

**WAUNAKEE COMMUNITY SCHOOL DISTRICT
BOARD OF EDUCATION POLICY COMMITTEE**

Monday, February 28, 2022

5:00 PM

Waunakee Community School District
905 Bethel Circle
Waunakee, WI 53597

Members of the public may attend Board of Education meetings in-person, and will be asked to check in with District personnel when you arrive.

Public comments will be limited to 3 minutes. The Board will allow 30 Minutes for public comments.

Public comments may be sent to Rebecca McDonough at district_administrator@waunakee.k12.wi.us up to one hour before the start of the Board meeting. All comments will be reviewed by the Board members. Emailed comments will be reviewed by the board but not read out loud. Emailed comments sent during any part of the board meeting (Board Development, Closed session, Open session) will be forwarded to the board but may or may not be reviewed by the board until after the board adjourns. Comments must include the commentator's name, address, and must identify their connection to the District (if any) and any group they are representing in order to be considered by the Board.

If you would like to address the Board in-person during the public comments section of the meeting, you will be greeted in the lobby of the building, asked to check in with District personnel when you arrive so that you can be recognized and address the Board when your name is called.

A recording of the meeting will be posted on the District webpage within 24 hours of the meeting time.

A quorum of the Board may be present

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. APPROVE AGENDA

IV. PUBLIC COMMENTS

V. ADVERTISING IN THE SCHOOLS -- POLICY 851

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The purpose of this agenda item is to have the Policy Committee affirm a special circumstance for advertising, specifically tied to the high school curricular programs/classes Sports Marketing and Digital Communications. When these classes were approved by the Board, the vision was for them to eventually work together on marketing and advertising that could be sold and displayed on the scoreboard, in videos on the scoreboard, and now through our live stream of school events (sports, arts, etc.). The revenues from this work would partially fund expansion of the program and equipment needs. Since advertising is a policy

matter, this request is being brought forward to reaffirm this work so they can proceed.

Additionally, associated with this same policy, the administration wants to clarify a few questions that have arisen with this policy as it relates to other types of donations to the district, and specifically, fundraising activities conducted by various clubs with local businesses.

VI. SCHOOL PROPERTY DISPOSAL -- POLICY 690 **6**

The administration would like to discuss Policy 690 - School Properties Disposal with the Committee. Attached please find the district's current policy, along with two versions of policy provided by the WASB, for our review. The difference between Sample 1 and Sample 2 is simply that Sample 2 has more details and Sample 1 is more broad.

We will discuss these policies with the Committee, and our objective is to inform the committee of the practices for disposal of equipment and to be transparent with the options we have for disposal/sales of equipment, in the future.

VII. DISCUSS/CONSIDER GUIDELINES FOR ELECTED OFFICIALS IN SCHOOLS AND RELATED EVENTS

At Monday's meeting I will bring forward a draft of guidelines that I think will be helpful as we invite in or receive requests for elected officials to speak or interact with our students at school. We encourage these interactions and dialogs to help our students learn about our government and how it works, and understand the issues that are in front of our elected bodies. These guidelines are meant to provide parameters for these interactions so that clear expectations are understood by the elected officials, staff, students, and parents. The guidelines will also have parameters on related activities that could involve the schools.

VIII. TRANSPORTATION IN AREAS OF UNUSUAL HAZARD **15**

As we progress with facility planning, at a point in the future, we will need to determine if an evaluation of our designated hazardous transportation zones needs to be reconsidered.

The following link leads to information from the Wisconsin Department of Public Instruction on this matter:

<https://dpi.wi.gov/parental-education-options/transportation/hazardous-transportation>

Additionally, attached is a sample policy from WASB on this topic that I have attached for discussion.

Attorney Dan Mallin from WASB shared the following statement with me. "Some districts implement the relevant statutory requirements without a board policy, recognizing that the board will approve the district's "plan" and that the state statutes spell out specific rights to submit complaints and appeals. But, this sample provides somewhat more of a framework.

than exists in the statutes."

This item is for discussion and feedback purposes, and administration is not asking for any action from the Committee at this time.

IX. REQUEST TO ELIMINATE POLICY 434.1 -- FORM FOR JUNIOR/SENIOR RELEASE **20**

The high school administration has informed me that this form is no longer used by the high school for Junior/Senior Release. I recommend removal.

X. FUTURE MEETINGS

Topics for future meetings that have been discussed or requested:

- Politics/Speech in School
- WASB "Quick Look" Policies
- Next Series of Policies...

XI. ADJOURN

“Any person who has a qualifying disability as defined by the Americans with Disabilities Act who requires assistance with access or materials should contact the Waunakee Community School District Office at 849-2000, 905 Bethel Circle Drive Waunakee, WI 53597, at least twenty-four hours prior to the commencement of the meeting so that necessary arrangements can be made to accommodate the request.”

ADVERTISING IN THE SCHOOLS

Neither the facilities, the name, the staff, nor the students of the schools, school system, nor any part thereof shall be employed in any manner for advertising or otherwise promoting the interests of any commercial or other non-school agency or organization except that:

- 1) The school may cooperate in furthering the work of any non-profit, community-wide social service agency, provided that such cooperation does not resist or impair the educational program of the schools.
- 2) The school may use films or other educational materials bearing only simple mention of the producing or sponsoring firm.
- 3) The schools may participate in radio or television programs under acceptable commercial sponsorship when such participation is supplementary or beneficial to the program of the schools.
- 4) The superintendent may, at his/her discretion, announce or authorize to be announced, any lecture or other community activity of particular educational merit.
- 5) The schools may, upon approval of the superintendent, cooperate with any governmental agency in promoting activities in the general public interest which are non-partisan and non-controversial and which promote the education or other best interests of the students.
- 6) School publications may accept and publish paid advertising under established procedures.
- 7) Teachers may use source materials from commercial agencies, provided that this material has been approved by the principal. Approved source material may, from time to time, be called to the attention of the teachers by principals and the superintendent.
- 8) Other special situations as approved by the superintendent and/or Board of Education (e.g. scoreboards).

Legal Ref.: Section 118.12 Wisconsin Statutes

Cross Ref.: 363, Special Interest Materials
372, Student Publications
850, Public Sales and Solicitations on School Property

851-Rule, Sales/Advertising – Exceptions

851 continued

Adopted: 2/14/83

Revised: March 1994
December 1996
July 2002

Waunakee Community School District

SCHOOL PROPERTIES DISPOSAL

The Board of Education shall dispose of surplus, obsolete equipment, materials, or supplies no longer required to accomplish the mission of the school system. Action to dispose shall be taken when equipment, materials, or supplies:

1. have been designated obsolete by the Business Manager.
2. have been found to be in violation of ordinance or statute.
3. exist in quantities exceeding the possibility of effective educational use by the District.
4. are educationally unsound, out of date, inaccurate, or in unusable condition.

The Business Manager, serving as District property custodian, shall make the determination as to the condition of these items.

Equipment, materials, and supplies determined to be surplus or obsolete by the Business Manager shall be classified and disposed of as follows:

1. Items having minimal or no resale value may be offered without cost to charitable or civic organizations, or disposed of by the most expedient and efficient method without Board approval.
2. Items having resale value.
 - a) Those estimated to have a fair market value of less than \$5,000 may be disposed of at the most advantageous price by public sale, and without Board approval. Sale of these items should be advertised to make them available to residents of the community. Online auction sites may be utilized to sell the surplus or obsolete items.
 - b) Items estimated to have a fair market value of \$5,000 or more shall be advertised for sale in a newspaper of general circulation in the District and sold to the highest bidder. The Board reserves the right to accept or reject all bids. Online auction sites may be utilized to sell the surplus or obsolete items.

All money received from the sale of surplus, obsolete equipment, materials, or supplies shall be deposited by the business manager in the general fund of the District.

The sale of property belonging to and not needed by the District shall be authorized by the District's Annual Meeting or special District meeting.

690 continued

Legal Ref.: Section 120.10(12) Wisconsin Statutes

Approved: 4/22/91

Revised: March 1994
November 2005
January 2014

Waunakee Community School District

(This sample policy delegates certain responsibilities and authority related to the disposition of district property to the administration, while expressly reserving school board authority over some high-value decisions related to the disposition of other particular property. Refer to 690 Sample Policy 2 for a sample policy that includes additional general parameters and policy clarifications related to property disposition authority and processes.)

Sale or Other Disposition of District Real Estate, Buildings, or Property Interests

The School Board retains sole and exclusive authority to approve the sale or other disposition of any land, buildings, or other improvements to land that are owned by the District and no longer needed by the District. The Board shall also directly and expressly approve any sale, release, or modification of any District-owned or District-controlled interest in real property (e.g., an easement or covenant).

Sale or Other Disposition of Other District Property

The Board also has authority to dispose of other District property not addressed in the previous section of this policy, including equipment, materials, or supplies found to be surplus, replaced, broken, damaged, in unusable condition, or obsolete.

The following positions are designated as authorized property managers under this policy:

1. The [insert position(s) – e.g., District Administrator and Business Manager] shall oversee the allocation, review, and disposition of all equipment, materials, or supplies that (a) have been capitalized and depreciated for financial reporting purposes, (b) are assigned to the central office function, or (c) are subject to federal disposition requirements under the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).
2. Building principals and individual department directors, working in conjunction with the [insert position(s) – e.g., District Administrator or Business Manager] as needed, have responsibility to oversee the allocation, review, and disposition of equipment, materials, or supplies that have been assigned to their building or department and that, pursuant to this policy or to any applicable administrative rule, are not under the specific authority of the [insert position(s) – e.g., District Administrator and Business Manager].

Whenever an authorized property manager or his or her designee determines that District property is no longer going to be used in its current function or location, the property manager shall ensure that reasonable efforts are made to determine whether the property can be appropriately used in another District function or location. If so, the property manager shall arrange for the internal transfer/re-designation of the property.

For any property that an authorized property manager determines is no longer going to be used in the District, the following general parameters for further disposition of the property shall apply:

1. Any items that an authorized property manager, or his or her designee, has determined have minimal or no resale value may, without further Board approval, be (a) offered without cost to a charitable or civic organization or other governmental entity, or (b) discarded or otherwise disposed of using an efficient method.

Any per-item estimated resale value in excess of [insert dollar amount] shall not be considered minimal, except that any property that does not require further Board approval prior to disposal and that remains unsold after having been offered for sale may be deemed to have minimal resale value.

- 2. Items (whether individually or grouped for a single transaction) that an authorized property manager determines can be economically sold (or traded in) for value and that have an estimated resale/fair-market value below [insert dollar amount] may be sold (or traded in) using a process approved and coordinated by the [insert position(s) – e.g., District Administrator or Business Manager] without further Board approval. Public processes intended to inform/solicit multiple potential buyers (e.g., the use of online public advertising or auctions) shall be the preferred means of attempting to sell such property, except where the [insert position(s) – e.g., District Administrator or Business Manager] determines that another method of disposition is in the best interest of the District considering all relevant circumstances.
- 3. Items (whether individually or grouped for a single transaction) that an authorized property manager estimates to have a resale or other fair-market value of [insert dollar amount equal to amount inserted in the previous paragraph] or more may be disposed of only if the Board has expressly approved the specific disposition or expressly authorized the administration to dispose of the specific piece(s) of property under approved parameters.

The disposition of District property under this policy shall be conducted in the public interest for the benefit of the District. Unless otherwise required by law or by some other special and enforceable condition, all money received from the sale or other disposition of District property shall be directed to the District's general fund.

Legal References:

Wisconsin Statutes

Section 77.54(4)	[sales tax treatment of certain sales of tangible personal property]
Section 118.12(1)(b)	[school board authority over sales of goods on school property]
Section 120.12(21)	[sales tax treatment of certain sales of tangible personal property]
Section 120.13(19m)	[school board authority to sell any property belonging to and not needed by the school district]
Section 120.13(25)	[school board lease of school district property at reasonable rental]
Section 175.10	[certain procurements for sales to employees prohibited by statute]
Chapter 287	[state solid waste reduction and recycling policy and requirements]
Chapter 291	[disposal of hazardous materials/substances; including electronic devices]

Wisconsin Administrative Code

NR 660 to NR 679	[regulations related to hazardous waste management]
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Federal Law

2 C.F.R. §200.33	[definition of "equipment" tied to local capitalization threshold within the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)]
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[2 C.F.R. §200.94](#)

[definition of “supplies” tied to local capitalization threshold within the federal Uniform Guidance]

[2 C.F.R. part 200 subpt. D](#)

[general post-award requirements under the federal Uniform Guidance]

[2 C.F.R. §200.311](#)

[disposition of real property that is subject to the requirements of the federal Uniform Guidance]

[2 C.F.R. §200.313](#)

[disposition of equipment that is subject to the requirements of the federal Uniform Guidance]

[2 C.F.R. §200.314](#)

[disposition of supplies that are subject to the requirements of the federal Uniform Guidance]

[2 C.F.R. §200.315](#)

[disposition of intangible property that is subject to the requirements of the federal Uniform Guidance]

[2 C.F.R. §200.322](#)

[applicability of federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, under the federal Uniform Guidance]

Cross References:

[Insert appropriate cross references to the policy as applicable to your district.]

Adoption Date:

(Like 690 Sample Policy 1, this sample policy delegates certain responsibilities and authority related to the disposition of district property to the administration, while expressly reserving school board authority over some high-value decisions related to the disposition of other particular property. The last two sections of this sample policy provide lists of (1) additional general parameters, and (2) policy clarifications related to property disposition authority and processes. One such additional parameter is an express limitation on the sale (or gifting) of district property to officers and employees of the district.)

Sale or Other Disposition of District Real Estate, Buildings, or Property Interests

The School Board retains sole and exclusive authority to approve the sale or other disposition of any land, buildings, or other improvements to land that are owned by the District and no longer needed by the District. The Board shall also directly and expressly approve any sale, release, or modification of any District-owned or District-controlled interest in real property (e.g., an easement or covenant).

Sale or Other Disposition of Other District Property

The Board also has authority to dispose of other District property not addressed in the previous section of this policy, including equipment, materials, or supplies found to be surplus, replaced, broken, damaged, in unusable condition, or obsolete.

The following positions are designated as authorized property managers under this policy:

1. The [insert position(s) – e.g., District Administrator and Business Manager] shall oversee the allocation, review, and disposition of all equipment, materials, or supplies that (a) have been capitalized and depreciated for financial reporting purposes, (b) are assigned to the central office function, or (c) are subject to federal disposition requirements under the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).
2. Building principals and individual department directors, working in conjunction with the [insert position(s) – e.g., District Administrator or Business Manager] as needed, have responsibility to oversee the allocation, review, and disposition of equipment, materials, or supplies that have been assigned to their building or department and that, pursuant to this policy or to any applicable administrative rule, are not under the specific authority of the [insert position(s) – e.g., District Administrator and Business Manager].

Whenever an authorized property manager or his or her designee determines that District property is no longer going to be used in its current function or location, the property manager shall ensure that reasonable efforts are made to determine whether the property can be appropriately used in another District function or location. If so, the property manager shall arrange for the internal transfer/re-designation of the property.

For any property that an authorized property manager determines is no longer going to be used in the District, the following general parameters for further disposition of the property shall apply:

1. Any items that an authorized property manager, or his or her designee, has determined have minimal or no resale value may, without further Board approval, be (a) offered without cost to a charitable or civic organization or other governmental entity, or (b) discarded or otherwise disposed of using an efficient method.

Any per-item estimated resale value in excess of [insert dollar amount] shall not be considered minimal, except that any property that does not require further Board approval prior to disposal and that remains unsold after having been offered for sale may be deemed to have minimal resale value.

2. Items (whether individually or grouped for a single transaction) that an authorized property manager determines can be economically sold (or traded in) for value and that have an estimated resale/fair-market value below [insert dollar amount] may be sold (or traded in) using a process approved and coordinated by the [insert position(s) – e.g., District Administrator or Business Manager] without further Board approval. Public processes intended to inform/solicit multiple potential buyers (e.g., the use of online public advertising or auctions) shall be the preferred means of attempting to sell such property, except where the [insert position(s) – e.g., District Administrator or Business Manager] determines that another method of disposition is in the best interest of the District considering all relevant circumstances.
3. Items (whether individually or grouped for a single transaction) that an authorized property manager estimates to have a resale or other fair-market value of [insert dollar amount equal to amount inserted in the previous paragraph] or more may be disposed of only if the Board has expressly approved the specific disposition or expressly authorized the administration to dispose of the specific piece(s) of property under approved parameters.

The disposition of District property under this policy shall be conducted in the public interest for the benefit of the District. Unless otherwise required by law or by some other special and enforceable condition, all money received from the sale or other disposition of District property shall be directed to the District's general fund.

{Editor's Note: The final two sections of this sample policy list additional parameters and policy clarifications. School boards may determine which, if any, of these provisions they wish to include in their local policy. In addition, at least some of the additional parameters listed in this sample might instead be incorporated into administrative rules/procedures that support and implement a board policy covering property disposition.}

Other General Parameters Applicable to the Disposition of District Property

1. The District shall not dispose of any property via a sale or no-cost transfer of the property to any officer or employee of the District except that an employee of the District who is not an authorized property manager and who was not involved in assessing the condition, value, usability of, or possible disposition of the property in question may (a) offer to purchase District property that has been offered for sale to the general public, or (b) with the permission of an authorized property manager, take possession and ownership of property for which the only other disposition option that remains under consideration is discarding the property as waste material.
2. The disposition of all computers, copiers, storage media, electronic devices or any other supplies or equipment that contain hazardous materials or that may contain confidential or proprietary data, records, software, or other content (e.g., copyrighted applications licensed to the District that cannot be transferred to third parties) shall be coordinated through the Business Manager to ensure appropriate handling.

3. When disposing of District property, packaging materials, and other materials as waste, reasonable efforts shall be made to recycle the recyclable content of the item(s) before sending remaining material to a landfill or other similar solid waste disposal program.
4. The District shall not sell property that the District knows to be inherently unsafe for its intended use in its current condition without the disclosure of such knowledge. When applicable, a sale shall be noted as "for salvage value only."
5. When the disposition of District property that is currently in service is predicated on the replacement of the property (e.g., due to the current item's imminent obsolescence, a decision that repairing damaged or malfunctioning property is not economically beneficial, etc.), the procurement of the replacement for the property shall be authorized or approved prior to the disposition of the property.
6. Because proceeds from the sale or other disposition of District property are directed to the District's General Fund, whenever any building-based or department-based procurement agent proposes to use existing District property as a trade-in or to obtain some other type of credit in connection with a procurement transaction that is otherwise within the procurement agent's approval authority, the agent shall obtain the advance approval of the [insert position(s) – e.g., District Administrator or Business Manager] or, if applicable, the Board.

Clarifications of this Property Disposition Policy

1. Upon the disposition of specific District property, the District shall comply with any special conditions relating to the property and its disposition, including (1) requirements or conditions that are applicable due to the use of federal funds in acquiring the property, or (2) any enforceable conditions specified in any applicable gift agreement, contract, grant, or recorded interest in the property. This policy shall not be interpreted or applied in a manner that raises a conflict with such special conditions.
2. The District retains authority to decline any offer to purchase that is determined not to be in the best interest in the District. This includes the authority to reject all offers and/or to decide that property that was initially targeted for disposition will be retained.
3. In their general oversight role, the [insert position(s) – e.g., District Administrator and Business Manager] have authority to enact additional procedures and to issue additional directives related to the disposition of District property. Such procedures and directives may centralize more authority over the disposition of District property than is expressly required by this policy.
4. Nothing in this policy shall be interpreted to prevent District employees from properly disposing of exhausted or unusable consumable supplies, packaging materials, or other common waste materials in the normal course of District operations using their reasonable judgment.
5. The Board retains authority to authorize situation-specific exceptions to the requirements of this policy.

Legal References:

Wisconsin Statutes

[Section 77.54\(4\)](#)

[sales tax treatment of certain sales of tangible personal property]

[Section 118.12\(1\)\(b\)](#)

[school board authority over sales of goods on school property]

[Section 120.12\(21\)](#)

[sales tax treatment of certain sales of tangible personal property]

[Section 120.13\(19m\)](#)

[school board authority to sell any property belonging to and not needed by the school district]

[Section 120.13\(25\)](#)

[school board lease of school district property at reasonable rental]

[Section 175.10](#)

[certain procurements for sales to employees prohibited by statute]

[Chapter 287](#)

[state solid waste reduction and recycling policy and requirements]

[Chapter 291](#)

[disposal of hazardous materials/substances; including electronic devices]

Wisconsin Administrative Code

[NR 660 to NR 679](#)

[regulations related to hazardous waste management]

Federal Law

[2 C.F.R. §200.33](#)

[definition of "equipment" tied to local capitalization threshold within the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)]

[2 C.F.R. §200.94](#)

[definition of "supplies" tied to local capitalization threshold within the federal Uniform Guidance]

[2 C.F.R. part 200 subpt. D](#)

[general post-award requirements under the federal Uniform Guidance]

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[disposition of real property that is subject to the requirements of the federal Uniform Guidance]

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[disposition of supplies that are subject to the requirements of the federal Uniform Guidance]

[2 C.F.R. §200.315](#)

[disposition of intangible property that is subject to the requirements of the federal Uniform Guidance]

[2 C.F.R. §200.322](#)

[applicability of federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, under the federal Uniform Guidance]

Cross References:

[Insert appropriate cross references to the policy as applicable to your district.]

Adoption Date:

TRANSPORTATION IN UNUSUALLY HAZARDOUS AREAS

Policy 751.6

Sample Policy 1

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{This sample policy addresses the statutory mandate for school districts to identify and create a plan to address any areas of unusual hazard that exist for students in walking to and from the school in which they are enrolled. Important discretionary decisions made in the sample include (1) the assignment of administrative responsibilities; (2) determining authority to approve amendments to the district's plan, and (3) determining authority to approve district responses to complaints about potentially hazardous areas. The sample also gives direction regarding criteria that should normally be evaluated in connection with making a decision as to whether an unusual hazard exists.}

Under the ultimate direction of the District Administrator, the [identify the appropriate staff position(s) – e.g., “Director of Business Services” and/or “Director of Student Transportation”] shall have primary administrative responsibility for periodically reviewing and making recommendations for possible amendments to the District plan that (1) identifies areas of unusual hazard (if any) that students must face in walking to and from school; and (2) identifies procedures or other remedies that are intended as safeguards that will sufficiently remove or diminish the applicable hazard(s). District-provided transportation is a possible remedy for addressing an unusual hazard, but it is not the only possible remedy.

The District's plan shall address (1) unusual hazards in the areas surrounding any applicable public or private school, within which area the District does not provide student transportation to the students who are enrolled in that school; (2) any areas of unusual hazard that one or more students is required to traverse on the student's walking route to the student's District-designated bus stop. ***{Editor's note: Although there is arguable ambiguity as to whether walking routes to bus stops are covered by the applicable state statutes and regulations, DPI's guidance on the topic indicates that the department expects districts to address such situations and that the department will evaluate complaints relating to walking routes to bus stops.}***

In evaluating and identifying possible unusual hazards, the School Board and its designees will use the Department of Public Instruction's definition of “unusual hazard” and consider at least the following criteria:

- The ages of affected students, with the possibility that certain areas may be designated as unusually hazardous for certain age levels
- The availability of sidewalks, pedestrian paths, or similar walking space outside of the road/highway
- The availability and width of any pedestrian-use shoulder area of a road/highway
- Traffic counts/rates, to the extent reasonably available from the state, county, or applicable municipality (including at normal school arrival and dismissal times)
- Speed limits
- The presence or absence of designated pedestrian crosswalks
- The type of traffic control signs or devices (if any) at relevant areas of the road/highway
- The presence or absence of crossing guards
- If applicable, railroad crossings and the types of crossing controls that are in place

TRANSPORTATION IN UNUSUALLY HAZARDOUS AREAS

Policy 751.6

Sample Policy 1

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- If applicable, temporary hazards such as construction projects or street repairs
- *[Insert any other criteria that the district recognizes as being clearly applicable to its plan/local circumstances.]* **{Editor's Note: A district may find it beneficial to consult with the county sheriff's office to coordinate the district's policy-based criteria with the criteria that the sheriff's office will apply upon their review of the district's plan. In some cases, the county may supply specific measures (e.g., regarding traffic rates) to consider.}**

The above-listed criteria are not arranged in priority order, and no single factor is necessarily determinative of a designation. Rather, unusual hazards will be designated based on a wholistic assessment of relevant facts and circumstances, which may include consideration of additional conditions/criteria not expressly listed in this policy. The District will make reasonable efforts to treat areas with materially the same circumstances in a consistent manner. *[Insert as a clarification if desired: "State regulations expressly recognize that all traffic situations through which students must travel present some degree of hazard. An "unusual hazard" is an existing condition which constitutes more than an ordinary hazard and which seriously jeopardizes the safety of students in their travel to and from school."]*

{Editor's Note: The following section of this sample (immediately below this note) is optional. Although intended to prompt a timely review of the district's plan in scenarios that are likely to give rise to possible new/different hazards, there is a danger that the mandates for the administration to initiate certain reviews will be overlooked in the future and that the failure to conduct a review as directed by the policy could be pointed to as a source of potential liability. Even without the section, the administration could undertake and the board could direct a review of the district's plan or of potentially hazardous areas at any time.}

"Administrative Review of the District's Plan

The District Administrator or *[identify the appropriate staff position(s) – e.g., "Director of Business Services" and/or "Director of Student Transportation"]* may initiate a review of the District's unusual hazards plan for the purpose of evaluating potential revisions to the plan any time they identify a potential basis for modifying the plan (including both adding and removing areas). In addition, the responsible administrators **shall** initiate such a review and propose any modifications to the plan that the District Administrator deems necessary or appropriate in each of the following circumstances:

1. When directed by the School Board.
2. Prior to the planned opening of any new school building or upon any changes in school attendance areas when such changes materially affect the walking zones in which the District does not provide student transportation.
3. *[Insert if desired: "The start of construction of new residential units in any new subdivision or other significant residential development that is located within any school's walking zone."]*
4. In response to a complaint that has been submitted to the District by an aggrieved person, as permitted under state law (see below). However, a comprehensive reassessment of an alleged potential hazard is not required prior to responding to such a complaint if the District Administrator or his/her administrative-level designee

TRANSPORTATION IN UNUSUALLY HAZARDOUS AREAS

Policy 751.6

Sample Policy 1

Page 3 of 5

determines that the same potential hazard has been previously evaluated and that there have been no materially significant changes to the relevant circumstances.”

Complaints by Aggrieved Persons

1. Complaints to the District. An aggrieved person who is affected by the lack of a District plan for a potential area of unusual hazard under this policy may submit a written complaint alleging that an unaddressed area of unusual hazard exists.
 - a. Such complaints shall be submitted in writing to the Office of the District Administrator, directed to the attention of the District Administrator and the Board clerk.
 - b. State law requires the District to provide a final District response to such a complaint within 30 days. The District is required to send a copy of the response to the county sheriff and to the State Superintendent.
 - c. Upon receipt of a District's response concluding that an area of unusual hazard does **not** exist, the aggrieved complainant may contact the State Superintendent in writing to request a hearing and a determination by the State Superintendent as to whether an area of unusual hazard exists.
2. Complaints to the State Superintendent Regarding Plan Changes. After the District submits a plan or any plan amendments to the county sheriff for the sheriff's assessment, state law permits any aggrieved person to request a hearing before the State Superintendent on the determination by the sheriff and on the content of the plan. Such a request must be submitted to the State Superintendent within 30 days after the sheriff's report is received by the State Superintendent.

Approval of Plan Amendments and Authority to Issue a Response to Complaints Submitted by Aggrieved Persons

{Editor's note: As drafted, this sample requires school board approval for any amendments to the district's plan for areas of unusual hazard, but the sample authorizes the administration (acting on the board's behalf) to make and issue a final decision that denies a complainant's request to designate an unusual hazard for inclusion in the district's plan. While the WASB believes it is likely that the board may delegate authority to evaluate and deny such complaints, such authority is not expressly stated in state law. An alternative approach would be to require formal board action that makes the final district determination of all such complaints. If the district prefers to simply have the board make all such final decisions, replace the provisions below with the following alternative statement:

“Board approval is required for all amendments to the District's plan for areas of unusual hazard prior to the submission of any such amendments to the county sheriff's office. In addition, the Board shall approve the District's final response to any complaint alleging that there is an unaddressed area of unusual hazard within the District.

1. Any time the Board is presented with a possible plan amendment or the need to approve the District's response to such complaint, the District Administrator shall

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- provide the Board with an administrative recommendation and supporting information that shall normally include:
- a. An administrative analysis of the criteria that are relevant to a determination of whether an unusual hazard exists in one or more identified areas, and
 - b. If applicable, the administration's rationale for recommended safeguards that are intended to sufficiently remove or diminish any identified hazard(s).
2. Board-approved plan amendments shall be submitted to the county sheriff for a sheriff's review and report as required by state law."
1. Plan Amendments. Board approval is required for all amendments to the District's plan for areas of unusual hazard prior to the submission of any such amendments to the county sheriff's office. Board approval is also required for any final determination of a pending complaint of an aggrieved person that commits the District to any plan amendment(s).
- a. Upon the request of the Board or in connection with any administrative recommendation for a plan amendment, the District Administrator shall provide the Board with an administrative recommendation that includes (1) an administrative analysis of the criteria that are relevant to a determination of whether an unusual hazard exists in one or more identified areas, and (2) the administration's rationale for recommended safeguards that are intended to sufficiently remove or diminish any identified hazard(s).
 - b. Board-approved plan amendments shall be submitted to the county sheriff for a sheriff's review and report as required by state law.
2. Other Responses to Complaints. After an administrative review of a complaint submitted to the District by an aggrieved person (see above), the District Administrator is authorized to determine and send a final District response to the complaint that is based on the conclusions of the administrative review, provided that such response does **not** comprise making any amendments to the District's plan for areas of unusual hazard. By this policy, the Board authorizes any such administrative response to serve as the final District determination of the complaint. The District Administrator shall inform the Board of any such complaint determination.

Legal References:

Wisconsin Statutes

[Section 121.54](#)

[state mandated transportation, generally; authority of annual meeting to elect to provide additional transportation]

[Section 121.54\(9\)\(a\)](#)

[mandate to have a district plan for areas of unusual hazard; procedures for filing and review of the plan by the county sheriff and DPI]

[Section 121.54\(9\)\(am\)](#)

[complaints by aggrieved persons alleging an area of unusual hazard exists that has not been identified by the district]

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[Section 121.54\(9\)\(b\)](#)

[aggrieved persons may request the state superintendent to conduct a hearing on a district plan or plan amendment]

Wisconsin Administrative Code

[Ch. PI 1](#)

[submission and processing of complaints and appeals to the state superintendent]

[Ch. PI 7](#)

[state regulatory definition of unusually hazardous areas]

Cross References:

[Insert appropriate cross references to the policy as applicable to your district.]

Adoption Date:

Please Print Your Name Here:

Policies of the Board of Education

Series 400: Students

JUNIOR/SENIOR RESPONSIBILITY RELEASE FORM

434.1 Exhibit

Waunakee High School, in accordance with state statute 118.33 (1)(6) does permit a junior or senior student who has demonstrated a high level of maturity and personal responsibility, the ability to leave the school premises for one class period of the eight scheduled periods.

The following rules and regulations apply for this release:

Meets Standards

1. The student must have a GPA of at least 2.7.
2. The period is a scheduled study hall.
3. The student must not have been suspended during the present or previous semester.
4. The student must have parent permission to apply for release.
(Signature and date on bottom of this form)

PERIOD RELEASED (Please circle one) 1A 1B 2A 2B 3A 3B 4A 4B

Conditions which terminate this privilege

- A. Truancy – any unexcused absence
- B. Suspension
- C. GPA falls below a 2.7 at any quarter grading period.
- D. Parent request to deny this privilege.
- E. Transporting with you any student not on junior/senior release.
- F. Being in a location other than stipulated below.
- G. If employment is terminated, student must complete new application.
- H. Involvement in unlawful activities during release time.

I intend to be at the following locations during the release time: (circle one)

HOME WORK SCHOOL

If I circled school above I will be in the following area with a prior pass from a teacher: (circle one)

LMTC COMMONS COMPUTER LAB WEIGHT ROOM

I have read the above information and understand that if I violate any of the above conditions administration will terminate my release privilege. I also agree to notify the assistant principal within 48 hours of any changes in my release request (i.e., change in employer).

(Student Signature)

(Date)

(Parent Signature)

(Date)

(Principal/Assistant Principal)

(Date)

Adopted: August 1996
Revised: March 1997
 March 2002
 March 2006

Waunakee Community School District