruction regarding security and state and federal confidentiality requirements.

All student progress and behavioral records are confidential, with the following exceptions:

- a. A student, or the parent(s)/guardian(s) of a minor student, shall, upon request, be shown and provided with a copy of the student’s progress records. The inspection of progress records by the parent(s)/guardian(s), minor student, or adult student must take place in the presence of a designated school employee. Initial copies of student records will be provided on request at no cost and within a reasonable time period after inspection. Additional copies may be provided at a cost of 15 cents per page.
- b. An adult student, or the parent(s)/guardian(s) of a minor student, shall, upon request, be shown, in the presence of a person qualified to explain and interpret the records, the student’s behavioral records. Such student or parent(s)/guardian(s) shall, upon request, be provided with a copy of the behavioral records.
- c. Student records shall be disclosed at the request or order of a court. The District shall make a reasonable effort to notify the parent(s)/guardian(s) or adult student of the order in advance of compliance therewith, except as otherwise provided by law.
- d. If school attendance is a condition of a student’s dispositional order under state law, the Board shall notify the county department that is responsible for supervising the student within five days after any violation of the condition by the student.
- e. A law enforcement agency shall be provided a copy of a student’s attendance record if the law enforcement agency certifies in writing that the student is under investigation for truancy or for allegedly committing a criminal or delinquent act and that the law enforcement agency will not further disclose the student’s attendance record information except as permitted by law. When a student’s attendance record is disclosed to a law enforcement agency for purposes of truancy, the student’s parent(s)/guardian(s) shall be notified of that disclosure as soon as practicable after the disclosure.
- f. A fire investigator shall be provided a copy of a student’s attendance record if the fire investigator certifies in writing that: (1) the student is under investigation for arson, (2) the student’s attendance record is necessary for the fire investigator to pursue his/her investigation, and (3) the fire investigator will use and further disclose the student’s attendance record only for the purpose of pursuing that investigation.
- g. Student records must be disclosed to an investigating law enforcement agency or district attorney if the person to whom the records are disclosed certifies in writing that the records: 1) concern the juvenile justice system and the system’s ability to effectively serve the student, 2) relate to an ongoing investigation, or 3) pending delinquency petition, and 4) that they will not be disclosed to any other person except as authorized by law.

- h. The District may disclose student records to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of any individual. In making this determination, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from student records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals. The District shall record the following information when it discloses student record information under this exception: 1) the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure, and 2) the parties to whom the District disclosed the information.
- i. The District may disclose student records to a city attorney, corporation counsel, agency as defined in section 938.78(1) of the state statutes, intake worker under section 48.067 or 938.067 of the statutes, court of record, municipal court, private school or another school board if disclosure is pursuant to an interagency agreement and the person to whom the records are disclosed certifies in writing that the records will not be disclosed to any other person except as otherwise authorized by law. This disclosure can be made for any purpose concerning the juvenile justice system and the system's ability to serve a student prior to adjudication.
- j. The school district clerk or his/her designee shall make student records available for inspection or, upon request, disclose the contents of student records to authorized representatives of the Department of Corrections, the Department of Health and Family Services, the Department of Justice, or a district attorney for use in the prosecution of any proceeding or any evaluation conducted under chapter 980 (sexually violent persons commitment), if the student records involve or relate to an individual who is the subject of the proceeding or evaluation. The court in which the proceeding is pending may issue any protective orders that it determines are appropriate concerning student records made available or disclosed under this provision. Any representative of the Department of Corrections, the Department of Health and Family Services, the Department of Justice, or a district attorney may disclose information obtained under this provision for any purpose consistent with any proceeding under chapter 980.
- k. Student records shall be made available to school district officials who have been determined by the Board to have legitimate educational interests, including safety interests, in such records. A "school official" is a person employed by the District who is required by the Department of Public Instruction (DPI) to hold a license; a person who is employed by or working on behalf of the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and police-school liaison personnel); a person serving on the board; a person or company with whom the District has contracted to perform a specific task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a "legitimate educational interest" if the official needs to review a student record in order to fulfill his/her professional or district responsibilities.
 - 1. Law enforcement records may be made available to those school officials with legitimate educational interests (including safety interests) in the information. If law enforcement record information obtained by the District relates to a district student, the information may also be disclosed to those district employees who have been designated by the Board to receive that information for the purpose of providing treatment programs for students enrolled in the District.

The information may not be used as the sole basis for suspending or expelling a student from school, or as the sole basis for taking any other disciplinary action against a student, including action under the District's athletic code.

Law enforcement unit records may be made available to school officials under the same conditions as outlined above regarding access to law enforcement agency record information.

2. Court records obtained by the District must be disclosed to district employees who work directly with the juvenile named in the records or who have been determined by the Board to have legitimate educational interests, including safety interests, in the information. An employee cannot further disclose the information, and the information cannot be used as the sole basis for suspending or expelling a student from school, or as the sole basis for taking any other disciplinary action against a student, including action under the District's co-curricular athletic code.
- l. Upon the written permission of an adult student, or the parent or guardian of a minor student, the school shall make available to the person named in the permission form, the student's progress records or such portion of the behavioral records as determined by the person authorizing the release. Law enforcement records may not be made available under this exception unless specifically identified by the adult student or by the parent or guardian of a minor student in the written permission form.
 - m. Student records shall be provided to a court in response to a subpoena by parties to an action for in camera inspection, to be used only for purposes of impeachment of any witness who has testified in the action. The court may turn said records or parts thereof over to parties in the action or their attorneys if said records would be relevant and material to a witness's credibility or competency. The District shall make a reasonable effort to notify the parents/guardians or adult student of the subpoena in advance of compliance therewith, except when otherwise provided by law.
 - n. The Board may provide the DPI or any public officer with any information required under Chapters 115 to 121 of the state statutes. The Board shall provide the DPI with any student record information that relates to an audit or evaluation of a federal or state-supported program or that is required to determine compliance with state law provisions.
 - o. Notwithstanding their confidential status, student records may be used in suspension and expulsion proceedings and by the IEP team under state and federal law.
 - p. Information from a student's immunization records shall be made available to state and local health officials to carry out immunization requirements.
 - q. Upon request, the names of students who have withdrawn from school prior to graduation shall be provided to the technical college district board in which the public school is located or, for verification of eligibility for public assistance, to the Department of Health and Family Services, the Department of Children and Families or a county department under sections 46.215, 46.22 or 46.23 of the state statutes.
 - r. Except as otherwise provided below, directory data may be disclosed to any person, if the school has (a) notified the adult student or parent/legal guardian ~~or guardian ad litem~~ of a minor student of the categories of information which it has designated as directory data, (b) informed such persons that they have 14 days to inform the school that all or any part of the directory data may not be released without their prior consent, and (c) allowed 14 days for such persons to inform the school in writing that all or any part of the directory data may not be released. ~~Requests to withhold directory data should be directed to the Superintendent.~~

Parents/guardians will be provided a "Directory Data Consent" form to complete (the parent/guardian or adult student need not complete the District form to opt out and instead may simply place their request in writing) which will remain in effect until the student transitions to a new building in the district, such as elementary to middle school; middle school to junior high; junior high to high school. Parents/guardians or adult students will be reminded annually that they are free to change their directives with regard to the release of directory data at any time by completing a new consent form or by placing their request in writing. If no request to withhold directory data is received, directory data will be released in accordance with federal and state law. The District will not release directory data earlier than 14 days after the initial written notice for the adult student or parents/guardians, or after the District has been restricted from doing so by any of the parties.

1. If the District has followed the notification procedure outlined above, and the adult student or parent/legal guardian ~~or guardian ad litem~~ does not object to the directory data being released, a college board must be provided, upon request, with the name and address of each student who is expected to graduate from high school in the current school year.
2. If the District has followed the notification procedure outlined above, and the adult student or parent/ legal guardian, ~~or guardian ad litem~~ does not object to the directory data being released, the Board Clerk or his/her designee shall, upon request, provide any representative of a law enforcement agency, city attorney, district attorney or corporation counsel, county department under sections 46.215, 46.22, or 46.23, a court of record or municipal court with such directory data information relating to any such student enrolled in the District for the purpose of enforcing that student's school attendance, to respond to a health or safety emergency, or to aid in the investigation of alleged criminal or delinquent activity by a student enrolled in the district.
3. Directory data shall not be released for commercial or promotional purposes. "Commercial" shall be defined as the intent or design to make a financial profit or gain. "Promotional" shall be defined as contributing to the growth or prosperity of the party making the request.
4. Directory data may be released to organizations such as colleges and universities, technical colleges and armed forces recruiters when the request is for educational or career opportunity purposes.
5. A secondary school student or the parent of the student may request (using the Directory Data Release form or by placing their request in writing) that the student's name, address and telephone listing not be released to military recruiters or institutions of higher education without prior written parental/adult student consent. Requests of this nature will be honored by our district.

- s. The Board may disclose personally identifiable information from an adult student's records to the student's parent(s) or guardian, without the adult student's written consent, if the adult student is a dependent of his/her parent(s) or guardian under the Internal Revenue Code. An exception shall be made when an adult student has informed the school, in writing, that the information may not be disclosed.
- t. The Board shall, on or before August 15 of each year, report to the appropriate county departments under sections 51.42 and 51.437 the names of students who reside in the district, are at least 16 years of age, are not expected to be enrolled in an educational program two years from the date of the report and who may require services under sections 51.42 or 51.437 (community mental health, development disabilities, alcoholism and drug abuse). The parent(s)/guardian(s) of such students shall be contacted to obtain informed consent prior to making such a report.
- u. Student patient health care records may be released only to persons specifically designated in state law or to other persons with the informed consent of the patient or a person authorized by the patient. Student patient health care records maintained by the District may only be released without informed consent to a district employee or agent if he/she is responsible for the preparation or storage of such records or access to such records is necessary to comply with a state or federal law requirement. Any student record that concerns the results of a test for the presence of human immunodeficiency virus (HIV) shall be confidential and may be disclosed only with the informed written consent of the test subject or his/her authorized representative.



- v. The District shall, upon request, provide student disciplinary records necessary for purposes of student enrollment in another public school district as permitted by law. These records may include:
 - (1) A copy of any expulsion findings and orders or records of any pending disciplinary proceedings involving the student;

- (2) A written explanation of the reasons for the expulsion or pending disciplinary proceedings; and
- (3) The length of the term of the expulsion or the possible outcomes of the pending disciplinary proceedings.

Parent Access to Records

A parent, regardless of whether the parent has legal custody of the child, shall have access to a child's medical, dental and school records unless the parent has been denied access to such records as outlined by state law (e.g., denied periods of physical placement with the child, ordered by the court).

Amendment of Records at Parent's/Guardian's Request

A parent(s)/guardian(s) or adult student who believes that information contained in the student's records is inaccurate, misleading, or otherwise in violation of the student's rights of privacy may request in writing that the District ~~to~~ amend the records. Within a reasonable time after receiving the request, the District shall decide whether to amend the records in accordance with the request and inform the parent(s)/guardian(s) or adult student of the decision.

If the District refuses to amend the records, it shall inform the parent(s)/guardian(s) or adult student of the refusal and advise him/her of the right to a hearing. The request for a hearing shall be filed in writing with the District Administrator or designee. The parent(s)/guardian(s) or adult student shall be given notice of the date, place, and time of the hearing reasonably in advance of the hearing.

The parent(s)/guardian(s) or adult student shall be informed of the decision within a reasonable period of time after the hearing. If the District decides that the information is inaccurate, misleading or otherwise in violation of the student's privacy rights, the education records of the student shall be amended accordingly. If the District decides that the information is not inaccurate, misleading or otherwise in violation of the student's privacy rights, the parent(s)/guardian(s) or adult student shall be informed of the right to place a statement commenting upon the information in the education records and/or describing reasons for disagreeing with the decision of the District. The explanation shall be maintained as part of the records as long as the record or contested portion is maintained by the District. If the records of the student, or the contested portion are disclosed to any party, the explanation shall also be disclosed to that party.

Maintenance, Disclosure, and Destruction of Records

- a. While students are attending school, their ***progress, behavioral, and health*** records will be maintained in the school of attendance ***while special education records in their original form are maintained at the District central administrative office.*** Law enforcement unit records, pupil services records, and student ***physical health and*** patient health care records shall be maintained separately from a student's other student records. Upon transfer of the student to another school operated by the District, the records shall be transferred to that school. When the student ceases to be enrolled in a school operated by the District, his/her records will be ***maintained in accordance with the Wisconsin Records Retention Schedule.*** ~~transferred to the District office.~~ ***Pupil records are the property of the District, and will be maintained by the school until a transfer request is received from another school or school district at which the pupil has enrolled.***
- b. The building principal shall have primary responsibility for maintaining the confidentiality of all student records kept at the school. Except as otherwise provided, all requests for inspection or for transfer to another school district should be directed to the building principal who will determine whether inspection or transfer is permitted under state and federal law and these procedures. Upon transfer of student

records to the central administrative office, the District Administrator or his/her qualified designee shall assume these duties.

- c. Records should be kept under lock and key at all times, under the supervision of the designated employee. Computerized data banks pose special problems of maintenance, security and access. Any procedures developed for handling information located in computerized data banks shall be in accordance with all procedures outlined herein.
- d. ~~Records which are transferred to the District office~~ When the *a* student ceases to be enrolled, *records* shall be maintained *in accordance with the Wisconsin Records Retention Schedule for School Districts.* ~~as follows:~~
 1. ~~All behavioral records will be destroyed one year after the date the student graduated from or last attended the school unless the student or his/her parent(s) or guardian(s) if the student is a minor, gives permission for the records to be maintained for a longer period of time. Where such written permission is received, behavioral records will be maintained for the time period specified in the written permission or, if no such time period is noted, for as long as the District's needs require.~~
 2. ~~Progress records will be kept for 30 years after the student ceases to be enrolled in the District.~~
- e. The Director of Pupil Services shall be responsible for reviewing records of students with disabilities before they are destroyed. Parents/guardians and adult students shall be informed of information that is no longer needed to provide educational services to the student with a disability, and of their right to obtain a copy of such information before it is destroyed.
- f. A record of each request for access to and each disclosure of personally identifiable information from the education records of a student shall be maintained with such student's records, except when the request is from or the disclosure is to the following person/party:
 - The parent(s)/guardian(s) of adult students;
 - A school official;
 - A party with written consent from the parent(s)/guardian(s), or adult student;
 - A party seeking or receiving records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information in response to the subpoena not be disclosed; or
 - A party seeking directory data.

Transfer of Student Records

Progress, ~~and~~ behavioral, ***health, and special education*** records relating to a specific student shall be transferred to another school or school district within five (5) working days of receipt of notice as follows:

- a. upon written notification from an adult student or the parent(s)/guardian(s) of a minor student that the student intends to enroll in a school in another school district;
- b. upon written notification from the other school district that the student has enrolled; or,
- c. upon written notification from a court that a student has been placed in a secured correctional facility, secured child caring institution, or a secured group home.

Complaints Regarding Alleged Noncompliance With Federal Requirements

Adult students or parents/guardians of minor students may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education for alleged District noncompliance with requirements of the federal Family Educational Rights and Privacy Act (FERPA).

Annual Public Notice

Parents/guardians and students shall be notified annually of the following: (a) their rights to inspect, review and obtain copies of student records; (b) their rights to request the amendment of the student's school records if they believe the records are inaccurate or misleading or otherwise in violation of the students' rights of privacy; (c) their rights to consent to the disclosure of the student's school records, except to the extent state and federal law authorizes disclosure without consent; (d) the categories of student record information which have been designated as directory data and their right to deny the release of such information; and, (e) their right to file a complaint with the Family Policy and Compliance office of the U.S. Department of Education.

Parents/guardians of secondary school students shall also be notified of their option to request the District not to release the secondary school student's name, address or telephone listing to military recruiters or institutions of higher education without prior written parental consent.

When a student transfers into the District after the above notice has been given, the student and his parent(s)/guardian(s) shall receive a copy of the notice.

LEGAL REF.: Wisconsin Statute Sections 48.396
115.792 115.812(2)
118.125 118.126
118.127 118.51(8)
118.52(10) 146.81 – 146.845
252.04 252.15
767.41(7) 938.396
938.342(1r)
950.08(2w)
Chapter 19, Subchapter IV
Family Educational Rights and Privacy Act [20 U.S.C. Section 1232g, 34 C.F.R. Sec. 99]
Individuals with Disabilities Education Act [34 C.F.R. part 300]
Elementary and Secondary Education Act [20 U.S.C. § 7908]
National School Lunch Program
No Child Left Behind Act of 2001 (Section 9528)
Protection of Pupil Rights Provision of General Education Provisions Act
U.S.A. Patriot Act
Wisconsin Act 309

CROSS REF.: 347 – Student Records
347 Rule (2) – Student Records Files
347 Exhibit – Request to Disclose Directory Information
823 – Access to Public Records
(WI DPI Publication) - Student Records & Confidentiality
Wisconsin Records Retention Schedule

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