

SCHOOL DISTRICT OF WEST DE PERE
REGULAR BOARD MEETING
District Office- 400 Reid Street
August 12, 2024
5:30 p.m.

- I. Call meeting to order
- II. Pledge of Allegiance
- III. Consider approval of the agenda
- IV. Recognition of District Students and Staff
- V. Open meeting to floor for fifteen minutes to enable district residents to bring items of general concern to the attention of the Board
- VI. Consider approval of the minutes of the July 15, 2024 regular meeting and the July 22, 2024 special meeting
- VII. Consider approval of the Treasurer's Report
- VIII. Consider previously paid bills as presented for payment approval
- IX. Old Business
 - A. High School Tech Ed Project Update
 - B. Consider Policy 5117.5 Nondiscrimination on the Basis of Sex in Education Programs or Activities: Title IX
- X. New Business
 - A. Finance Committee Report
 - B. Curriculum and Policy Committee Report and First Readings
 - 1322 Service Animals
 - 5120 Student Records
 - C. Consider Resolution Authorizing a Hearing Officer to Conduct Expulsion Hearings
 - D. Annual Seclusion and Restraint Report for 2023-2024
 - E. Consider Additional Special Education Aide at the Middle School
 - F. Consider Increase of 0.2 FTE for Speech and Language Therapy
 - G. Consider Staffing Items
- XI. Reports and Communication
- XII. Adjourn meeting

NOTICE

The School District of West De Pere Board meeting will be available in person and via Zoom.
If you have any need for special accommodations related to accessing the meeting, please contact Stacy Schaetz at 920-337-1393 x8025.

Join Zoom Meeting: <https://zoom.us/j/99465501038?pwd=FMCGbsWXcPKxR5Tz59ZmdrLsO844cs.1>

By Phone: 312-626-6799

Meeting Id: 99465501038

Passcode: 816626

SCHOOL DISTRICT OF WEST DE PERE
REGULAR BOARD MEETING
WEST DE PERE DISTRICT OFFICE
July 15, 2024
5:30 PM

Board members present: Fuss, Borley, Van Den Heuvel, Dorn, Van Deurzen
Board members excused: None

The meeting was called to order at 5:30 PM by Board President Fuss followed by the Pledge of Allegiance. President Fuss stated that the area news media had been notified of the meeting as required by open meeting law and state statutes.

It was moved by Barbara Van Deurzen and seconded by Scott Borley to accept the agenda. Voting Yes: 5 Voting No: 0 Motion carried.

There were no board recognitions.

The meeting was opened to the floor to enable district residents to bring items of general concern to the attention of the Board. No concerns were brought forward.

It was moved by Ryan Van Den Heuvel and seconded by Scott Borley that the June 19, 2024 regular meeting minutes be approved as presented. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Scott Borley and seconded by Barbara Van Deurzen that the Treasurer's Report be approved. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Scott Borley and seconded by Barbara Van Deurzen that previously paid bills to Vos Electric, VDH Electric, and Best Built be approved. Motion carried. Voting Yes: 4 Voting No: 0 Ryan Van Den Heuvel abstained. Motion carried.

It was moved by Ryan Van Den Heuvel and seconded by Scott Borley that previously paid bills be approved excluding bills from Vos Electric, VDH Electric, and Best Built. Voting Yes: 5 Voting No: 0 Motion carried.

Old Business

It was moved by Barbara Van Deurzen and seconded by Ryan Van Den Heuvel to adopt the following policies as previously presented:

- 1321 Student Performance and Production of Goods and Services (reviewed-no changes)
- 1440 Federal Government (reviewed-no changes)

Voting Yes: 5 Voting No: 0 Motion carried

It was moved by Barbara Van Deurzen and seconded by Ryan Van Den Heuvel to adopt the following policy as previously presented:

- 8400 Board Meetings
Approved with amendment as read by Superintendent Lau
Voting Yes: 5 Voting No: 0 Motion carried.

- 5117.5 Nondiscrimination on the Basis of Sex in Education Programs or Activities:
Title IX

It was moved by Ryan Van Den Heuvel and seconded by Scott Borley to table the approving of Policy 5117.5 Nondiscrimination on the Basis of Sex in Education Programs or Activities: Title IX with understanding that a meeting prior to August 1, 2024 will take place to further discuss approving the policy. Voting Yes: 4 Voting No: 1 Motion carried

New Business

Committee Chair, Scott Borley gave a verbal update regarding the Finance Committee Meeting.

Committee Chair, Barbara Van Deurzen reviewed the July 11, 2024 Curriculum and Policy Committee report.

It was moved by Scott Borley and seconded by Ryan Van Den Heuvel to approve the Tentative Referendum for the High School Tech Ed Project as recommended by administration.

Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Barbara Van Deurzen and seconded by Ryan Van Den Heuvel to approve the Academic Standards as presented. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Scott Borley and seconded by Ryan Van Den Heuvel to approve the CESA 7 contract for the 2024-2025 school year as presented by administration. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Ryan Van Den Heuvel and seconded by Barbara Van Deurzen to approve the CESA 8 contract for the 2024-2025 school year as presented by administration. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Barbara Van Deurzen and seconded by Scott Borley to approve the 2024-2025 school calendar revisions as recommended by administration. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Ryan Van Den Heuvel and seconded by Barbara Van Deurzen to approve an additional Kindergarten Teacher for the 2024-2025 school year at Hemlock Creek Elementary as presented by administration. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Scott Borley and seconded by Barbara Van Deurzen to approve staffing items as presented. Voting Yes: 5 Voting No: 0 Motion carried.

The Board was presented with various reports and communications: such as updates, various thank you's, invitations, and calendar items.

It was moved by Scott Borley and seconded by Ryan Van Den Heuvel at 7:02 PM that the meeting be adjourned. Voting Yes: 5 Voting No: 0 Motion carried.

Barbara Van Deurzen
Clerk

**SCHOOL DISTRICT OF WEST DE PERE
REGULAR BOARD MEETING
WEST DE PERE DISTRICT OFFICE**

July 22, 2024

5:00 PM

Board members present: Fuss, Borley, Van Den Heuvel, Dorn, Van Deurzen

Board members excused: None

The meeting was called to order at 5:00 PM by Board President Fuss followed by the Pledge of Allegiance. President Fuss stated that the area news media had been notified of the meeting as required by open meeting law and state statutes.

It was moved by Barbara Van Deurzen and seconded by Scott Borley to accept the agenda. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Ryan Van Den Heuvel and seconded by Scott Borley to approve the memo regarding increasing the FTE for an Adaptive Physical Education Teacher as presented. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Barbara Van Deurzen and seconded by Ryan Van Den Heuvel to approve staffing items as presented. Voting Yes: 5 Voting No: 0 Motion carried.

It was moved by Jennifer Fuss and seconded by Barbara Van Deurzen to approve and declare that Policy 5117.5 Nondiscrimination on the Basis of Sex in Education Programs or Activities: Title IX is hereby adopted and will in effect so long as the underlying regulations are in effect and enforceable against the School District of West De Pere. Voting Yes: Fuss, Van Deurzen, Borley Voting No: Van Den Heuvel, Dorn Motion carried

It was moved by Ryan Van Den Heuvel and seconded by Scott Borley at 6:14 PM that the meeting be adjourned. Voting Yes: 5 Voting No: 0 Motion carried.

Barbara Van Deurzen
Clerk

SCHOOL DISTRICT OF WEST DE PERE
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

5117.5

This policy pertains to sex discrimination, including sex-based harassment, which occurs on or after August 1, 2024. Allegations of sex-based harassment that occur on or before July 31, 2024, shall be addressed pursuant to Policies 4117 AND 5117. Throughout this policy, unless expressly stated otherwise, reference to “Title IX” includes and incorporates the 2024 Title IX regulations (also known as the “2024 Final Rule”). The Title IX regulations are found at 34 C.F.R. Part 106. References solely to Title IX (20 U.S.C. §§ 1681 – 1688) are denoted as “Title IX (Statute).” In this policy, unless the context otherwise requires, words importing the singular include the plural and vice versa.

For more information concerning the use of this policy and the grievance procedures set forth herein, as opposed to Policy 4117/5117 and the grievance procedures contained in it, refer to the first few paragraphs of the Grievance Procedures section located below.

NONDISCRIMINATION

Overview: The Board of the School District of West De Pere (hereinafter referred to as “the Board” or “the District”) does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

The Board is committed to maintaining an education and work environment that is free from sex discrimination (including sex-based harassment), responding promptly and effectively when it has knowledge of conduct that reasonably may constitute sex discrimination, and addressing sex discrimination in its education program or activity. Persons who commit sex-based harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced sex-based harassment ongoing remedies as reasonably necessary to restore or preserve access to the District’s education program or activity.

KEY DEFINITIONS

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

Complainant means:

1. a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
2. a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in the District’s education program or activity at the time of the alleged sex discrimination.

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

Complaint means: an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX.

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

Disciplinary sanctions means: consequences imposed on a respondent following a determination under Title IX that the respondent violated the Board’s prohibition on sex discrimination.

Education program or activity refers to: all the District’s operations including, but not limited to, in-person and online/remote educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes events and circumstances that take place off school property/grounds but over which the District asserts disciplinary authority.

Eligible Student means: a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

Exculpatory evidence means: evidence that is favorable to a respondent because it helps excuse, justify, or absolve a respondent of alleged wrongdoing and tends to establish a respondent did not engage in sex discrimination.

Inculpatory evidence means: evidence that links a respondent to alleged wrongdoing and tends to establish a respondent engaged in sex discrimination (i.e., has culpability).

Parental status means: the status of a person who, with respect to another person who is under the age of eighteen (18) or who is eighteen (18) or older but is incapable of self-care because of a physical or mental disability, is:

1. a biological parent;
2. an adoptive parent;
3. a foster parent;
4. a stepparent;
5. a legal custodian or guardian;
6. in loco parentis with respect to such a person; or
7. actively seeking legal custody, guardianship, visitation, or adoption of such a person.

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

Party means: a complainant or respondent.

Peer retaliation means: retaliation by a student against another student.

Pregnancy or related conditions means:

1. pregnancy, childbirth, termination of pregnancy, or lactation;
2. medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
3. recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Relevant means: related to the allegations of sex discrimination under investigation as part of the Board's grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision-maker in determining whether the alleged sex discrimination occurred.

Remedies means: measures provided, as appropriate, to a complainant or any other person the District identifies as having had their equal access to the District's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the District's education program or activity after the District determines that sex discrimination occurred.

Respondent means: a person who is alleged to have violated the Board's prohibition on sex discrimination.

Retaliation means: intimidation, threats, coercion, or discrimination against any person by the District, a student, a Board employee, or any other person authorized by the Board to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the 2024 Title IX regulations.

Sex-based harassment prohibited under this policy and the 2024 Title IX regulations is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex – including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity – that is:

1. Quid pro quo harassment. An employee, agent, or other person authorized by the Board to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

OR

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

2. Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 1. the degree to which the conduct affected the complainant's ability to access the District's education program or activity;
 2. the type, frequency, and duration of the conduct;
 3. the parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 4. the location of the conduct and the context in which the conduct occurred; and
 5. other sex-based harassment in the District's education program or activity.

OR
3. Specific offenses.
 1. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
 2. Dating violence meaning violence committed by a person:
 1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 1. the length of the relationship;
 2. the type of relationship; and
 3. the frequency of interaction between the persons involved in the relationship.
 3. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 1. is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction in which the District is located, or a person similarly situated to a spouse of the victim;
 2. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 3. shares a child in common with the victim; or
 4. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the applicable jurisdiction.
 4. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 1. fear for the person's safety or the safety of others; or
 2. suffer substantial emotional distress.

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

Student means: a person eligible to enroll in, attend, or participate in an elementary (including preschool) or secondary school in the District and who is enrolled in, attending, or participating in, or is seeking/attempting to enroll in, attend, or participate in the District's education program or activity.

Student with a disability means: a student who is an individual with a disability as defined under Section 504 of the Rehabilitation Act of 1973, as amended ("Section 504"), or a child with a disability as defined under the Individuals with Disabilities Education Improvement Act ("IDEA").

Supportive measures means: individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

1. restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or the District's educational environment; or
2. provide support during the Board's grievance procedures or an informal resolution process.

Parental, Family, or Marital Status

The Board will not adopt or apply any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats such student differently on the basis of sex.

Pregnancy or Related Conditions

Students: The Board prohibits discrimination in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. The Board will permit a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of the District's education program or activity provided the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

A student who is pregnant or experiencing related conditions shall receive comparable treatment to those with temporary medical conditions. In other words, to the extent not otherwise addressed above, the Board will treat pregnancy or related conditions in the same manner and under the same policies as any other medical condition with respect to any medical or hospital benefit, service, plan, or policy the Board administers, operates, offers, or participates in with respect to students admitted to the District's education program or activity.

The District will not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the District's class, program, or extracurricular activity unless:

1. the certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

2. the District requires such certification of all students participating in the class, program, or extracurricular activity; and
3. the information obtained is not used as a basis for discrimination prohibited by Title IX or this Policy.

District's Responsibilities with Respect to a Student's Pregnancy or Related Conditions

When a Board employee is informed of a student's pregnancy or related conditions by the student or a person who has a legal right to act on behalf of the student, the employee shall promptly provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's education program or activity, unless the employee reasonably believes the Title IX Coordinator has already been notified.

Once a student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions, the Title IX Coordinator shall promptly take the following specific actions to effectively prevent sex discrimination and ensure equal access to the District's education program or activity:

1. Inform the student and, if applicable, the person who notified the Title IX Coordinator of the District's obligations to:
 1. prohibit sex discrimination under this policy, including sex-based harassment;
 2. provide the student with the option of reasonable modifications to the Board's policies, practices, or procedures because of pregnancy or related conditions;
 3. allow access, on a voluntary basis, to any separate and comparable portion of the District's education program or activity;
 4. allow a voluntary leave of absence;
 5. provide lactation space; and
 6. maintain grievance procedures that provide for the prompt and equitable resolution of complaints of sex discrimination, including sex-based harassment.
2. Provide the student with voluntary reasonable modifications to the Board's policies, practices, or procedures because of pregnancy or related conditions.
3. Allow the student to take a voluntary leave of absence from the District's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a Board maintains a leave policy for students that allows a greater period of time than the medically necessary period, the Board shall permit the student to take leave under that policy instead if the student so chooses. When the student returns to the District's education program or activity, the student will be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the leave began.
4. Provide lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

Employees: The Board will not adopt or implement any policy, practice, or procedure, or take any employment action, on the basis of sex:

1. concerning the current, potential, or past parental, family, or marital status of an employee or applicant for employment, which treats persons differently; or
2. that is based upon whether an employee or applicant for employment is the head of household or principal wage earner in such employee's or applicant's family unit.

The Board also will not make a pre-employment inquiry as to the marital status of an applicant for employment, including whether such applicant is a "Miss or Mrs."

Similarly, the Board will treat pregnancy or related conditions as any other temporary medical conditions for all job-related purposes, including commencement, duration, and extensions of leave; payment of disability income; accrual of seniority and any other benefit or service; and reinstatement; and under any fringe benefit offered to employees by virtue of employment.

If an employee has insufficient leave or accrued employment time to qualify for leave under the Board's leave policy, the Board will treat pregnancy or related conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status held when the leave began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

The Board will provide reasonable break time for an employee to express breast milk or breastfeed as needed and will provide the employee with access to a lactation space, which must be a space other than a bathroom that is clean, shielded from view, free from intrusion from others, and may be used by an employee for expressing breast milk or breastfeeding as needed.

The Board designates the Director of Student Services as the coordinator who is ultimately responsible for oversight over the Board's compliance with its responsibilities under Title IX. The Title IX Coordinator may delegate specific duties to one (1) or more designees.

The Title IX Coordinator shall report directly to the District Administrator except when the District Administrator is a party to a complaint (i.e., either the complainant or the respondent). Under such circumstances, the Title IX Coordinator shall report directly to the Board's Legal Counsel until the matter in which the District Administrator is a party is concluded.

Questions about this policy and Policies 4117 and 5117 should be directed to the Title IX Coordinator. The Title IX Coordinator shall monitor the District's education programs and activities for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX, and take steps reasonably calculated to address such barriers.

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES:TITLE IX

Notice of Nondiscrimination The District Administrator shall provide a notice of nondiscrimination to students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; and applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the District Administrator shall post the notice of discrimination on the District's website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to the persons listed above, or which are otherwise used in connection with the recruitment of students or employees. See policies 4117 and 5117.

GRIEVANCE PROCEDURES

Overview: The Board adopts the following grievance procedures to provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the District's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX.

These grievance procedures shall be used for all complaints of sex discrimination, including sex-based harassment, involving conduct alleged to have occurred on or after August 1, 2024. These grievance procedures also may be used, at the discretion of the Title IX Coordinator, to investigate, address, and remedy (as necessary) conduct alleged to have occurred before August 1, 2024, that does not involve sex-based harassment, but some other form of sex discrimination prohibited by Title IX (Statute) – e.g., claims of unequal athletic opportunities, admissions discrimination, discrimination in courses or academic programs (i.e., excluding students from certain classes or programs based on their sex), pregnancy discrimination, unequal treatment based on parental, family, or marital status, discrimination in employment (including in hiring, promotion, and compensation), and retaliation. If the Title IX Coordinator elects not to use these grievances procedures to investigate and resolve such claims, the Title IX Coordinator will still need to implement some procedures to assess – in a prompt, effective, and equitable manner – whether Title IX (Statute) was violated, and, if it was, how best to end the sex discrimination in the District's education program or activity, prevent its recurrence, and remedy its effects.

Reports and Formal Complaints of “Sexual Harassment” (as defined in Policies 4117 and 5117) involving conduct alleged to have occurred prior to August 1, 2024, are subject to the grievance procedures outlined in Policy 4117 and 5117.

Under all circumstances, the Title IX Coordinator shall offer and coordinate supportive measures, as appropriate, in accordance with these policies if the Report or Formal Complaint involves “Sexual Harassment” alleged to have occurred prior to August 1, 2024.

If the conduct giving rise to a report or complaint of sex discrimination is alleged to have occurred both before and after August 1, 2024 (i.e., is part of a pattern of sex discrimination), the Title IX Coordinator

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

shall determine, after consulting with the Board's Legal Counsel, whether to use the grievance procedures contained in this policy or the grievance procedures contained in Policy 2266. The Title IX Coordinator will notify, in writing, the parties of the determination and the rationale for it. Under no circumstances, however, will a party be denied the due process to which the party is entitled based on the U.S. Department of Education-issued regulations in effect at the time the conduct alleged to violate Title IX (Statute) took place. Nothing herein shall prevent the Title IX Coordinator from using a hybrid grievance procedure that contains aspects of the grievance procedures contained in both this policy and Policies 4117 and 5117, so that the parties receive all of the due process to which they are entitled.

Complaints: The following people may make a complaint of sex discrimination – i.e., request that the District investigate and make a determination about whether sex discrimination as prohibited under Title IX occurred:

1. a "complainant," which includes:
 1. a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
 2. a person other than a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the District's education program or activity;
2. a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant;
3. the District's Title IX Coordinator.

A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person who was subjected to the sex-based harassment, or if the Title IX Coordinator initiates a complaint consistent with the requirements of the 2024 Title IX regulations.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

1. any student or employee of the District; or
2. any person other than a student or employee who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.

The District may consolidate complaints of sex discrimination against more than one (1) respondent, or by more than one (1) complainant against one (1) or more respondents, or by one (1) party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one (1) complainant or more than one (1) respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

Basic Requirements: The District will treat complainants and respondents equitably.

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
PROGRAMS OR ACTIVITIES: TITLE IX

All persons involved with implementing the grievance procedures and any other aspects of this policy, including the Title IX Coordinator, the investigator, the decision-maker, and the appeal decision-maker, and the facilitator of the informal resolution process, shall be free from any conflicts of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

The Title IX Coordinator may serve simultaneously as an investigator and/or a decision-maker. If the Title IX Coordinator does not intend to serve as the investigator and decision-maker in a specific case, the Title IX Coordinator shall designate one (1) or more administrators who are appropriately trained to serve in the role. Likewise, the Title IX Coordinator shall appoint an appeal decision-maker when an appeal is filed.

In circumstances when the Title IX Coordinator and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons that impair the Title IX Coordinator and other trained administrators from serving as an investigator and/or decision-maker in a specific case, the Title IX Coordinator shall, in consultation with and approval of the District Administrator secure one (1) or more independent third parties to serve as the investigator and/or decision-maker. Similarly, the Title IX Coordinator has authority, in consultation with and approval of the District Administrator, to secure an independent third party to serve as the appeal decision-maker.

The District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

Under ordinary circumstances, the Board expects to complete the major stages of the grievance procedures within the timeframe specified below:

1. **Evaluation** – The Title IX Coordinator will determine whether to dismiss a complaint or investigate it within 10 days of receiving the complaint.
2. **Investigation** – The Title IX Coordinator, or designated investigator, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) within 30 days of the Title IX Coordinator determining the charges require investigation. If, however, the Title IX Coordinator, or designated investigator, determines that the investigation is going to take longer, the Title IX Coordinator will so notify the parties and will thereafter keep the parties and the District Administrator informed of the status of the matter on a regular -basis. Once the Title IX Coordinator, or designated investigator, provides the parties with “access” to either the relevant and not otherwise impermissible evidence and/or an accurate description of the evidence, the parties will have 5 days to respond to the evidence or the description of the evidence unless the Title IX Coordinator approves a party’s written request for more time. If the Title IX

SCHOOL DISTRICT OF WEST DE PERE **5117.5 cont'd**
NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION
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3. Coordinator approves such a request, both parties will be afforded an equal amount of time to submit their response.
4. **Determination** – After the parties either submit responses to the evidence/description of the evidence, or the deadline for submitting such responses expires, the Title IX Coordinator, or designated decision-maker, will consider the relevant and otherwise not impermissible evidence and issue a determination as to whether sex discrimination occurred. The determination shall be issued within 10 days of the deadline for the parties to submit responses to the evidence/description of the evidence unless Title IX Coordinator Approves an extension of time, which must be communicated in writing to the parties
5. **Appeal** – A party filing an appeal of the Title IX Coordinator's decision to dismiss a complaint (), or the Determination, must do so within 5 days of receiving the Dismissal-or Determination.

The Title IX Coordinator, or the District Administrator if the Title IX Coordinator is the individual requesting an extension, may approve reasonable extensions of the preceding timeframes on a case-by-case basis for good cause with notice to the parties.

The District will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

The Title IX Coordinator, or designated decision-maker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible — including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the District to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

1. evidence that is protected under a privilege recognized by Federal or State law; and
2. a party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
3. evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the

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complainant and respondent shall not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude a determination that sex-based harassment occurred.

Notice of Allegations: Upon initiation of the Board's grievance procedures, the Title IX Coordinator shall notify the parties of the following:

1. the Board's Title IX grievance procedures and informal resolution process
2. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
3. retaliation is prohibited; and
4. the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the Title IX Coordinator, or designated investigator, provides the parties with a description of the evidence, any party may request access to the relevant and not otherwise impermissible evidence. The Title IX Coordinator will provide the requesting party with the relevant and not otherwise impermissible evidence in a timely manner.

Should the Title IX Coordinator decide, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the Title IX Coordinator will provide a supplemental written notice describing the additional allegations to be investigated.

Dismissal of a Complaint: The Title IX Coordinator may dismiss a complaint of sex discrimination if:

1. the District is unable to identify the respondent after taking reasonable steps to do so;
2. the respondent is not participating in the District's education program or activity and is not employed by the Board;
3. the complainant voluntarily withdraws any or all the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
4. the District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the Title IX Coordinator will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the Title IX Coordinator will promptly notify, in writing, the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also simultaneously notify, in writing, the respondent of the dismissal and the basis for the dismissal.

The Title IX Coordinator will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after

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the respondent has been notified of the allegations, then the Title IX Coordinator will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

1. procedural irregularity that would change the outcome;
2. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
3. the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, the Title IX Coordinator will:

1. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
2. implement appeal procedures equally for the parties;
3. ensure that the appeal decision-maker did not take part in an investigation of the allegations or dismissal of the complaint;
4. ensure that the appeal decision-maker has been trained consistent with the 2024 Title IX regulations,
5. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
6. notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the Title IX Coordinator will, at a minimum:

1. offer supportive measures to the complainant as appropriate;
2. if the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
3. take other prompt and effective steps, as appropriate, to ensure that sex discrimination does not continue or recur within the District's education program or activity.

Informal Resolution Process: In lieu of resolving a complaint through the Board's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. The District will not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Adding Allegations and/or Consolidating Complaints: If, in the course of an investigation, the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the original Notice of Allegations provided or that are included in a complaint that is consolidated, the Title IX Coordinator will notify the parties of the additional allegations.

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Investigation:The District will provide for an adequate, reliable, and impartial investigation of complaints.

The burden is on the District — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

The Title IX Coordinator, or the designated investigator and/or decision-maker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The Title IX Coordinator, or the designated investigator and/or decision-maker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

The District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

1. the District will provide the parties with an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence; If the Title IX Coordinator, or designated investigator, provides a description of the evidence, the Title IX Coordinator, or designated investigator, will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.
2. the District will provide a reasonable opportunity to the parties to respond to the evidence or the accurate description of the evidence; and
3. the District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

If the investigator and the decision-maker are the same person, the decision-maker will have an opportunity to question the parties and witnesses in individual meetings as part of the investigation.

Before concluding the Investigation, the investigator may allow each party to propose/submit in writing relevant questions that the party wants asked of any party or witness and the investigator will review any questions submitted by the parties and ask those questions of the specific party or witness that the investigator determines – in the investigator's sole discretion – may lead to probative evidence that will assist the decision-maker in determining whether sex discrimination occurred. The investigator's decision to ask or not ask a specific question proposed by a party is not subject to review. Any questions asked must be relevant and not otherwise impermissible.

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After the parties have an opportunity to review the relevant and not otherwise impermissible evidence, or an accurate description of this evidence, the decision-maker may allow each party to propose/submit in writing relevant questions that the party wants asked of any party or witness and the decision-maker will review any relevant and not otherwise impermissible questions submitted by the parties and ask those questions of the specific party or witness that the decision-maker determines – in the decision-maker's sole discretion – may lead to probative evidence that will assist the decision-maker in determining whether sex discrimination occurred. The decision-maker's decision to ask or not ask a specific question proposed by a party is not subject to review. Any questions asked must be relevant and not otherwise impermissible.

Determination of Whether Sex Discrimination Occurred: Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Title IX Coordinator or designated decision-maker will:

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This standard of proof requires the decision-maker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision-maker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that sex discrimination occurred, regardless of the quantity of the evidence, the decision-maker will not determine that sex discrimination occurred.
2. Notify the parties, in writing, of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal.
3. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
4. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 1. coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education program or activity limited or denied by sex discrimination;
 2. coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 3. take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity.
5. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
6. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred.

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Appeal of Determinations: If a party disagrees with the decision-maker's determination as to whether sex discrimination occurred, the party may file an appeal. Appeals must be submitted, in writing, within 5 days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

1. procedural irregularity that would change the outcome;
2. new evidence that would change the outcome and that was not reasonably available when the Determination was made; and
3. the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If a party appeals the decision-maker's determination, the Title IX Coordinator will:

1. notify the parties of any appeal;
2. implement appeal procedures equally for the parties;
3. designate an appeal decision-maker, who will be a person who did not conduct the Investigation or render the Determination, and is appropriately trained:
 1. The Title IX Coordinator will designate the District Administrator to be the appeal decision-maker, provided the District Administrator has not been otherwise involved in the grievance procedures (i.e., did not serve as the investigator, decision-maker, or informal resolution process facilitator) and is appropriately trained;
 2. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the decision-maker's determination;
 3. provide the appeal decision-maker with the relevant and not otherwise impermissible evidence along with the accurate description of the relevant evidence (if one was prepared and shared with the parties), any responses the parties submitted to the investigator related to the evidence and/or the description of the evidence (if one was prepared), and the decision-maker's determination; and
 4. notify the parties, in writing, of the result of the appeal and the appeal decision-maker's rationale for the outcome.

Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Determination After a party files an appeal, both parties will have 5 days to submit to the appeal decision-maker a statement in support of their position that they want the appeal decision-maker to consider in rendering a decision. Once the decision-maker receives each parties' statement, or the timeline for submitting such statements expires, the appeal decision-maker will have 10 days to issue a decision on the appeal.

No new or additional evidence may be submitted during the appeal process.

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The appeal decision-maker shall determine the outcome of the appeal based on the appeal decision-maker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence, the feedback the parties provided to the investigator and/or decision-maker based on their review of the relevant evidence and any description of the relevant evidence that was prepared and shared with the parties, and the decision-maker's written determination) and the appeal decision-maker's application of the law and Board policy to the facts in the record. The appeal decision-maker must give due deference and due weight to the decision-maker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record read in its entirety compels a contrary conclusion. Generally, the appeal decision-maker is expected to uphold the decision-maker's determination unless the appeal decision-maker determines the decision-maker's determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the decision-maker's determination.

The appeal decision-maker shall simultaneously notify the parties, in writing, of the result of the appeal and the rationale for the outcome.

Supportive Measures: The District will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the District's education program or activity or provide support during the Board's grievance procedures or during the informal resolution process. For allegations of sex discrimination other than sex-based harassment or retaliation, the District's provision of support measures does not require the District, Board employees, or any other person authorized to provide aid, benefit, or service on the District's behalf to alter the alleged discriminatory conduct for the purpose of providing a supportive measure.

The Title IX Coordinator shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the Title IX Coordinator deems to be reasonably available. Supportive measures may include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; school/campus escort services; increased security and monitoring of certain areas of the campus (including school buildings and facilities); restrictions on contact between the parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; training and education programs related to sex-based harassment; referral to Employee Assistance Program; and other similar measures.

Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties and/or the District's educational environment, or to provide support during the Board's grievance procedures or the informal resolution process.

The District will not impose such measures for punitive or disciplinary reasons.

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The Title IX Coordinator may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures, or at the conclusion of the informal resolution process, or the District may continue them beyond that point.

The District will provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures as set forth in the Key Definitions section of this policy.

A party may seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

The District will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the District's education program or activity, or as otherwise permitted pursuant to the 2024 Title IX regulations.

If the complainant or respondent is an elementary or secondary student with a disability, the Title IX Coordinator shall consult with one (1) or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one (1) or more members, as appropriate, of the student's Section 504 team, if any, to determine how to comply with the requirements of the IDEA and/or Section 504, in the implementation of supportive measures.

The District Administrator may place an employee respondent on administrative leave from employment responsibilities during the pendency of the Board's grievance procedures.

Disciplinary Sanctions and Remedies: Following a determination that sex-based harassment occurred, the District may impose disciplinary sanctions, which may include:

For Students:

1. Informal Discipline
 1. writing assignments;
 2. changing of seating or location;
 3. preschool lunchtime, after-school detention;
 4. in-school discipline;
2. Formal Discipline
 1. suspension of bus riding/transportation privileges;
 2. removal from co-curricular and/or extracurricular activity(ies), including athletics;
 3. emergency removal;

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4. suspension for up to ten (10) school days;
5. expulsion for up to eighty (80) school days or the number of school days remaining in a semester, whichever is greater;
6. expulsion for up to one (1) year;
7. permanent exclusion; and
8. any other sanction authorized by the Student Code of Conduct.

For Employees:

1. oral or written warning;
2. written reprimands;
3. required counseling;
4. required training or education;
5. demotion;
6. suspension with pay;
7. suspension without pay;
8. termination and any other sanction authorized by any applicable Board Policy and/or employee handbook.

The District may also provide remedies, which may include disciplinary sanctions/consequences. The Title IX Coordinator will notify the District Administrator of the recommended remedies, so an authorized administrator can consider the recommendation and implement appropriate remedies in compliance with applicable due process procedures, whether statutory or contractual.

With respect to student respondents, the Title IX Coordinator will notify the District Administrator of the recommended remedies (including disciplinary sanctions/consequences), so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5144.1 - Suspension-Expulsion, Policy 5114.21 – Abeyance Procedures - Program Design. Discipline of a student respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972 (“Section 504”), and their respective implementing regulations.

Discipline of an employee will be implemented in accordance with Federal and State law, Board policy, and applicable provisions of any relevant employee handbooks.

Retaliation Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a code

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of conduct violation that does not involve sex discrimination but arises out of the same facts and circumstances as a complaint or information reported about possible sex discrimination, for the purpose of interfering with the exercise of any right or privilege secured by Title IX constitutes retaliation. Peer retaliation is also prohibited. Retaliation against a person for making a complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance procedures set forth above. The District shall initiate its grievance procedures upon receiving any complaint alleging retaliation.

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

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination that sex discrimination occurred, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality The District will keep confidential the identity of any individual who has made a complaint of sex discrimination, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the complainant's and respondent's receipt of the information to which they are entitled related to the investigation and determination of whether sex discrimination occurred).

Application of the First Amendment The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution and the principles of academic freedom as set forth in any Board policy or employee handbook.

Training All employees, investigators, decision-makers, facilitators of informal resolution process, the Title IX Coordinator(s) and designees, and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under Title IX and this Policy. The training shall be provided promptly upon hiring or change of position that alters their duties under Title IX or this policy, and annually thereafter. The training shall not rely on sex stereotypes.

Training materials must be made available for inspection upon request by members of the public.

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Recordkeeping The District shall maintain for a period of seven (7) calendar years the following records:

1. for each complaint of sex discrimination, records documenting the informal resolution process and/or the grievance procedures followed and the resulting outcome;
2. for each notification that the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX, including notifications under 34 C.F.R. § 106.44(c)(1) or (2), records documenting the actions the District took to meet its obligations under 34 C.F.R. §106.44; and
3. all materials used to provide the required training.

Outside Appointments, Dual Appointments, and Delegations The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy including, but not limited to, Title IX Coordinator, investigator, decision-maker, appeal decision-maker, or facilitator of the informal resolution process.

The Board also retains discretion to appoint two (2) or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process.

The District Administrator may delegate functions assigned to a specific Board employee under this policy including, but not limited to, the functions assigned to the Title IX Coordinator, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process to any suitably qualified individual and such delegation may be rescinded by the District Administrator at any time.

Discretion in Application The Board retains discretion to interpret and apply this policy in a manner that is not clearly unreasonable, even if the Board's interpretation or application differs from the interpretation of any specific complainant and/or respondent.

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right or as part of any other express or implied contract. Accordingly, the Board retains discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

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LEGAL REFERENCES:

19.21(6), Wis. Stats., 120.13, Wis. Stats., 948.01, Wis. Stats., et. seq., 20 U.S.C. 1092(F)(6)(A)(v), 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA), 20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX), 34 C.F.R. Part 106, 34 U.S.C. 12291(a)(8), 34 U.S.C. 12291(a)(10), 34 U.S.C. 12291(a)(30), 42 U.S.C. 1983, 42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., 42 U.S.C. 2000e et seq. , OCR's Revised Sexual Harassment Guidance (2001) © Neola 2024, WIAA Transgender Participation Policy

ADOPTED: 7/22/2024 (Will be in effect August 1, 2024)

SCHOOL DISTRICT OF WEST DE PERE
CURRICULUM and POLICY MEETING
West De Pere District Office-400 Reid St, Suite W
August 8, 2024
7:30 a.m.

I. Call meeting to order - 7:30 a.m.

II. Curriculum items

- Act 20 Update
- Math Curriculum Training Update

Amy LaPierre, Director of Curriculum, gave an update on the above curriculum items

III. Review the following for Board adoption:

- None

IV. Review the following:

First Reads:

- 1322 Service Animals
- 5120 Student Records

Committee discussed recommended revisions Present for First Reading on 8/12/2024

V. Next meeting date: September 12, 2024

VII. Adjourn meeting - 7:45 a.m.

SCHOOL DISTRICT OF WEST DE PERE
SERVICE ANIMALS/THERAPY DOGS

1322

Service Animals

The Board of Education recognizes the important role that service animals perform for individuals with disabilities. Therefore, service animals shall be permitted on district property as an accommodation for individuals with disabilities. The only exceptions are when the accommodations of the service animal would result in a fundamental alteration in the nature of the school district's operation or would result in an unreasonable threat to health and safety, as described below. In making such accommodations, the district will comply with the Individuals with Disabilities Education Act of 2004, Section 504 of the Vocational Rehabilitation Act, the American with Disabilities Act (Amendment Acts), and any other applicable laws.

The ADA Amendments Act defines a service animal as a dog that is individually trained to do work or perform tasks for people with disabilities. Other animals, whether wild or domestic, do not qualify as service animals. Service animals are not considered pets, classroom animals or curriculum aids. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including animals that are used purely for emotional support, comfort, companionship, therapeutic benefits or promote emotional well-being are not service animals.

(See Miniature Horses.)

Inquiries: The District shall not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal;

1. Is that animal a service animal?
2. What task is the service animal trained to do?

The District shall not require documentation of the individual's disability or documentation that the service animal has been certified, trained, or licensed as a service animal. The District will not make these inquiries when it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability (e.g., the service animal is observed guiding an individual who is blind or who has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.)

Service Animals for Students and Staff

The District shall permit students or staff to use service animals in District facilities and at school events. The District may impose legitimate safety requirements necessary for the safe operation of its services, programs or activities; however, the District will ensure that its safety requirements are based on actual risks, not on mere speculation, stereotypes or generalizations about individuals with disabilities.

SCHOOL DISTRICT OF WEST DE PERE
SERVICE ANIMALS/THERAPY DOGS

1322 cont'd

Vaccinations, Licensing, and/or Veterinary Requirements: All animals, including service animals, housed on District property or brought on District property on a regular basis must meet every veterinary requirement set forth in State law and County regulation/ordinance, including, but not limited to, rabies vaccination or other inoculations required for the animal to be properly licensed.

Care and Control of Service Animal: The District is not responsible for the care or supervision of the service animal. The District shall modify its policy, practices, or procedures to permit the use of a service animal by an individual with a disability.

The service animal is to be under control of its handler at all times. The service animal shall have a harness, leash or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g. voice control, signals, or other effective means).

The service animal's trainer can help to develop a plan to assist the student with the dog (e.g., the student's aide might transfer the service dog's leash from a student's wheelchair to a tree during recess). Additionally, a younger student might need reminders from school staff about controlling the dog until s/he is comfortable handling the service animal at school.

While the student is responsible for the service animal's care, including feeding and supervision, the District should develop a plan to provide the student with the necessary time to care for the animal and designate a location for the animal's toileting needs.

The Board is not responsible for the care or supervision of a service animal.

The District may ask an individual with a disability to remove a service animal from the premise if;

1. The animal is out of control and the animal's handler does not take effective action to control the animal;
2. The animal is not housebroken;
3. The animal poses a threat in that it is a significant risk to the health and safety of others that cannot be eliminated by a modification of policies, practices or procedures;

SCHOOL DISTRICT OF WEST DE PERE
SERVICE ANIMALS/THERAPY DOGS

1322 cont'd

4. The presence of the animal fundamentally alters the learning or work environment. Examples may include, but are not limited to, science labs, areas requiring protective clothing or food preparation areas.

If an animal is removed, the District shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on premise.

Procedure: A student or staff member who wants to bring his/her service animal to school must notify the Building Principal in writing, at least ten (10) school days prior to the date the animal will be coming to school so that the school staff can meet with the student and his/her parents, or staff member, to discuss any concerns and develop a plan. The plan, at a minimum, should address how school staff and other students will be educated about and introduced to the service animal, how the student will be accommodated to care for the dog, and how any issues will be resolved. The Principal should provide the student and staff with specific instructions concerning emergency evacuation plans, entry and exit points, areas where the animal may urinate/defecate, waste removal procedures, and building restrictions, if any.

The Principal will provide written notification to all parents of students in the affected class(es) and staff in the affected class(es) that a service animal will be coming into the school setting. The notification will request that the parents and/or staff notify the Principal if their child or they have any known allergies, asthma, or other health condition that might be aggravated by the service animal's presence. The Principal will take appropriate action to protect any such students or staff members from exposure to the service animal.

When an individual whose health may be aggravated by the service animal's presence and an individual who uses a service animal must spend time in the same room or facility – e.g., in a school classroom or cafeteria – both individuals should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

Access to Areas of the District: Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of District facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

SCHOOL DISTRICT OF WEST DE PERE
SERVICE ANIMALS/THERAPY DOGS

1322 cont'd

Service Animals for Visitors

The District shall permit visitors to use service animals in District facilities and at school events and make reasonable accommodations for the individual's use of a service animal on District property. The District shall not ask about the nature or extent of the visitor's disability, but may make the following inquiries on whether an animal qualifies as a service animal;

1. Is that animal a service animal?
2. What task is the service animal trained to do?

Staff may not ask the visitor to produce documentation of his/her disability or documentation that the animal is certified, licensed, trained or is being trained to be a service animal.

Miniature Horses

The District shall make reasonable modifications in its policies, practices or procedures to permit the use of a miniature horse by an individual with a disability, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.) In making such a determination, the District shall consider:

1. The type, size, and weight of the miniature horse and whether the facility can accommodate those features;
2. Whether the handler has sufficient control of the horse;
3. Whether the horse is housebroken; and
4. Whether the horse's presence in a specific facility compromises legitimate safety requirements that are necessary for safe operations.

Therapy Dogs in Schools

A "therapy dog," as defined by this policy, is a dog that has been individually trained and certified to work with its handler to provide emotional support, well-being, or comfort to school district students. Therapy dogs are the personal property of the handler and are not owned by the District. Therapy dogs are not "service animals" as defined within the Americans with Disabilities Act. The use of service animals in the schools is governed by District Policy. Therapy dogs are meant to help all students and are not specifically identified as support for those students with documented disabilities.

SCHOOL DISTRICT OF WEST DE PERE
SERVICE ANIMALS/THERAPY DOGS

1322 cont'd

Therapy Dog Standards and Requirements

The following requirements must be satisfied before a therapy dog will be allowed in school buildings or on school grounds:

- 1. Submission of Written Request. A handler wishing to bring a therapy dog to school must submit their written request to a principal or designated building administrator. Prior approval must be secured before the animal may be presented. The request must be renewed each school year, or whenever a different therapy dog will be used.**
- 2. Training, Registration and Identification. The therapy dog must be at least one year old, registered as a therapy dog pursuant to the list below, and wear appropriate identification signifying it as a therapy dog at all times.**

Only therapy dogs that hold the current title of American Kennel Club (AKC) Therapy Dog or that are registered/certified by one of the national therapy dog organizations certified by the AKC will be approved. Information on certified organizations can be found on the American Kennel Club website. Other entities not listed on the AKC website may be researched and vetted for approval by the Superintendent or his/her designee. This approval should be sought prior to therapy dogs from those entities being used in schools.

All certificates of registration must be submitted at the time of the request to bring a therapy dog to school. The certifications must remain current at all times.

- 3. Pet License. The therapy dog must be properly licensed in the county in which they are kept. They must wear their license identification tag at all times. The handler must submit proof of current licensure from the local licensing authority at the time of the request to bring a therapy dog to school.**
- 4. Health and safety. The therapy dog must be clean, well groomed, in good health, housebroken, and immunized against diseases common to dogs. Proof of therapy dog's current vaccinations and immunizations from a licensed veterinarian must be submitted at the time of the request to bring a therapy dog to school.**

The therapy dog must not pose a health or safety risk to any student, employee, or other person at school. Health risks include allergies. If any student employee assigned to a classroom in which a therapy dog is permitted suffers an allergic reaction to the therapy

SCHOOL DISTRICT OF WEST DE PERE
SERVICE ANIMALS/THERAPY DOGS

1322 cont'd

dog, the handler of the animal will be required to remove the animal to an alternative location designated by an administrator if such location is available.

5. Proof of Insurance and Liability. The handler of a therapy dog is solely responsible and liable for any damage to school property or injury to personnel, students, or others caused by the therapy dog. The handler must submit a copy of an insurance policy that provided liability coverage for the therapy dog while on school property.
6. Behavior Expectations and Control. Therapy dogs must be well behaved and have a temperament that is suitable for interaction with students and others in a public school. The therapy dog should not display any behavior infringing on the rights of others or disrupting the educational process, including sniffing, begging, whining, growling, barking, jumping, or any other undesirable behavior. When there is a difference between their governing therapy organization or the school system policy/procedure, the handler must abide by the more stringent rules.

A therapy dog must be under the control of the handler through the use of a 4-foot leash or other tether. The handler shall only allow the therapy dog to be in areas in school buildings or on school property authorized by school administrators.

7. Supervision and Care of Therapy Dogs. The handler is solely responsible for the supervision and care of the therapy dog, including any feeding, exercising, and clean up while the animal is in a school building or property. The school district is not responsible for providing any care, supervision, or assistance for a therapy dog.

Even if the above requirements are met, the District reserves the right to deny the use of a therapy dog in the schools.

Expulsion or Removal of a Therapy Dog from School Property.

The goal of the presence of a therapy dog is to positively enrich the learning environment. Any deviation from this will result in removal of the therapy dog from school property. A therapy dog may be excluded from school property and buildings if a school administrator determines that:

- a. A handler does not have control of the therapy dog;
- b. The therapy dog is not housebroken;
- c. The therapy dog presents a direct and immediate threat to others in the school; or
- d. The dog's presence otherwise interferes with the educational process.

SCHOOL DISTRICT OF WEST DE PERE
SERVICE ANIMALS/THERAPY DOGS

1322 cont'd

LEGAL REFERENCE: Wisconsin Statute §118.13
 Americans with Disabilities Act
 Individuals with Disabilities Education Act of 2004, Section 504 of
 the Vocational Rehabilitation Act

ADOPTED: 10/18/16

REVISED: 11/16/16

SCHOOL DISTRICT OF WEST DE PERE
STUDENT RECORDS

5120

Student records shall be maintained in the **West De Pere** School District **of West De Pere** to assist school personnel in providing appropriate educational experiences for each child in the district. Student records shall include all records relating to an individual student maintained by a school but does not include notes or records maintained for personal use by a teacher or other person who is required by the state superintendent under section 115.28(7) to hold a certificate, license or permit if such records and notes are not available to others, nor does it include records necessary for, and available only to persons involved in, the psychological treatment of a student.

TYPES OF RECORDS

- a. Student Records means all records relating to individual students maintained by a school but does not include notes or records maintained for personal use by a teacher or other person who is required by the state superintendent under Section 115.28(7).
- b. Progress Records means those student records which include the student's grades, a statement of the courses the student has taken, the student's attendance record, the student's immunization records and records of the student's extracurricular activities.
- c. Behavior Records means those students records which include psychological tests, personality evaluations, records of conversations, any written statement relating specifically to an individual student's behavior, tests relating specifically to achievement or measurement of ability, the student's physical health records, other than his or her immunization records, or any lead screening required under Sec. 254.162, peace officers records obtained under Sec. 48.396(1m), and any other student records that are not progress records.
- d. Student Directory Data means those student records which include the student's name, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, or video identifying students either individually or as part of a group for academic or co-curricular achievement, degrees and awards received and the name of the school most recently previously attended by the student. This directory data shall be considered public information and may be released to appropriate persons and media unless parents or adult students refuse the release, in writing, of their own initiation. Refusal of such release must be made no later than two weeks after the opening of school or of enrolling in school in the case of those entering West De Pere Public Schools after the school year has started. This exception to the policy should be made known annually along with information relating to the opening of school.
- e. Student Physical Health Records means those student records that 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

SCHOOL DISTRICT OF WEST DE PERE
STUDENT RECORDS

5120 cont'd

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.

- f. Student Patient Health Care Records means those records, reports, and correspondence relating to the health of a student which are authored by an outside agency physician, psychiatrist, nurse, dentist, pharmacist, chiropractor, podiatrist, physical therapist, occupational therapist, optometrist, clinical psychologist, social worker, speech therapist, audiologist, other health care professionals, and any student record relating to a student's physical health, which does not fall within the definition of Student Physical Health Records definition above. All student patient health care records shall remain confidential records. Student patient health care records may only be released to persons designated by the statute or with the informed consent of the patient. Any exception is granted for the purposes of storing or maintaining student patient health care records and access is necessary to comply with state or federal law.

DEFINITIONS

"Parent" means parent, guardian or other individual as appointed by the court to act on behalf of a minor child.

"Adult student" means a student who has attained the age of 18 or is attending an institution of postsecondary education. For purposes of Board policy and related procedures, adult students have all the rights accorded to parents.

CONFIDENTIALITY

The Board recognizes the need for confidentiality of student records. Therefore, student records shall be available for inspection or release only with prior approval of the parent/guardian or adult student, except in situations where legal requirements specify releases of records without such prior approval. The building principal, or their designee, shall be responsible for the collection, maintenance and dissemination of student records in accordance with state and federal laws and established procedures. Building principals are also responsible for annually training all persons collecting or using student records in confidentiality policy and procedures. Special education records and student patient health care records will be maintained at the office of the Director of Student Services. Certain portions of behavioral records (special education) may be maintained in a confidential file at the building site.

All student records maintained in the **West De Pere** School District **of West De Pere** shall be confidential with the following exceptions:

SCHOOL DISTRICT OF WEST DE PERE
STUDENT RECORDS

5120 cont'd

- a. A student, or the parent or guardian of a minor student, shall upon request, be shown and provided with a copy of the student's progress records.
- b. An adult student, or the parent or guardian 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 or guardian shall, upon request, be provided with a copy of the behavioral records.
- c. The judge of any court of this state or the United States shall, upon request, be provided by the school district clerk with a copy of all progress records of a student who is the subject of any proceeding in such court.
- d. Student records may be made available to persons employed by the district who are required by the Department of Public Instruction (DPI) to hold a certificate, license or permit and to other school district officials who have been determined by the school board to have legitimate educational interests.
- e. 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 portions of the student's behavioral records as determined by the person authorizing the release.
- f. 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 the credibility or competency of a witness.
- g. The school board may provide the DPI or any public officer with any information required to be maintained under Chapters 115 to 121 of the statutes. The school 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. Information reported shall be kept confidential by the DPI. Notwithstanding their confidentiality, student records may be used in suspension and expulsion proceedings and by the multidisciplinary team under Chapter 115 of the statutes.
- h. Information from school health records shall be made available to state and local health officials to carry out immunization requirements.
- i. The district board of the VTAE (Vocational, technical and adult education) district in which the school is located, the department of health and social services or a county department under section 46.215, 46.22, or 46.23 for verification of eligibility for public assistance shall, upon request, be provided by the school district clerk with the names of students who have withdrawn from school prior to graduation.

SCHOOL DISTRICT OF WEST DE PERE
STUDENT RECORDS

5120 cont'd

- j. **School District of** West De Pere **Public Schools** designate as directory data a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, or video identifying students either individually or as part of a group for academic or co-curricular achievement, degree and awards received and the name of the school most recently previously attended by the student. This directory data shall be considered public information and may be released to appropriate persons and media unless parents or adult students refuse the release, in writing, of their own initiation. Refusal of such release must be made no later than two weeks after the opening of school or of enrolling in school in the case of those entering **the School District of** West De Pere **Public Schools** after the school year has started. This exception to the policy should be made known annually along with information relating to the opening of school.
- k. Any part of a student health care record that concerns the results of a test for the presence of HIV or antibody to HIV (the virus which causes acquired immune deficiency syndrome- AIDS) shall be confidential and may be disclosed only with the informed written consent of the test subject.
- l. A school board may disclose personally identifiable information from an adult student's record to the student's parent(s) or guardian, without the adult student's written consent, if the adult student is a dependent of their 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.
- m. A school board shall disclose a student's record in compliance with a court-ordered educational plan after making reasonable effort to notify the student's parent or guardian.
- n. A law enforcement agency, if the law enforcement agency certifies in writing that the student is under investigation for allegedly committing a criminal or delinquent act, shall, upon request, be shown and provided a copy of the student's attendance records.

The building principal shall have primary responsibility for maintaining the confidentiality of all student records kept at the school. All requests for inspection or transfer to another school or school district should be directed to the building principal, who will then determine whether inspection or transfer is permitted under this policy. The building principal or his qualified designee shall be present to interpret behavioral records when inspection is made.

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 had 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).

SCHOOL DISTRICT OF WEST DE PERE
STUDENT RECORDS

5120 cont'd

DISSEMINATION OF PUPIL RECORDS

The general public does not have access to individual student records. However, an adult student or parent or legal guardian of a minor student may have access to personal records, as stipulated by law. When a student record contains information about other students, access may only be granted to that portion of the record referring to the student at issue. If an adult student or parent or legal guardian of a minor student wishes to inspect such records, they should make a request to the principal of the school in which the student is enrolled for an appointment to review the records.

Procedure:

1. A written request to review the records must be made to the school, either by the parent or legal guardian or adult student.
2. A conference shall be set up as soon as possible; however, note that the federal law allows up to 45 days to comply.
3. The principal and/or designee shall be present at the conference to interpret the permanent record card and cumulative folder, and may call upon other specialists such as the school psychologist, and special education personnel, when records requiring their expertise are being reviewed.
4. A notation should be made and filed in the student's cumulative folder indicating the date of the record review conference and signed by all persons present.
5. In case of progress records, a review conference need not to be held.
6. If, after a review conference, a request is made for a copy of any or all behavioral or progress records, the parent or legal guardian or adult student shall be requested to sign a release of information form authorizing the release of the records.
7. Upon receipt of the signed release a copy of the requested record or records, shall be sent to the requesting party.

The National Defense Authorization Act for Fiscal Year 2021(PL116-283, section 521) and the Elementary and Secondary Education Act of 2002 contain provisions that require a district to:

- a. Give military recruiters the same access to secondary school students as provided to post secondary institutions or prospective employers; and
- b. Provide student's names, addresses, electronic mail addresses (email), and telephone listings to military recruiters when requested, unless a parent has opted out of providing such information.

MAINTENANCE AND DESTRUCTION OF RECORDS

While students are attending school, their records will be maintained in the school of attendance. Upon transfer of the student to another school operated by the district, the records shall be transferred to that school.

SCHOOL DISTRICT OF WEST DE PERE
STUDENT RECORDS

5120 cont'd

- a. The building principals shall have primary responsibility for maintaining the confidentiality of records in their building. Behavioral records shall be maintained at the building site, except for special education behavioral records and student patient health care records which shall be maintained at the Director of Student Services office. All records shall be maintained in secured files. Student patient records and police law enforcement officer records shall be maintained separately from a student's other records.
- b. Building principals shall provide upon request an updated list of staff by name and title that have access to student records.
- c. The District shall keep a record of parties obtaining access to special education records and student patient health records collected, maintained or used.
- d. A record of access shall be maintained in each student's records with the exception of the following:
 - The parent/guardian or adult student;
 - A licensed school official;
 - A party with written consent from the parent/guardian or adult student;
 - A party seeking directory data; or
 - A party seeking or receiving the 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.

This record shall include the name of the party, date access was given, and the purpose for which the party was authorized to use the record. A record of access shall be maintained in the event a student file is removed from the school office of records.

- e. The Director of Student Services shall be responsible for reviewing records of special education students. Information that is no longer needed to provide educational services to the special education student shall be destroyed after one month's notification from the parents.

Records which are transferred to the central administrative office when the student ceases to be enrolled shall be maintained as follows:

- a. All behavioral records will be destroyed one year after the date the student graduated from or last attended the school unless the student (and his or her parent or guardian if the student is a minor) gives permission that the records may be maintained for a longer period of time. 118.125(3) does not specifically require the authorization of the parent or guardian of minor students to retain behavioral records longer than one year. However, this may be added in view of the general legal inability of minors to consent.
- b. Student progress records shall be filed and maintained permanently in the District.

SCHOOL DISTRICT OF WEST DE PERE
STUDENT RECORDS

5120 cont'd

- c. Seven years after the student ceases to be enrolled in the school system, all progress records, and all behavioral records not previously destroyed, will be maintained ~~on microfilm.~~ **electronically.**
- d. Student patient records and law enforcement officer records shall be maintained for the same period of time as other student behavior records.

ANNUAL PUBLIC NOTICE

Parents and students shall be notified annually of the following: (a) their rights to inspect, review and obtain copies of student records; (b) the existence of the student records policy and procedures and where copies can be obtained; (c) the categories of student record information which have been designated as directory data and their right to deny the release of such information; and (d) their right to file a complaint with the Family Policy and Regulations Office of the U.S. Department of Education. This notice shall be published annually in District student and/or parent handbooks, or disseminated through other appropriate means. Provisions shall be made to effectively notify parents when the parents' primary language is other than English.

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

TRANSFER FOR RECORDS

Student records relating to a specific student shall be transferred to another school district upon notice from an adult student or the parent or guardian of a minor student that the student intends to enroll in a school in another school district; from the other school district that the student has enrolled; or, from a court that legal custody of the student has been transferred to the Department of Health and Social Services for placement in a juvenile correctional facility. Records will be sent within five working days of receiving the written request.

LEGAL REFERENCE: Sections 48.96, 48.78 Wisconsin Statutes
 Sections 118.125-118.128 Wisconsin Statutes
 Sections 146.81-146.84 Wisconsin Statutes
 Chapter 19, Subchapter IV
 Family Educational Rights and Privacy Act

APPROVED: 12/17/74

REVISED: 7/18/84, 1/16/89, 8/15/91, 12/18/97, 9/21/00, 12/15/03, 5/11/10, 5/11/10, 3/18/15, 4/16/15, 6/16/2021

School District of West De Pere**Student Services Office**

400 Reid St, Suite W

De Pere WI 54115

Phone: (920)337-1393

Fax: (920)337-1398

**Dr. Jason Lau**

Superintendent

Amy Schuh

Director of Student Services

TO: Dr. Jason Lau, Superintendent
School Board

FROM: Amy Schuh, Director of Student Services

DATE: August 1, 2024

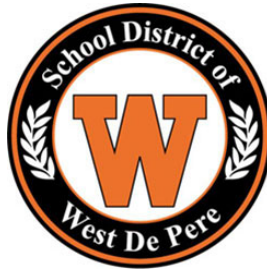
RE: 2023-2024 Annual Seclusion and Restraint report

The purpose of this memo is to provide you with the district data on seclusion and restraint for the 2023-2024 school year. School districts are required to present this data to their school board no later than October 1. The report must include the number of incidents of seclusion and physical restraint from the previous year, the total number of students involved in the incidents, and the number of students with disabilities involved in the incidents, broken down by school. This annual report must be maintained at the district level and is submitted in a report to the DPI by December 1 of the following school year.

The data for the school district for the 2023-2024 school year can be found in the chart below.

SCHOOL	SECLUSION			PHYSICAL RESTRAINT		
	NUMBER OF INCIDENTS	TOTAL STUDENTS	STUDENTS WITH DISABILITIES	NUMBER OF INCIDENTS	TOTAL STUDENTS	STUDENTS WITH DISABILITIES
Westwood Elementary	0	0	0	0	0	0
Hemlock Creek Elementary	0	0	0	4	1	1
Intermediate School	0	0	0	2	2	2
Middle School	0	0	0	0	0	0
High School	0	0	0	0	0	0
Phantom Knight	0	0	0	0	0	0
Macht Village	0	0	0	2	1	1
Fundamentals	3	1	1	2	1	1
Milestones	3	1	1	3	1	1
Syble Hopp	2	1	1	0	0	0

School District of West De Pere
Student Services Office
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Fax: (920)337-1398



Dr. Jason Lau
Superintendent

Amy Schuh
Director of Student Services

TO: Board of Education
Dr. Jason Lau

FROM: Amy Schuh, Director of Student Services

DATE: August 7, 2024

RE: Add Special Education Aide at the Middle School

The purpose of this memo is to seek approval to add a part time special education aide at the Middle School beginning with the 2024-2025 school year. As we continue to evolve our programming for students who require an alternative curriculum/functional programming, we find a need for additional staff to support the students' participation in encore classes and during unstructured settings such as lunch and recess. This support is in addition to the academic instruction times in which they receive individual and small group specialized instruction specified in their IEPs . The number of students at the Middle School who require this specialized programming has doubled from last year.

Thank you for considering.

School District of West De Pere

Student Services Office

400 Reid St, Suite W

De Pere WI 54115

Phone: (920)337-1393

Fax: (920)337-1398



Dr. Jason Lau

Superintendent

Amy Schuh

Director of Student Services

TO: Board of Education
Dr. Jason Lau

FROM: Amy Schuh, Director of Student Services

DATE: August 7, 2024

RE: Increase of 0.2 FTE for Speech and Language Therapy

The purpose of this memo is to seek approval to permanently add a .2 FTE for speech and language starting with the 2024-2025 school year. Last year we temporarily increased the FTE of our speech therapists by 0.2 FTE for the 23-24 school year. With starting the year with caseloads higher than previous years, I am asking to make this increase permanent moving forward. I would anticipate caseloads to grow as students continue to move into the district over the summer and address initial evaluations as the year goes on.

Thank you for considering.



School District of West De Pere

Board Update

A Vision of Pride and Excellence

August 2024

Supper and Strategies

Supper and Strategies is professional development provided by the Curriculum and Technology Department, which is available to all staff.



[Linked here is a list of the offerings for the 24-25 school year.](#)

Grant Award

West De Pere has been notified that we were awarded a Peer Review and Mentoring Grant for 2024-25. The grant was submitted as part of a consortium with the Denmark School District. The total grant award is \$24,464.



West De Pere's portion is \$12,232. This grant award will cover the costs associated with our mentor/mentee program.

Hemlock Creek National Night Out

The Town of Lawrence Fire Department and the Hobart/Lawrence Police Department participated in the National Night Out at Hemlock Creek Elementary. What a great community event!



Upcoming Events

- August 27- Staff Inservice at 7:30AM at the High School
- September 3- First Day of School
- October 5- 8:30AM-Hemlock Creek Phantom Fun Run/Walk

