

**BOX BUTTE COUNTY SCHOOL DISTRICT #07-0010**

**HEMINGFORD PUBLIC SCHOOLS**

**BOARD OF EDUCATION MEETING AGENDA**

**Monday, August 10, 2020**

**High School Library**

The Board of Education of School District 07-0010 will meet on Monday, August 10, 2020 in the High School Library as duly advertised in the Hemingford Ledger.

- I. Pledge of Allegiance
  
- II. NOTICES
- III. Call Meeting to Order
  - A. ROLL CALL
  - B. Excuse Absent Board Member(s)
- IV. Approval of Agenda
- V. Regular Meeting Agenda
  - A. Public Participation (MAXIMUM OF 30 MINUTES ALLOTTED FOR THIS PORTION)
  - B. Correspondence
  - C. Consent Agenda
    - Approve minutes for hearings and regular July 13, 2020 meeting
    - Approve Treasurer's Report
    - Approve School Activity Fund Report
    - Approve Receipts Summary Report
  - D. Payment of Claims
  - E. NASB Strategic Planning
  - F. Policy 607.02 - School Ceremonies and Observances
  - G. Option Enrollment Program Resolution
  - H. Local Substitute Certificates
- VI. Discussion/Possible Action Items
  - A. Policy 404.12-Title IX Sexual Harassment
    - Policy 404.12E1-Title IX Reporting Form
    - Policy 404.12R1-Sexual Harassment Procedures
  - B. Policy 504.24-Title XI Sexual Harassment
    - Policy 504.24E1-Title XI Reporting Form
    - Policy 504.24R1-Sexual Harassment Procedures
  - C. Policy Updates

- VII. Administration Reports
- VIII. Superintendent Report
- IX. Report from Board Committee
- X. VIIA. Policy Review
- XI. Items For Next Board Meeting
- XII. Adjournment

SELECTED Data

# Current Cash Balance Report

Date: 07/01/20 thru 07/31/20

Arranged by:  
Group ID and Activity Number

Activity Number and Name	Beginning Cash	Receipts	Disbursements	Adjustments	Cash Balance
<b>A ATHLETICS</b>					
1010 Athletics	20,681.77	0.00	1,117.06	0.00	19,564.71
1020 Athletic Club / Concession Stand	20,603.06	0.00	67.84	0.00	20,535.22
1030 Cheerleaders	1,882.71	0.00	0.00	0.00	1,882.71
1040 Volleyball	1,272.00	0.00	0.00	0.00	1,272.00
1050 CC Fundraiser	278.40	0.00	0.00	0.00	278.40
<b>A ATHLETICS Totals:</b>	<u>44,717.94</u>	<u>0.00</u>	<u>1,184.90</u>	<u>0.00</u>	<u>43,533.04</u>
<b>B CLUBS AND ORGANIZATIONS</b>					
3010 DC Trip-World Stride	11,179.90	0.00	969.03	0.00	10,210.87
3020 Dramatics	-3,259.36	0.00	0.00	0.00	-3,259.36
3030 FFA	20,647.50	300.00	2,476.00	0.00	18,471.50
3035 SHOP MATERIALS	1,830.00	0.00	0.00	0.00	1,830.00
3040 FCCLA	609.90	0.00	0.00	0.00	609.90
3050 Honor Society	-109.55	43.85	43.85	0.00	-109.55
3060 FB Concessions Stand	0.00	0.00	0.00	0.00	0.00
3070 Music	6,027.86	0.00	0.00	0.00	6,027.86
3080 Scholarships	0.00	0.00	0.00	0.00	0.00
3090 StuCo - Middle School	4,351.94	0.00	0.00	0.00	4,351.94
3100 Student Council	4,016.88	0.00	0.00	0.00	4,016.88
3110 Health Professions Club	989.17	0.00	0.00	0.00	989.17
3120 Yearbook	20,459.43	0.00	0.00	0.00	20,459.43
3200 Science	316.96	0.00	0.00	0.00	316.96
<b>B CLUBS AND ORGANIZATIONS Totals:</b>	<u>67,060.63</u>	<u>343.85</u>	<u>3,488.88</u>	<u>0.00</u>	<u>63,915.60</u>
<b>C MISCELLANEOUS</b>					
4010 Courtesy Fund	870.04	0.00	0.00	0.00	870.04
4020 Elementary Teachers	11,345.87	0.00	0.00	0.00	11,345.87
4025 High School Teachers	6,953.03	0.00	0.00	0.00	6,953.03
4040 Miscellaneous / Student Stuff	2,663.85	0.00	0.00	0.00	2,663.85
4045 Bookfair	1,679.88	0.00	0.00	0.00	1,679.88
4050 Art	626.90	0.00	0.00	0.00	626.90
<b>C MISCELLANEOUS Totals:</b>	<u>24,139.57</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>24,139.57</u>
<b>D CLASSES</b>					
2020 Class of 2020 - Seniors	3,512.74	0.00	0.00	0.00	3,512.74
2021 Class of 2021 - Juniors	2,810.34	0.00	0.00	0.00	2,810.34
2022 Class of 2022 - Sophomores	4,198.23	0.00	0.00	0.00	4,198.23
2023 Class of 2023 - Freshman	2,190.28	0.00	0.00	0.00	2,190.28
2024 Class of 2024 - 8th Grade	733.06	0.00	0.00	0.00	733.06
2025 Class of 2025 -- 7th Grade	339.00	0.00	0.00	0.00	339.00
<b>D CLASSES Totals:</b>	<u>13,783.65</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>13,783.65</u>
<b>Report Totals:</b>	<u>149,701.79</u>	<u>343.85</u>	<u>4,673.78</u>	<u>0.00</u>	<u>145,371.86</u>

BOX BUTTE COUNTY SCHOOL DISTRICT 07-0010  
HEMINGFORD PUBLIC SCHOOLS  
HEMINGFORD, NEBRASKA  
JULY 13, 2020

A special meeting of the Board of Education of School District 07-0010 was called to order at 7:00 PM in the High School Library by Justin Ansley. Notice of the meeting was posted in advance of the meeting. Board members were notified in advance of the meeting.

Members Present: Ansley, Cullan, Horstman, Randolph, Schumacher, Turek  
Absent:

The meeting started with the Pledge of Allegiance

Motion by Randolph to approve the Agenda as presented. Second by Horstman. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

There was no public participation.  
There was no correspondence.

Motion by Randolph to approve the Consent Agenda. Second by Cullan. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Motion by Randolph to approve the claims in the amount of \$206,722.42. Second by Schumacher. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Motion by Turek to delete Policies 606.06E1, 606.06E2, 606.06E3, 606.06E4, 606.06E5, 606.06R1, 606.06R2, 606.06R3. Second by Horstman. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Motion by Randolph to approve Policy 205.08-Board Policy and Temporary Waivers of NDE Rules – waive second reading. Second by Turek. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Motion by Cullan to approve Policy 504.11 – Weapons -waive second reading. Second by Horstman. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Motion by Horstman to approve Policy 504.16 – Searches and Seizures – waive second reading. Second by Cullan. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Motion by Schumacher to approve Policy 606.06TS – Technology-Student Agreement-waive second reading. Second by Turek. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Motion by Randolph to approve Policy 606.06TS2 -Technology-Staff Agreement-waive second reading. Second by Cullan. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Motion by Cullan to approve Policy 801.04 – Bus Safety Program – waive second reading. Second by Horstman. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

No action was taken on NASB Strategic Planning.

Motion by Turek to approve the purchase of the “Bobcat Pitstop” and adjoining lot for \$170,000. Second by Randolph. Roll Call: Ansley-Aye; Cullan-Aye; Horstman-Aye; Randolph-Aye; Schumacher-Aye; Turek-Aye—6-0-0—Motion carried

Discussion was held on the summer food program. Kyla Cotant presented a letter that she wrote to explain the pros of the program and how some families depend on the program and spoke about what other schools are doing to supplement the program. She presented emails between her and Sandy Haas and Mr. Isom about the qualifications for the programs which qualify only if you are on Free and Reduced meals. She discussed the Statewide waiver that wasn't applied for by the District that included all students that didn't include just Free and Reduced meals. She spoke to Laura Lutz director of Nutrition Services and she replied that all schools qualified. She would like to make sure that in the future that the District and Board please be mindful of programs available.

Discussion was held on Return to School during the pandemic. Mr. Isom presented information on the return to school "protocols". The only guarantee we have right now is Temperature checks on everyone. PPHD ultimately makes the decisions on what is going to happen in the future. Discussions will be held on an ongoing basis from now and well into the future.

SPED--Mrs. Plog

Megan Macy, the new Teacher of the Visually Impaired (TVI) with ESU #13, is planning to meet with Chad Bell, myself, and our student who is blind to practice navigating the high school building. We are lucky to have Chad as our Brailist and blind paraprofessional.

Pam Brezenski, the ESU #13 sped director, is hosting a zoom meeting on Tuesday, July 14, to discuss school reopening issues for students with disabilities. We will be discussing the updates to the NDE Launch Nebraska Guidance document for Students with Disabilities. I have this document if anyone is interested in looking through it, and it is available on the NDE website.

Elementary-Mr. Arneson

Summer school started today. We had 17 students. This is a good practice run for the fall.

7-12 - Mr. Kluver

1. Working on alternative block schedules to minimize number of changes students make throughout the day.
2. Planning on an orientation night on August 13 for all incoming 7th graders and any new students.

Superintendent Isom informed the board that the legislation will be reconvening July 20. Work on property tax relief and finalize the budget for the state.

The building committee met on June 17 to tour the Bobcat Pitstop.

Policy Review on Policies 606.01 – 606.06R3

Next month meeting—Civics Hearing and Policies 606.07 through 611.03

Meeting was adjourned at 8:54 PM by president Ansley.

Mary Curtis  
Board Clerk

Blanche Randolph  
Board Secretary

The next regular meeting of the Board of Education will be held August 10, 2020 at 7 PM at Hemingford High School

**Financial Report  
Hemingford Public Schools  
August 10<sup>th</sup>, 2020**

<b>General Fund 07-15-2020</b>	<b>\$ 896,600.71</b>
Misc – July	\$6787.40
Interest on Deposits – July	<u>\$101.60</u>
	\$6889.00

<b>Balance General Fund 07-15-2020</b>	<b>\$903,489.71</b>
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Tax Receipts – Aug 2020 (Dawes/Sheridan Unavailable)	\$55,286.54
Bills –Aug 2020	\$52,696.84
Payroll – Aug 2020	<u>\$441,351.75</u>
Total Expense – Aug 2020	\$ 494,048.59

<b>Total Available Funds 08-10-2020</b>	<b>\$ 464,727.66</b>
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<b>Balance Building Fund -07-15-2020</b>	<b>\$1,106,268.99</b>
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Tax Receipts – Aug 2020 (Dawes/Sheridan Unavailable)	\$4993.34
Interest – July 2020	\$249.88
<b>Bills &amp; Transfers</b>	\$165,758.75
<b>Balance</b>	<b>\$945,753.46</b>
<b>CD's</b>	<b>\$426,075.96</b>

18 Month CD \$120,000 – Interest to Date \$1427.84 – Balance \$121,427.84  
24 Month CD \$150,000 – Interest to Date \$2324.06 – Balance \$152,324.06  
30 Month CD \$150,000 – Interest to Date \$2324.06 – Balance \$152,324.06  
(Statements for CD's are received annually or when they mature)

<b>Balance Nebraska Liquid Asset Fund 07-15-2020</b>	<b>\$401,178.93</b>
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Interest – July 2020	\$7.75
<b>Balance NLA 08-10-2020</b>	<b>\$401,186.68</b>

<b>Balance Building Fund 08-10-2020</b>	<b>\$1,773,016.10</b>
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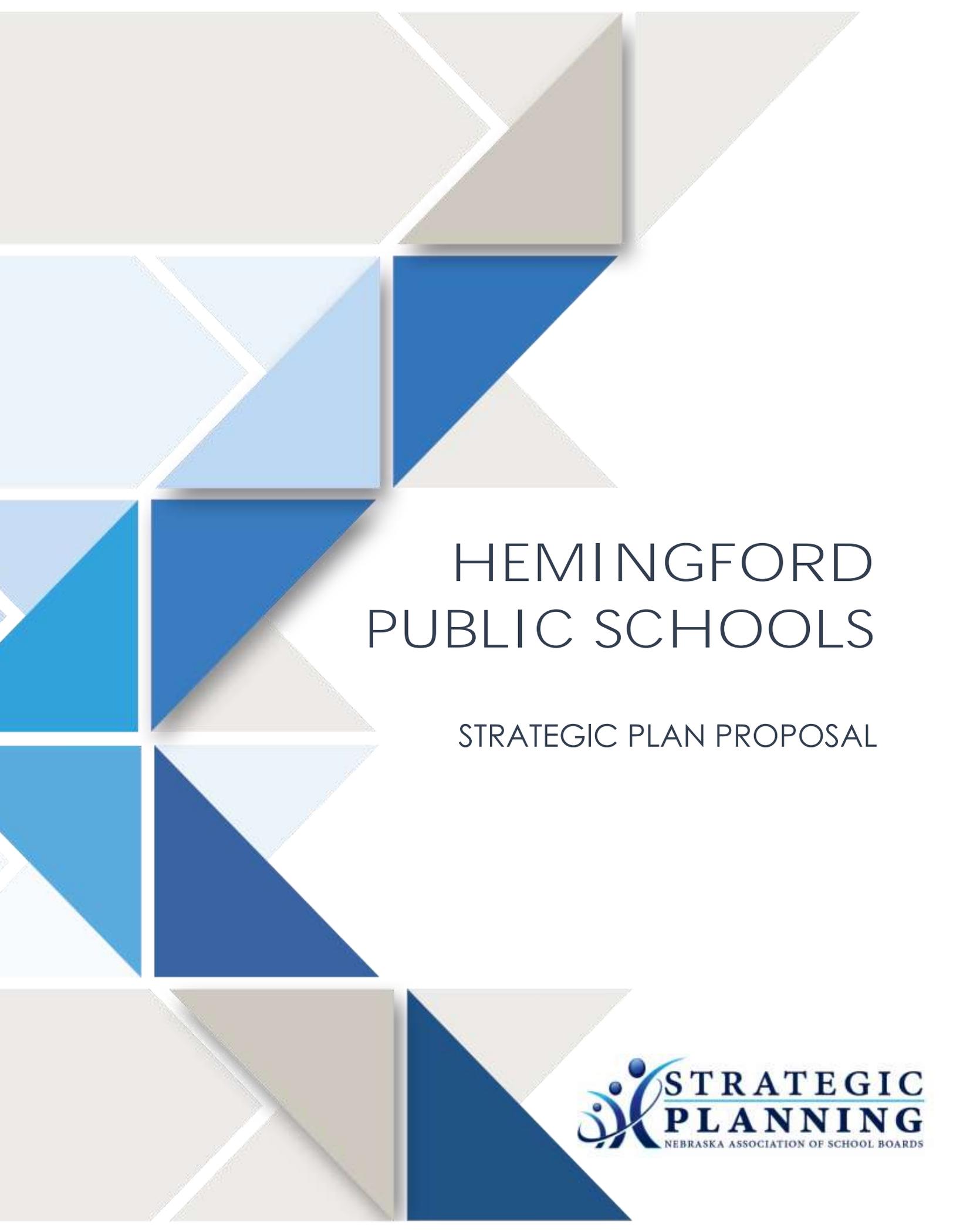


# BILLS FOR August 2020

	VENDOR	FOR	AMOUNT
	Apple Store	Tech Supplies	\$ 1,759.00
	Allen Gross	Safety Plan	\$ 374.00
	Bauerkempers	Maintenance Supplies	\$ 24.95
	Bio Corp	Science Supplies	\$ 137.75
	BioRad	Science Supplies	\$ 70.14
	BlackHills Energy	Natural Gas	\$ 253.67
	BlickArt	Supplies	\$ 30.88
	Bloedorn Lumber	Supplies	\$ 430.23
	Capital Business	Copier Lease	\$ 202.25
	CDI Technologies	Tech Supplies	\$ 3,148.59
	ChromeBook Parts	Tech Supplies	\$ 399.90
	CPI	SpEd	\$ 1,090.00
	Culligan Water	Maintenance	\$ 185.67
	Darrens Carquest	Maintenance	\$ 185.97
	DAS Accounting	Internet Fee	\$ 229.32
	Decker Equipment	Custodian Supplies	\$ 372.29
	ELAN Visa	Supplies	\$ 7,931.42
	ESU 10	SpEd	\$ 181.53
	ESU 13	SpEd	\$ 1,856.33
	Farmers Coop	Supplies	\$ 47.39
	GoldenWest	Off-Site Backup	\$ 595.00
	Gregory's nurance	Bus Insurance	\$ 566.00
	Hemingford Telephone	Telephone Service	\$ 939.10
	Hemingford Utilities	Utilities	\$ 7,725.28
	Huss Auto	Vehicle Maintenance	\$ 83.36
	Ideal/Bluffs	Custodian Supplies	\$ 188.80
	Innovative	Toner	\$ 82.80
	JourneyED	Elementary Supplies	\$ 500.00
	Keating and Associates	125 Plan	\$ 145.00
	Kelvin LP	Science Supplies	\$ 395.00
	Kimball Midwest	Maintenance Supplies	\$ 371.70
	Lisa Briggs	OT	\$ 457.70
	Lous Sporting Goods	Athletic Supplies	\$ 4,221.38
	National Art & School S	Supplies	\$ 629.51
	NE Library Commission	Library Supplies	\$ 500.00
	NRSCA	Renewal	\$ 850.00
	NE Safety Center	Transportation	\$ 250.00
	Paper101	Supplies	\$ 318.95
	Performance Health Su	Weight Room Supplies	\$ 58.51
	Phillips F&T	Fuel	\$ 240.17
	Quill	Supplies	\$ 67.49
	Rabens	Custodian Supplies	\$ 57.50
	Rocky Mountain Air	Voag Supplies	\$ 13.52
	Scholastics	Supplies	\$ 1,469.88
	School Speciality	Supplies	\$ 163.35
	SDI Innovations	Elementary Supplies	\$ 528.61

# BILLS FOR August 2020

	Sorensen Irrigation	Maintenance Supplies	\$	99.60
	Star Herald	Subscription	\$	153.40
	Student Assurance	Student Fees	\$	926.50
	Sportsfield Specialities	Athletic Supplies	\$	6,644.00
	Striv	Fee	\$	1,975.00
	Synchrony Bank/Amaz	Library Supplies	\$	222.47
	Teacher Direct	Supplies	\$	146.36
	Todds Body and Frame	Vehicle Maintenance	\$	1,518.92
	Twenty First Century	Maintenance Supplies	\$	158.99
	Verizon	Cell Phones	\$	194.93
	Westco	Fuel	\$	287.29
	Zaner Bloser	Elementary Supplies	\$	39.49
			<b>TOTAL</b>	<b>\$ 52,696.84</b>
	<b>BUILDING FUND</b>			
	Terry Curtiss Trust	Pitstop Purchase	\$	165,758.75



# HEMINGFORD PUBLIC SCHOOLS

STRATEGIC PLAN PROPOSAL



# Strategic Planning Proposal for Hemingford Public Schools



## Board of Education

Justin Ansley, President  
Brett Cullan  
Rick Horstman  
Blanche Randolph  
Trish Schumacher  
Troy Turek

### **Presented by the Nebraska Association of School Boards**

Marcia Herring, Director of Board Leadership  
Kori Stanosheck, Board Leadership Engagement Associate  
Melissa Lusk, Board Leadership Development Associate





June 3, 2020

To the Hemingford Public Schools Superintendent and Board of Education,

We appreciate the opportunity to share the NASB Strategic Plan Proposal with the Hemingford Administrators and Board of Education. The NASB Board Leadership Department is pleased to provide a multitude of programs and services to our members, including the following strategic planning process.

The Association adopted protocol and procedures are characteristic of a comprehensive planning process. The proposal outlines the scope and sequence that includes engagement of both internal and external stakeholders through one-to-one interviews, online surveys, and purposeful focus group discussion. The process ensures open and continuous communication with our staff, but also a strategic plan design that will meet the vision and expectations of administration and the board of education.

The team at NASB would value the opportunity to work with the Hemingford School District through this most important endeavor. As the Director of the Leadership Department, I will serve as the lead facilitator with assistance from Kori Stanosheck, NASB Engagement Associate, and Melissa Lusk, NASB Development Associate.

Once again, thank you for allowing us to present a proposal. I look forward to the opportunity to discuss and address questions and points of clarification as needed. Please feel free to contact me at 402-817-0296 at your convenience.

Respectfully submitted,

***Marcia R. Herring***

Marcia R. Herring, Director of Board Leadership

Nebraska Association of School Boards



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## Need for Strategic Planning

For many school districts, the purpose for engaging in strategic planning begins with the belief that a school district's primary mission is the education of students and all actions and decisions are dedicated to improving educational outcomes. Experienced educators also understand that, although the district is accomplished, the bar must be raised to ensure improvement and growth of learning for all students. This commendable goal is quite often tempered by the certainty that most school districts are challenged with needs that exceed access to adequate resources and meeting the expectations of stakeholders to be more efficient and accountable with the investment of resources.

## NASB Strategic Planning

The Nebraska Association of School Boards has been advocating for, working with, and training Nebraska school boards since 1918. Traditionally, the NASB's Board Leadership department has worked with school boards and their superintendents in more narrowly focused goal setting exercises. As recent as 2014, district leaders requested that we expand community engagement to include a comprehensive strategic planning process. Since that time, NASB has facilitated strategic planning for more than 25 school districts ranging from Class A to Class D (see Appendix IV for testimonials).

NASB strategic planning ensures that common purpose and values are established for the school through the strategic direction for the next three to five years. The strategic plan is expressed through guiding principles, objectives, and strategies, and is a critical component that ensures stakeholders the district is operating strategically and planning for the future and success.

The NASB Strategic Planning Process:

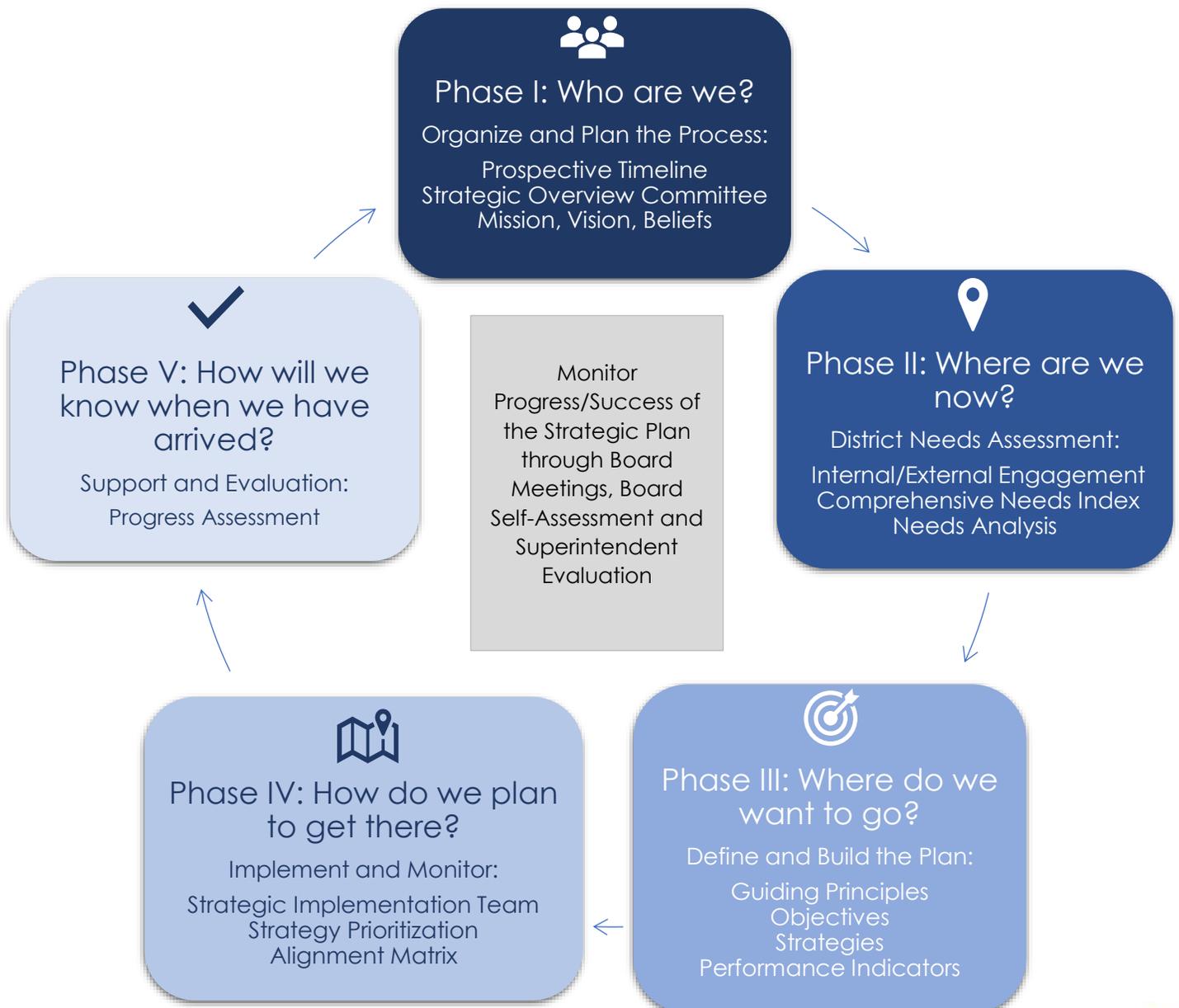
- Validates the mission, vision, and beliefs of the district
- Informs through internal and external engagement
- Produces qualitative and quantitative data to identify needs
- Empowers the district leadership team to prioritize and focus on target areas
- Enables the district to allocate and align resources to address priorities
- Provides a mechanism for the board to monitor and assess the progress and success of learning





## NASB Strategic Planning Model

The NASB approach to strategic planning utilizes tested methods for guiding schools through this important process. We modify our methodology to align to the vision and expectations of the process as defined by the **District Leadership Team** (see Appendix VI for Glossary) and Board of Education. The process is designed to meet two, central goals: the collection of high-quality data necessary for the creation of prioritized strategies and to engage stakeholders' perspective, ideas, and suggestions for growing education.





**PHASE I**



**Who are we?**

Organize and Plan the Process:

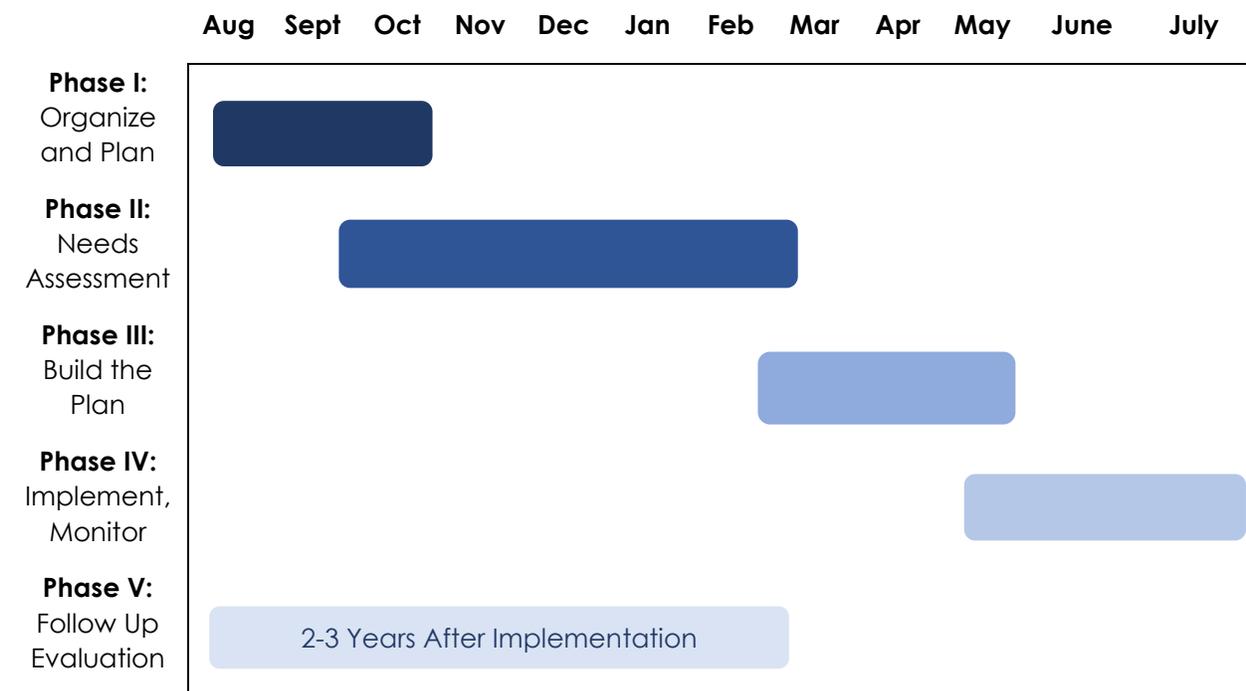
Prospective Timeline | Strategic Overview Committee | Mission, Vision, Beliefs

## Organize and Plan the Process

Embarking on an effective strategic plan begins with organizing a timeline to establish a unified vision and expectations amongst stakeholders regarding how the process will unfold. This phase provides the district an opportunity to identify internal and external stakeholders that contribute to the community and district's identity. Once identified, the stakeholders are extended an invitation take part in the strategic planning process.

### PROSPECTIVE TIMELINE

While each district's timeline is unique, dependent upon the varying schedule and the timeframe by which the strategic planning process is initiated, the general outline and respective expenses are depicted in the diagram below. The Association will work diligently with the district to create a cost-effective and timely schedule to meet the needs of the district. For a more detailed timeline, see Appendix I.





## The Strategic Overview Committee

The most diverse and instrumental group to the creation of a purposeful and effective strategic plan is the development of the Strategic Overview Committee (SOC). The committee represents a cross-section of both internal and external stakeholders. This committee will be tasked with:

- Reviewing and providing feedback regarding the district mission, vision, and beliefs.
- Engaging in purposeful discussion pertaining to the:
  - Strengths of the district
  - Needs of the district
  - Opportunities for growth in the district
  - Barriers that may potentially prevent achievement of goals in the district

### ***Identification of the SOC Members***

The creation of the SOC shall be initiated by the board and administration. In accordance with the guidelines defined throughout this proposal, the Association recommends that the committee encompasses the following essential stakeholders including, but not limited to:

- Superintendent
- Members of the Board of Education
- District Level Directors
- Building Level Administrators
- Staff Leaders
- Parents
- Business Leaders
- Students
- Other

The membership of this committee will ensure greater participation, provide a diversity of perspectives, lessen the work load of individual team members, and contributes to the success of the strategic plan process.

### ***Mission, Vision, Beliefs***

Before assessing district needs, NASB engages the SOC committee on a review of mission, vision, and beliefs (see Appendix III for a description of engagement methods). By revisiting the core of “who we are” at the outset of the process sets the tone for the purpose and direction of all stakeholder engagement and the development of the strategic plan.





PHASE II



## Where are we now?

District Needs Assessment:

Internal and External Engagement | Comprehensive Needs Index | Needs Analysis

## DISTRICT NEEDS ASSESSMENT AND DATA COLLECTION

The core of a good strategic plan rests on the collection of accurate and relevant data. The **Needs Assessment** is the period of collecting and assessing district needs and challenges, as well as the expectations for the future of the district structured to collaboratively engage internal and external stakeholders while remaining focused on student learning. The Needs Assessment data will:

- provide direction for programs and services that support the system's mission and vision;
- allow staff to determine priorities and allocate limited resources to activities that will have the greatest impact;
- create cohesion through the alignment of goals, strategies, professional development, and desired outcomes;
- enable benchmarking and monitoring of implementation and impact; and
- assist with continuous improvement by helping staff identify change, which instructional and other practices are working, and the strategies associated with the greatest success.

Direct stakeholder data collection provides an objective view of the district that informs the needs, goals, and strategies to be outlined in the plan. Examples of this type of data include, but are not limited to, current school district standards, assessment and achievement data, information about curriculum and instructional models, prior or current strategic plans, school improvement plans, facilities and maintenance master plans, community demographic information, and annual reports.





## INTERNAL AND EXTERNAL STAKEHOLDER ENGAGEMENT

Shaping and strengthening the public image of the school district and building a positive working relationship with stakeholders is a requirement in this era of accountability.

**Stakeholders** are those who may be affected by or have an effect on the mission, vision, goals, and/or policies of the school district (for a list of potential stakeholders to engage in your strategic planning process, see Appendix II). Engaging stakeholders in the strategic planning process aids in:

- Creating transparency
- Demonstrating why key stakeholders should trust and value the school district
- Conveying what is being done to improve and grow student learning
- Providing evidence of how tax dollars are properly invested in education
- Expressing to stakeholders that their input is relevant
- Establishing open lines of communication with stakeholders enables the school district to foster positive relations and interactions moving forward

The Association utilizes a variety of methods to engage stakeholders including focus group discussion, one-to-one interviews, and online surveys. The process is directed and focused so that it does not become simply an opportunity for individuals to air complaints (see Appendix III for details regarding engagement methods).

Our team collects and compiles all responses and feedback from stakeholder engagement and organizes the data into a useful format. Although not all of this data will directly inform the final strategic plan, the responses, organized by stakeholder group and, in the case of staff, organized by building, can be a valuable source of information for administrators.





## COMPREHENSIVE NEEDS INDEX

The Comprehensive Needs Index (CNI) is a secondary mechanism by which to identify needs that possibly did not surface in the engagement data and provides an additional lens to confirm, compare, and contrast the identified stakeholder needs in the needs analysis by building level and across the district.

### NEEDS ANALYSIS

Together, the CNI and the stakeholder data provide a comprehensive needs analysis to be developed. Once NASB facilitators have completed the data collection, the results are compiled, organized into summaries, and the work of crafting the Needs Analysis will begin. NASB facilitators are responsible for drafting all parts of the Needs Analysis.

This document will provide the board, administration, and other stakeholders with an overview of all significant, emergent themes from the data. Prominent themes from all engagement methods will be included. Once developed, this document is presented to the board and administration before initiating the process of building the strategic plan.



## Where do we want to go?

Define and Build the Plan:

Guiding Principles | Objectives | Strategies | Performance Indicators

### BUILDING THE STRATEGIC PLAN

Once the Needs Analysis has been reviewed, the creation of the strategic plan begins. Development of the plan is a collaborative process between the SOC, District Leadership and NASB facilitators, which is modified dependent upon the leadership preference of the school district. Building the plan begins with collaborative input to identify **Guiding Principles, Objectives, and Strategies**. Following identification of these components of the plan, the facilitator will organize and draft a preliminary version of the strategic plan that also includes **Performance Indicators**. Once a complete drafted plan has been created, the plan will be presented, made available for modifications, and the final plan will be prepared for adoption by the board. The 3-5-year plan will contain additional elements useful for planning implementation and monitoring. These components include:

- Target Date
- Point Person Responsible
- Program, Level, or Building
- Action Plan
- Funding Status
- Annual Evidence of Progress

Note: For detailed explanations and examples of Guiding Principles, Objectives, Strategies, Performance Indicators and the other components mentioned above, see Appendix VI: Components of the Strategic Plan.





PHASE IV



### How do we plan to get there?

Implement and Monitor:

Action Plans | Strategy Prioritization | Alignment Matrix

## IMPLEMENT AND MONITOR

A strategic plan, no matter how good it is on paper, is of little value if it is not implemented well. NASB will work closely with District Leadership to put mechanisms in place to ensure the strategic plan is implemented in a realistic and meaningful way; often this means creating action plans inclusive of specific tasks and goals at the building or classroom-level.

Even where a well-crafted strategic plan has been properly implemented, it can be difficult to gauge success. Therefore, NASB recommends that the district leadership adopt the **Strategic Implementation Team (SIT)** Process to ensure that administration and staff effectively implement and assess progress and/or success of the Strategy/Performance Indicator(s)/Action Plan.

### +Strategy Prioritization

Upon adopting the comprehensive strategic plan, districts can become overwhelmed with strategizing an effective implementation process. The Association provides a process by which to engage internal stakeholders to prioritize the strategies within the plan according to impact and urgency. The prioritization feedback is processed and graphed, providing direction to administration as to which areas of the plan are considered most impactful and/or extremely urgent.

+ Indicates an optional component of the NASB Strategic Planning Process.



## + Alignment Matrix

The Association recognizes that each district has significant responsibilities and commitments to improvement and student learning. The alignment matrix is designed to assist the district in this capacity by cross-referencing the components of the strategic plan with AQuESTT and Nebraska Framework/Cognia standards or tenets. In doing so, this matrix saves administration time while also indicating the level of connection the strategic plan has in supporting districtwide improvement.

+ Indicates an optional component of the NASB Strategic Planning Process.



PHASE V



## How do we know when we have arrived?

Support and Evaluation:  
Progress Assessment

### SUPPORT AND EVALUATION

Ongoing support from the Board Leadership Team will continue after the board has officially adopted the plan. At the district-level, consistent assessments at regularly-identified intervals will ensure that the adopted strategic plan provides an effective and purposeful mechanism to support growth and improvement of learning; through this evaluation process, the district will measure the positive progress realized and areas of growth that remain.

#### + Progress Assessment

The Association provides re-engagement of stakeholders and a review of the progress and status of the strategic plan two to three years following implementation.



Exhibit A

The following is a description of Services to be provided by NASB:

***Engagement & SOC Meetings***

NASB will engage the Client in stakeholder engagement and Strategic Overview Committee meetings as needed and mutually agreed upon, to be conducted by the NASB Board Leadership Department at a charge of \$600.00 per meeting day plus reasonable travel and other expenses.

***Data Collection & Analysis***

NASB will provide additional consultants on an as-needed basis for the purposes of data collection and analysis at a charge of \$500.00 per consultant, per day plus reasonable travel and other expenses.

***Needs Analysis & Strategic Plan***

NASB will provide analysis, drafting, and planning work including the writing and presentation of a comprehensive Needs Analysis, creation of the District Priorities/Goals and writing the final Strategic Plan document, as well as the following:

- Define a timeline to support the board/district's intended outcome of Strategic Planning.
- Work collaboratively with the board/superintendent/district representative to define the internal/external stakeholders engagement process and procedures to meet the vision and expectations for Strategic Planning.
- Design communications for district approval.
- Provide administrative support and leadership through the planning process as requested by the board and/or superintendent.
- Prepare outcomes from the meetings for district web posting and distribution as directed.
- Compile stakeholder visit data, meeting documents, and strategic plan data.

Total Estimated Cost: \$5,000-\$7,000 (Not including reasonable travel expenses.)



## APPENDIX I: DETAILED PROSPECTIVE TIMELINE

The draft timeline provides a general scope of the project and the optimum timeline for strategic planning. The timeline for a district will vary based upon the ability to schedule stakeholder engagement meetings.

Phase One		
Organize and Plan the Process	Target Date	Date Complete
Identify district point person		
Identify strategic overview committee		
Identify internal and external stakeholders		
Design communications packet/engagement criteria		
Create a proposed timeline to support: <ul style="list-style-type: none"> <li>▪ Strategic Overview Committee meetings</li> <li>▪ Staff engagement meetings</li> <li>▪ Community engagement meetings</li> <li>▪ Business leader engagement</li> <li>▪ Other</li> </ul>		
Meeting preparation		
Send invites, press release, social media promo		
Verify attendance		
Phase Two		
District Needs Assessment	Target Date	Date Complete
Administrative review of district		
Program and services overview		
District assessment		
Initial Strategic Overview Committee meeting		
Stakeholder engagement meetings Method of engagement: focus group and online survey		
Business and community leaders Method of engagement: focus group and online survey		
Staff at all schools Method of engagement: online survey		
Students: focus group discussion/online survey		
NASB facilitator compiles all stakeholder data		
Conduct Comprehensive Needs Index with administration		
NASB facilitator drafts strategic Needs Analysis utilizing CNI and other engagement data		



Phase Three		
Define and Build the Plan	Target Date	Date Complete
Review of compiled data and Needs Analysis with Strategic Overview Committee		
Review of compiled data by administration and board		
Identify Guiding Principles, Objectives, and Strategies		
NASB facilitator will organize and draft: <ul style="list-style-type: none"> <li>▪ Guiding Principles</li> <li>▪ Objectives</li> <li>▪ Strategies</li> <li>▪ Performance Indicators</li> <li>▪ Timeline</li> <li>▪ Responsible parties</li> </ul>		
Facilitator presents draft at Strategic Overview Committee meeting		
Board adopts plan		
Phase Four		
Implement and Monitor	Target Date	Date Complete
Present final plan to all stakeholders		
+NASB Board Leadership creates Alignment Matrix for the strategic plan		
Promote plan internally and externally		
+NASB Board Leadership conducts the strategy prioritization to help administration identify a strategic implementation process.		
Establish Strategic Implementation Team to monitor progress and success at regular intervals		
Phase Five		
Support and Evaluation	Target Date	Date Complete
Establish superintendent evaluation aligned to strategic plan		
Establish board self-assessment aligned to strategic plan		
NASB re-engages internal and external stakeholders		
Contact, schedule, and conduct Progress Assessment with NASB		

+ Indicates an optional component of the NASB Strategic Planning Process.



## Appendix II: Identification of Stakeholders

Below contains an unexclusive list of potential stakeholders to consider in the engagement process:

### External Stakeholders

- a. Community
  - Parents (e.g., households with school-age and non-school age children)
  - Residents
  - Community groups
  - Neighborhood leaders
- b. Business and Industry Representatives
  - Chamber of Commerce
  - Community Economic Development
  - Developers
  - Business owners/leaders
  - Realtors
  - Banking
  - Preschool providers
  - Daycare providers
  - Post-Secondary Institutions
  - News media
- c. Community and Youth Service Organization Representatives
  - Ministerial leaders
  - YMCA, Teammates, other
  - Civic Club Youth Programs (Optimist, Rotary, Kiwanis, Legion, Lions, etc.)
  - Veteran organizations (United Way)
  - Community Based Programs
  - Family/Student resource systems and organizations
- d. Social and Mental Health Service Representatives
  - Comprehensive care centers, drug prevention programs
  - Social Services
  - Health and Human Services
- e. Local and State Government Representatives
  - Mayor and/or City Council Members
  - County Board
  - Sheriff and Chief of Police
  - Legislators

- Commissions
- Minority Advocacy groups

### Internal Stakeholders

- Board
- Superintendent
- Assistant Superintendents
- District Level Administration
- Building Level Administrators
- Certificated/Classified Staff
- Students (Middle and High School)
- Advisory Councils
- Booster Club Officers/Members
- PTO/PTA Groups
- Organized Parental Support Groups
- Foundation
- Alumni



## APPENDIX III: STAKEHOLDER ENGAGEMENT METHODS

The following are some of the assessments that are conducted in engaging the external stakeholders.

### ***Mission, Vision, Beliefs***

The first engagement of the Strategic Overview Committee will consist of reviewing the mission, vision, and beliefs of the district. This process will incorporate group discussion and assessment of the current mission, vision, and belief statements and will provide opportunity for constructive feedback for potential areas of growth.

### ***District Program and Service Overview***

The Program Service Overview invites district-level and building-level administrators to analyze how effective district programs, services, and instruction enhance the district's mission while efficiently utilizing all resources. The process enables administrators to answer fundamental questions about the district's programs and services:

- Are we mastering the learning process the curriculum is designed to achieve?
- Are we providing the professional development needed to ensure success in our classrooms?
- Do we have appropriate policies and procedures in place?
- Do we create, review, implement, and disseminate our policies and procedures consistently throughout the district?

The comprehensive study of the programs and services through the strategic planning process will add to the data necessary to make informed decisions related to continuing services, addition of new services and to direct limited resources where needed and effective.

Note: The inclusion of the Program and Service Overview has helped numerous districts to realize tangible improvements of the services and programs provided. The absence of the Program and Service Overview would be detrimental to the development and design of a credible strategic plan.

### ***SWOT Analysis***

Various stakeholders, often including the Strategic Overview Committee, Administration, and the Board, play a key role in assessing the strengths, weaknesses, opportunities, and threats of the district. This engagement tool helps identify areas that the district is excelling as well as potential





areas of concern for the future.

### ***Comprehensive Needs Index***

As briefly described on page 10, the Comprehensive Needs Index (CNI) is a secondary method by which to identify needs that possibly did not surface in the engagement data; it is a rubric by which participating stakeholders can review the district's efforts in six priority areas.



## Appendix IV: Testimonials

“Our Board and Superintendent engaged the leadership services of Marcia and the NASB team to facilitate our district's development and adoption of our strategic plan. Marcia provided instrumental assistance in guiding and eliciting stakeholder input to identify key strategic plan goals. The strategic plan developed through the assistance of Marcia and NASB has been crucial in district decision-making to help our Board maintain strong governance to support our students.” - Superintendent and Board President

“I really appreciated that we had the time to discuss real issues and the possibility to solve them.” -District Administrator

“I learned that it takes oversight and effort from all to have a lasting impact in our schools.” -Business Leader

“I liked the opportunity to hear multiple viewpoints from such knowledgeable people.”  
-Business Leader

“Every school needs a road map to move forward from where they currently are to where they want to be in the future. NASB was instrumental in assisting us collaborate with district stakeholders through a guided process that has helped accomplish this. Together, we were able to identify our district's Vision, Mission, Values and Core Beliefs which has defined who we are, and who we want to be.” -Superintendent

“The NASB process is a powerful experience for school and community! It is an opportunity for school administration and board of education members to hear patron perception, and in turn provide stakeholders with factual information pertaining to the school. Deficit areas are discussed which aids in the strategic planning and school improvement processes of the district, but the strengths of the district will dominate the discussion. It is awesome! The process truly helps a school district to move forward for the betterment of kids!” -Superintendent





## APPENDIX V: THE NASB STRATEGIC PLANNING TEAM

The Nebraska Association of School Boards has been advocating for, working with, and training Nebraska school boards since 1918. Traditionally, the NASB's Board Leadership department has worked with school boards and their superintendents in more narrowly focused goal setting exercises. However, in 2014 district leaders requested that we expand community engagement to include a comprehensive strategic planning process. Since that time, NASB has facilitated strategic planning for more than 25 Nebraska school districts. As demand has grown, our Strategic Planning Team has grown to include four facilitators:

### ***Marcia Herring – NASB Director of Board Leadership***

Marcia began her service to public education as a school board member on the Waverly School District Board of Education, completing 12 years of service. During her tenure as a local board member she was elected by her peers to serve on the Nebraska Association of School Boards—Board of Directors completing three terms as Director. She began her work as a superintendent search consultant more than 18 years ago. Marcia served as Director of NASB Search Services for 8 years.

As the Director of Board Leadership, Marcia has expanded the programs and services to meet the ever-changing needs of our members. We currently support our members through Strategic Planning, Community Engagement, Board Development Learning Retreats and Workshops, and Online Board Self-Assessment and Superintendent Evaluation. The growth of the Department and scope of services has enabled our team to provide impactful and purposeful leadership for school districts across the state and ranging in enrollment from 125 students to more than 10,000.

### ***Kori Stanoscheck – NASB Board Leadership Engagement Associate***

Kori brings a wealth of experience and knowledge to her role as Engagement Associate. As a Strategic Advisor for more than ten years, Kori provided nationwide coaching leadership to executive leaders and board members. She exhibits strong competencies through her leadership skills and facilitation work in strategic planning, large group engagement, and role in the NASB Board Leadership Department developing value-driven resources for Association members. Kori is also directing the efforts for the Whole Child Project, which aims to cultivate the development of a healthy, safe, supportive, challenging and engaged healthy schools and communities, on behalf of the Association.

### ***Melissa Lusk – NASB Board Leadership Development Associate***

Melissa serves as the Board Leadership Development Associate, providing support services and coordination for Board Leadership events and initiatives. Her extensive work in the growth and development of our data analysis has enhanced the integrity and quality of the Department's Needs Analysis phase of the Strategic Planning Service. Melissa is currently developing the Department C.A.R.E. (Child Advocates and Resources for Education) Program, targeting enhanced early childhood parent engagement programs and services. Melissa began her involvement in public education through teaching English to local refugees and immigrants. She has a passion for working with diverse communities and considers it an honor to be part of the evolving work at NASB.





## Appendix VI: Strategic Planning Glossary

### **Strategic Planning Terms**

#### **Assessment of Needs**

The period of collecting and assessing data, structured to ensure a high level of collaboration among the internal and external stakeholders.

#### **Comprehensive Needs Index (CNI)**

A supplemental assessment that provides a comprehensive analysis of areas of excellence and need; especially useful in detecting overlooked needs that did not surface in the stakeholder feedback.

#### **District Leadership**

A group comprised of the superintendent, other specified district administrators, and the school board.

#### **External Stakeholders**

May include, but not be limited to parents, community leaders, local business leaders, elected officials, representatives from community service organizations, local and state government officials, representatives from local or regional institutions of higher education, any and all interested members of the community.

#### **Internal Stakeholders**

Include superintendent, assistant superintendent(s), district directors, coordinators, administrators, building administrators, certified staff, classified staff, and students.

#### **Needs Analysis**

A comprehensive, multifaceted reflection of the district as well as its perceived and potential needs. The collected data and summary of needs enable the district to address and discuss the objectives and planned outcomes. It is a distinct and necessary phase of the strategic planning process to ensure the board and administration model educational accountability through purposeful planning and measurable goals to support growth of student learning districtwide.

#### **Program and Service Overview**

The analysis by district-level and building-level administrators of district effectiveness in programs, services, and instruction to support the district's mission while efficiently utilizing all resources (i.e. funding, facilities, technology, personnel, time, graduation rates, etc.). The process enables administrators to answer fundamental questions about the district's programs and services:

- Are we mastering the learning process the curriculum is designed to achieve?
- Are we providing the professional development needed to ensure success in our classrooms?
- Do we have appropriate policies and procedures in place?
- Do we create, review, implement, and disseminate our policies and procedures consistently throughout the district?

#### **Stakeholders**

Individuals who may be affected by or have an effect on the mission, vision, goals, and/or policies of the school district.





### **Strategic Overview Committee (SOC)**

A diverse group of 15 to 25 internal and external stakeholders identified by district leadership. The SOC meets multiple times throughout the process and plays a critical role in guiding the creation of the strategic plan by defining the district's mission and vision, reviewing collected data, and helping to set guiding principles. Individuals to consider for the SOC may include, but are not limited to:

- Board Members
- District Level Directors
- Building Level Administrators
- Staff Leaders
- Parents
- Business Leaders
- Community Leaders
- Students

### **Strategy Prioritization**

Supplemental data collected and graphed to support the district in identifying the most impactful and urgent priorities within the strategic plan.

### **Strengths, Weaknesses, Opportunities, and Threats (SWOT) Analysis**

For various stakeholder engagement sessions, we ask the participants to discuss what they perceive to be the SWOT of the district. This is a very effective approach for initiating purposeful discussion and conversations as the stakeholder groups begin to identify needs.

## **Components of the Strategic Plan**

### **Alignment Matrix**

A correlation of each strategy to corresponding AQuESTT and Nebraska Framework/Cognia standards or tenets.

### **District Point Person**

A member of administrative staff appointed to be the primary point of contact between NASB and the district to direct and coordinate all activities, scheduling, and communication for the district.

### **Evidence of Progress**

The action(s) that has/have been taken to meet an indicator.

### **Funding**

An approximate figure for how the program/service will impact district resources.

### **GAP Analysis**

The process we use with district leadership and administrators to help answer the question, "What can we do to meet our goal?" It includes identifying the goal (the desired outcome), examining the current conditions that relate to that goal, and analyzing the difference between the current state and the goal (the "gap"). Understanding what is missing can help create a plan of action to meet the goal.



**Guiding Principle**

An area of identified need that the district addresses in the Strategic Plan. It is the direction in which the district would like to move. Example: To ensure that quality student service programs engage, empower, and equip students districtwide.

**Objective**

A specific, achievable goal the district identifies as a way of measuring progress in the direction it has set out in the guiding principle. Example: To provide a comprehensive before and after school program to address the needs of students and families.

**Performance Indicators**

Any method that measures whether a specific strategy has been implemented; it does not necessarily indicate whether an entire objective has been achieved. However, if the strategy or strategies have been thoughtfully crafted, implementation of all strategies under an objective should result in the district achieving the associated objective. Example (with respect to Strategies Example (a)): completed plan for implementation presented to Board of Education.

**Program/Building Level**

The defined point of impact for the respective performance indicator, strategy, or objective.

**Strategies**

The specific actions to be implemented that will allow the district to achieve an objective. A district often employs more than one strategy to achieve a particular goal. Strategies may be applicable to the entire district, or to specific buildings, departments, or programs. Example: (a) study, assess, and design a plan to implement a before and after school program for PK-6 students; (b) address obstacles that may prevent implementation of this program including, but not limited to: funding, transportation, space, staff, and community support.

**Target Date**

An identified point in time when the indicator is assessed for progress and/or a target completion date.

## SCHOOL CEREMONIES AND OBSERVANCES

The school district will continue school ceremonies and observances which have become a tradition and a custom of the education program. Such ceremonies or observances shall have a secular purpose and shall not advocate or sponsor a particular religion.

~~September 17 shall be designated as Constitution Day. The district shall hold an educational program(s) for all students on the United States Constitution each September 17. When September 17 falls on a Saturday, Sunday, or holiday, then Constitution Day shall be held during the preceding or following week.~~

For grades kindergarten through twelve, each school in the district shall establish a period of time during the day, when a majority of pupils is scheduled to be present, during which pupils will be led in the recitation of the Pledge of Allegiance in the presence of the flag of the United States. Pupil participation in the recitation shall be voluntary.

Pupils not participating in these activities shall be permitted to silently stand or remain seated or receive permission from the principal to be excused from the ceremony for religious reasons in compliance with board policy but shall be required to respect the rights of those pupils electing to participate.

Legal Reference

P.L. 108-477 (Consolidate Appropriations Act of 2005)

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

**RESOLUTION ON SCHOOL DISTRICT STANDARDS FOR ACCEPTANCE  
OR REJECTION OF OPTION ENROLLMENT OR OUT OF STATE  
APPLICATIONS**

WHEREAS, Hemingford Public Schools is committed to providing an education of high quality to its students in an economically efficient manner; and

WHEREAS, the school district’s faculty, facilities, and equipment can serve only a limited number of students effectively; and

WHEREAS, the Hemingford Board of Education, in consultation with the administration, has reviewed the school district’s faculty, facilities, equipment, interdisciplinary efforts and interrelationships of grades, subjects, and faculty; and has determined the maximum number of students it can serve effectively at any given grade level and in total;

NOW, THEREFORE BE IT RESOLVED that the board adopts the following standards for acceptance or rejection of option enrollment applications:

**Numeric Capacity.** The capacity in the following grade levels, programs, classes, and/or school buildings is as follows:

- Each grade level in grades kindergarten through 6: **40** students—exception—students of siblings already enrolled
- Each grade level in grades 9 through 12: \_\_\_ students
- Students in special education programs requiring specific academic and behavioral support: \_\_\_ students
- Other: \_\_\_\_\_

Total enrollment for the school district: \_\_\_\_\_ students.

**Programmatic Capacity.** The board declares the following grade levels, programs, classes, and school buildings to be at capacity such that no option or out-of-state applications into any of the following will be accepted: **SPED PROGRAM.**

**Other Standards.** The school district shall not accept an option student when acceptance of the student:

- (a) Would increase the operating costs of the school district, such as by requiring the hiring of new staff or contracting with outside entities to provide services to the student;
- (b) Would require the procurement of new equipment, technology, or furnishings;
- (c) Would cause or require the rearrangement of caseloads for staff and contracted professionals;
- (d) Is reasonably deemed by appropriate school staff to pose a potential risk to the health or safety of students or staff;
- (e) May pose a risk of adversely affecting the quality of educational services being provided to resident students, as determined by appropriate school staff.

After the above resolution was read, board member \_\_\_\_\_ moved for passage of the motion. Board member \_\_\_\_\_ seconded the motion. After discussion, and on roll call vote:

<u>ROLL CALL VOTE:</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Justin Ansley	_____	_____	_____
Brett Cullan	_____	_____	_____
Rick Horstman	_____	_____	_____
Blanche Randolph	_____	_____	_____
Trish Schumacher	_____	_____	_____
Troy Turek	_____	_____	_____

Having been consented to by a majority of the voting members, the board president declared the motion to have been passed and adopted.

Dated this 10<sup>TH</sup> day of August 2020.

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\_\_\_\_\_  
President, Board of Education

## TITLE IX SEXUAL HARASSMENT

It is the the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Regional Office of Civil Rights of the Department of Education, or both.

The Board encourages students, employees and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the Title IX Coordinator or building principal, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination with the Title IX Coordinator.

The Board designates the following individual to serve as the District's Title IX Coordinator and may or may not have the same person serve as Compliance Coordinator:

Title: \_\_\_\_\_

Office address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

Other district employees filling key roles for implementing Title IX sexual harassment procedures include investigator(s), decision-maker(s), individuals to handle appeals, and individuals to facilitate an informal resolution process. Specific individuals filling these roles may vary from complaint to complaint as appropriate.

The Director of the Regional Office of Civil Rights can be contacted at the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, by email to [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov).

The district is committed to providing a nondiscriminatory workplace for employees. It is committed to the maintenance of a safe, positive learning environment for all students by providing student course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of employees and students and the educational and programmatic goals of the district and is prohibited at or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

The student's parents/guardian or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal. A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "Title IX sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events, or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

When the alleged harassment or discrimination does not meet the Title IX definition of sexual harassment, the Title IX Coordinator directs the individual to the applicable process for investigation.

### Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, or acted in opposition to practices the person reasonably believes to be discriminatory, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

### Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising under the regulations.

### Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and the union(s) holding collective bargaining agreements with the district with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

### Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including examination of evidence, handling hearings, appeals and informal resolution processes, when applicable, how to address complaints that do not qualify as Title IX sexual harassment, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest

and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and judgments of formal complaints of sexual harassment and are made publicly available on the District's website.

### Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

### Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in the accompanying regulation. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

### Other Title IX Coordinator Duties

The Title IX Coordinator, along with the Compliance Coordinator, shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks, and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.

4. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
5. Student Access - Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
6. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.
7. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
8. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

Legal Reference: Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, Title VII; 42 USC 2000e et seq.  
Education Amend. of 1972, Title IX; 20 USC 1681 et seq.  
Exec. Order 11246, as amended by Executive Order 11375  
Equal Pay Act; 29 USC 206  
34 CFR part 106

Cross Reference: 103.00 Equal Educational Opportunity  
402.01 Equal Opportunity Employment  
402.15 Staff Conduct with Students  
403.02 Child Abuse Reporting  
403.03 Abuse of Students by School District Employees  
404.06 Harassment by Employees  
405.00 Employee Conduct and Appearance  
501.00 Objectives for Equal Educ. Opportunities for Students  
504.03 Student Conduct  
504.14 Hazing, Initiation, Secret Societies or Gang Activity  
504.18 Harassment by Students  
504.20 Bullying Prevention  
504.21 Dating Violence Prevention  
505.03 Suspension and Expulsion of Students  
612.05 Individualized Education Program  
612.10 Procedural Safeguards

## TITLE IX REPORTING FORM

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

### **Retaliation Prohibited**

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

### **Confidentiality**

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

***Note:** For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.*

**I. Information About the Person Making This Report:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

School Building: \_\_\_\_\_

I am a:

- Student     Parent/Guardian     Employee     Volunteer     Visitor
- Other \_\_\_\_\_ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: \_\_\_\_\_

- The alleged victim is:  Your Child     Another Student     A District Employee
- Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

**II. Information About the Person(s) You Believe is/are Responsible for the Bullying, Hazing, Harassing or Other Discrimination You are Reporting**

Please record the name(s) of the individual(s) you believe to be responsible for the conduct you are reporting.

Name(s):

**The reported individual(s) is/are:**

- Student(s)     Employee(s)
- Other \_\_\_\_\_ (please explain relationship to the district)

### **III. Description of the Conduct You are Reporting**

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

Yes       No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

\_\_\_\_\_  
Signature of Person Making the Report

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

**FOR OFFICIAL USE ONLY**

*This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.*

*The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports to assess the report.*

*Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 404.12. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.*

**I. Reporter Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

School Building: \_\_\_\_\_

Reporter is a:

- Student     Parent/Guardian     Employee     Volunteer     Visitor  
 Other \_\_\_\_\_ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: \_\_\_\_\_

- The alleged victim is:     Reporter's Child     Another Student     Another Employee  
 Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

## II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

**The reported respondent(s) is/are:**

- Student(s)       Employee(s)
- Other \_\_\_\_\_ (please explain relationship to the district)

## III. Level of Report:

- Informal       Formal (see additional information below on Title IX formal complaints)

## IV. Type of Report:

- Title IX Sexual Harassment       Discrimination       Retaliation       Bullying
- Hazing       Dating Violence       Other \_\_\_\_\_

## Nature of the Report (check all that apply):

- |  |   |
|--|---|
| <input type="checkbox"/> Race                | <input type="checkbox"/> Age                          |
| <input type="checkbox"/> Color               | <input type="checkbox"/> Creed                        |
| <input type="checkbox"/> Religion            | <input type="checkbox"/> Sex                          |
| <input type="checkbox"/> Sexual Orientation  | <input type="checkbox"/> Sexual Harassment (Title IX) |
| <input type="checkbox"/> National Origin     | <input type="checkbox"/> Ancestry                     |
| <input type="checkbox"/> Marital Status      | <input type="checkbox"/> Pregnancy                    |
| <input type="checkbox"/> Handicap/Disability | <input type="checkbox"/> Bullying                     |
| <input type="checkbox"/> Hazing              | <input type="checkbox"/> Dating Violence              |
| <input type="checkbox"/> Veteran Status      | <input type="checkbox"/> Genetic Background           |

## V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Is it being repeated?       Yes       No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

No.

Yes, please identify the student with a disability and contact the Director of Special Education.

Director of Special Education was contacted: \_\_\_\_\_

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

## **VI. Safety Concerns**

Are there safety concerns that may require Emergency Removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

No.

Yes, please describe:

## VII. Other Reports

Has the conduct been reported to the police or any other agency?

No

Yes      Date reported: \_\_\_\_\_ Agency: \_\_\_\_\_

## VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

- Policy 103.00 Equal Educational Opportunity
- Policy 402.01 Equal Opportunity Employment
- Policy 404.06 Harassment (Employees)
- Policy 404.12 Title IX Sexual Harassment
- Policy 247. Hazing
- Policy 249. Bullying
- Policy 252. Dating Violence
- Other \_\_\_\_\_

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

Yes

No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

- A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
- Sexual assault, dating violence, domestic violence or stalking.

**Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

**Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Sexual assault** means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

**Stalking** means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

## **IX. Recommended Course of Action**

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

- No further action at this time. Reason:
- Policy 103.00 Equal Educational Opportunity
- Policy 402.01 Equal Opportunity Employment
- Policy 404.06 Harassment (Employees)
- Policy 404.12 Title IX Sexual Harassment
- Policy 247. Hazing
- Policy 249. Bullying
- Policy 252. Dating Violence
- Other \_\_\_\_\_

## **X. Title IX Information to Complainant**

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.
5. Determine whether the complainant wishes this report to be treated as a formal complaint.

**XI. Title IX Coordinator Signature**

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: \_\_\_\_\_

Date: \_\_\_\_\_

**XII. Title IX Formal Complaint Action**

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

Yes

No

Complainant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Title IX Sexual Harassment Formal Complaint for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## TITLE IX SEXUAL HARASSMENT PROCEDURES

The Board requires the following procedures to be followed for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

### Definitions

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of sexual harassment to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and the context in which the sexual harassment occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

For purposes of this policy and the grievance process, “Title IX sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

3. “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8) or “stalking” as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.
  - A. “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:
    - i. Length of relationship.
    - ii. Type of relationship.
    - iii. Frequency of interaction between the persons involved in the relationship.
  - B. “Domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
  - C. “Sexual assault” means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
  - D. “Stalking,” under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:
    - i. Fear for their safety or the safety of others.
    - ii. Suffer substantial emotional distress.

### District Requirements

When the District has actual knowledge of sexual harassment in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex discrimination process for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive

measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling or employee assistance program, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, assistance from domestic violence or rape crisis programs, assistance from community health resources, changes in work locations and other similar measures.

For students, supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

### Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

### Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District. The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;
2. An explanation of the District's investigation procedures, including any informal resolution process;
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence and
5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

#### Emergency Response Measures

Nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. Nor does it preclude the District from placing a non-student employee Respondent on administrative leave while awaiting the determination of the complaint procedures. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

### Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;
6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;
7. Objectively evaluate all relevant evidence without relying on sex stereotypes;
8. Ensure that Title IX Coordinators, investigators, decision-makers and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
9. Not make credibility determinations based on the individual's status as Complainant, Respondent or witness;
10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

### Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. A Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. The Respondent is no longer enrolled or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

#### Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

#### Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

#### Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up

questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant and
6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may

implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement.

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with school policies and regulations, which may include but is not limited to loss of school privileges, permanent transfer to another school building, classroom or school bus, exclusion from school-sponsored activities, detention, suspension, expulsion, or referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.

### Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome; 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 an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

### Informal resolution process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that

does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
  - A. The allegations;
  - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint and
  - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

#### Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and its result;
3. Any informal resolution and its result; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its

response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

## TITLE IX SEXUAL HARASSMENT

It is the the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Regional Office of Civil Rights of the Department of Education, or both.

The Board encourages students, employees and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the Title IX Coordinator or building principal, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination with the Title IX Coordinator.

The Board designates the following individual to serve as the District's Title IX Coordinator and may or may not have the same person serve as Compliance Coordinator:

Title: \_\_\_\_\_

Office address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone number: \_\_\_\_\_

Other district employees filling key roles for implementing Title IX sexual harassment procedures include investigator(s), decision-maker(s), individuals to handle appeals, and individuals to facilitate an informal resolution process. Specific individuals filling these roles may vary from complaint to complaint as appropriate.

The Director of the Regional Office of Civil Rights can be contacted at the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, by email to [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov).

The district is committed to providing a nondiscriminatory workplace for employees. It is committed to the maintenance of a safe, positive learning environment for all students by providing student course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of employees and students and the educational and programmatic goals of the district and is prohibited at or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

The student's parents/guardian or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal. A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "Title IX sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events, or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

When the alleged harassment or discrimination does not meet the Title IX definition of sexual harassment, the Title IX Coordinator directs the individual to the applicable process for investigation.

### Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, or acted in opposition to practices the person reasonably believes to be discriminatory, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

### Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising under the regulations.

### Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and the union(s) holding collective bargaining agreements with the district with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

### Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including examination of evidence, handling hearings, appeals and informal resolution processes, when applicable, how to address complaints that do not qualify as Title IX sexual harassment, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest

and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and judgments of formal complaints of sexual harassment and are made publicly available on the District's website.

### Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

### Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in the accompanying regulation. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

### Other Title IX Coordinator Duties

The Title IX Coordinator, along with the Compliance Coordinator, shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks, and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.

4. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
5. Student Access - Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
6. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.
7. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
8. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

Legal Reference: Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, Title VII; 42 USC 2000e et seq.  
Education Amend. of 1972, Title IX; 20 USC 1681 et seq.  
Exec. Order 11246, as amended by Executive Order 11375  
Equal Pay Act; 29 USC 206  
34 CFR part 106

Cross Reference: 103.00 Equal Educational Opportunity  
402.01 Equal Opportunity Employment  
402.15 Staff Conduct with Students  
403.02 Child Abuse Reporting  
403.03 Abuse of Students by School District Employees  
404.06 Harassment by Employees  
405.00 Employee Conduct and Appearance  
501.00 Objectives for Equal Educ. Opportunities for Students  
504.03 Student Conduct  
504.14 Hazing, Initiation, Secret Societies or Gang Activity  
504.18 Harassment by Students  
504.20 Bullying Prevention  
504.21 Dating Violence Prevention  
505.03 Suspension and Expulsion of Students  
612.05 Individualized Education Program  
612.10 Procedural Safeguards

## TITLE IX REPORTING FORM

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Position: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Retaliation Prohibited**

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

**Confidentiality**

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

*Note: For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.*

**I. Information About the Person Making This Report:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

School Building: \_\_\_\_\_

I am a:

Student     Parent/Guardian     Employee     Volunteer     Visitor

Other \_\_\_\_\_ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: \_\_\_\_\_

The alleged victim is:  Your Child     Another Student     A District Employee

Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

**II. Information About the Person(s) You Believe is/are Responsible for the Bullying, Hazing, Harassing or Other Discrimination You are Reporting**

Please record the name(s) of the individual(s) you believe to be responsible for the conduct you are reporting.

Name(s):

**The reported individual(s) is/are:**

Student(s)     Employee(s)

Other \_\_\_\_\_ (please explain relationship to the district)

### **III. Description of the Conduct You are Reporting**

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

Yes       No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

\_\_\_\_\_  
Signature of Person Making the Report

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

**FOR OFFICIAL USE ONLY**

*This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.*

*The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports to assess the report.*

*Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 504.24. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.*

**I. Reporter Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

School Building: \_\_\_\_\_

Reporter is a:

- Student     Parent/Guardian     Employee     Volunteer     Visitor
- Other \_\_\_\_\_ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: \_\_\_\_\_

- The alleged victim is:     Reporter's Child     Another Student     Another Employee
- Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

**II. Respondent Information**

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

**The reported respondent(s) is/are:**

- Student(s)       Employee(s)
- Other \_\_\_\_\_ (please explain relationship to the district)

**III. Level of Report:**

- Informal       Formal (see additional information below on Title IX formal complaints)

**IV. Type of Report:**

- Title IX Sexual Harassment     Discrimination     Retaliation     Bullying
- Hazing       Dating Violence       Other \_\_\_\_\_

**Nature of the Report (check all that apply):**

- Race
- Color
- Religion
- Sexual Orientation
- National Origin
- Marital Status
- Handicap/Disability
- Hazing
- Age
- Creed
- Sex
- Sexual Harassment (Title IX)
- Ancestry
- Pregnancy
- Bullying
- Dating Violence

**V. Reported Conduct**

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Is it being repeated?       Yes       No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

No.

Yes, please identify the student with a disability and contact the Director of Special Education.

Special Education Director was contacted: \_\_\_\_\_

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

## **VI. Safety Concerns**

Are there safety concerns that may require Emergency Removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

No.

Yes, please describe:

## VII. Other Reports

Has the conduct been reported to the police or any other agency?

No

Yes      Date reported: \_\_\_\_\_ Agency: \_\_\_\_\_

## VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

- Policy 103.00 Equal Educational Opportunity
- Policy 501.00 Equal Opportunity
- Policy 504.14 Hazing and Initiation
- Policy 504.18 Harassment (Students)
- Policy 504.24 Title IX Sexual Harassment
- Policy 504.20 Bullying
- Policy 504.21 Dating Violence
- Other \_\_\_\_\_

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

Yes

No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

- A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
- Sexual assault, dating violence, domestic violence or stalking.

**Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

**Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Sexual assault** means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

**Stalking** means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

## **IX. Recommended Course of Action**

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

- No further action at this time. Reason:
- Policy 103.00 Equal Educational Opportunity
- Policy 501.00 Equal Opportunity
- Policy 504.14 Hazing and Initiation
- Policy 504.18 Harassment (Students)
- Policy 504.24 Title IX Sexual Harassment
- Policy 504.20 Bullying
- Policy 504.21 Dating Violence
- Other \_\_\_\_\_

## **X. Title IX Information to Complainant**

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.
5. Determine whether the complainant wishes this report to be treated as a formal complaint.

**XI. Title IX Coordinator Signature**

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: \_\_\_\_\_

Date: \_\_\_\_\_

**XII. Title IX Formal Complaint Action**

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

Yes

No

Complainant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Title IX Sexual Harassment Formal Complaint for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## TITLE IX SEXUAL HARASSMENT PROCEDURES

The Board requires the following procedures to be followed for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

### Definitions

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of sexual harassment to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and the context in which the sexual harassment occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

For purposes of this policy and the grievance process, “Title IX sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or

Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

3. “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8) or “stalking” as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.
- A. “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:
    - i. Length of relationship.
    - ii. Type of relationship.
    - iii. Frequency of interaction between the persons involved in the relationship.
  - B. “Domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
  - C. “Sexual assault” means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
  - D. “Stalking,” under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:
    - i. Fear for their safety or the safety of others.
    - ii. Suffer substantial emotional distress.

### District Requirements

When the District has actual knowledge of sexual harassment in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex discrimination process for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive

measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling or employee assistance program, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, assistance from domestic violence or rape crisis programs, assistance from community health resources, changes in work locations and other similar measures.

For students, supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

### Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

### Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District. The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;
2. An explanation of the District's investigation procedures, including any informal resolution process;
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence and
5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

#### Emergency Response Measures

Nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. Nor does it preclude the District from placing a non-student employee Respondent on administrative leave while awaiting the determination of the complaint procedures. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

### Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;
6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;
7. Objectively evaluate all relevant evidence without relying on sex stereotypes;
8. Ensure that Title IX Coordinators, investigators, decision-makers, and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
9. Not make credibility determinations based on the individual's status as Complainant, Respondent or witness;
10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

### Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. A Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. The Respondent is no longer enrolled or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

#### Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

#### Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

#### Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up

questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant and
6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may

implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement.

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with school policies and regulations, which may include but is not limited to loss of school privileges, permanent transfer to another school building, classroom or school bus, exclusion from school-sponsored activities, detention, suspension, expulsion, or referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.

### Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome;  
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 an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

### Informal resolution process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that

does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
  - A. The allegations;
  - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint and
  - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

#### Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and its result;
3. Any informal resolution and its result; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its

response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.





EQUAL OPPORTUNITY EMPLOYMENT

The \_\_\_\_\_ School District shall provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and non-discrimination laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. Employees will support and comply with the district's established equal employment opportunity and non-discrimination policies. Employees shall be given notice of this policy annually. The board shall appoint an employee to serve as non-discrimination compliance coordinator.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Nebraska Department of Education for the position for which they apply. In employing individuals, the district will not discriminate in any aspect of employment with regard to race, color, religion, national or ethnic origin, sex, disability, age, marital status, genetic background, veteran status, pregnancy, childbirth or related medical condition, or sexual orientation or gender identity.

Advertisements and notices for vacancies within the district shall contain the following statement: "The \_\_\_\_\_ School District is an equal opportunity employer (EOE)." The statement shall also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and non-discrimination laws and policies, including but not limited to complaints of discrimination, shall be directed to the Compliance Coordinator:

Name and/or Title: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and non-discrimination laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, the Nebraska Equal Opportunity Commission, State Office Building, 301 Centennial Mall South, 5th floor, P.O. Box 94394, Lincoln, NE 68509-4934, (402) 471-2024 or (800) 642-6112 or by email to OCR.KansasCity@ed.gov.

This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

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## STAFF CONDUCT WITH STUDENTS

The Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers. The term “students” excludes a staff member’s immediate family members.

The interactions and relationships between staff members and students should be based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in and outside of the educational setting; and consistency with the educational mission of the schools.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with their building administrator or supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

### **Unacceptable Conduct**

Examples of unacceptable conduct by staff members include but are not limited to the following:

- Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment By Employees;
- Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands;
- Sexual banter, allusions, jokes, or innuendos with students;
- Asking a student to keep a secret;

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- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner; and
- Permitting students to address you by your first name, nickname or otherwise in an overly familiar manner.
- Being alone with individual students by closing a room door except when dealing with issues of health by appropriate personnel, or being alone with individual students outside of normal school hours;
- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business);
- Exchanging personal gifts (beyond the customary student teacher gifts); and/or
- Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school sponsored events or except as participants in organized community activities.

Students and/or their parents/guardians are strongly encouraged to notify the principal if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to notify promptly the principal or superintendent if they become aware of a situation that may constitute a violation of this policy.

Staff violations of this policy may result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Health and Human Services and/or law enforcement in accordance with the Board's policy on Child Abuse Reporting.

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of this policy, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of this policy.

This policy shall be included in future employee, student and volunteer handbooks.

## ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

Physical or sexual abuse of students, including inappropriate and intentional sexual behavior, by employees will not be tolerated. The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

The superintendent will appoint an investigator and alternate investigator of opposite sexes. The investigator will pass the findings on to the superintendent who will complete any further investigations as deemed necessary and take appropriate final action.

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing abuse of students investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of this policy.

The superintendent is responsible for implementing this policy and for organizing employee training when needed relating to this policy. Procedures shall be reviewed periodically for adequacy and accuracy.

Cross Reference:                   403.02 Child Abuse Reporting  
  404.06 Harassment by Employees  
  505.06 Corporal Punishment

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## ~~HARASSMENT BY EMPLOYEES~~

Harassment of employees, students, volunteers or visitors will not be tolerated in the school district. School district includes school district facilities, school district property, or property within the jurisdiction of the school district; while on school-owned or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the district.

Harassment includes, but is not limited to, race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other prohibited status. Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Employees whose behavior is alleged to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, discharge or other appropriate action. Other individuals whose behavior is alleged to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or board.

~~Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:~~

- ~~• submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, or participation in school programs or activities;~~
- ~~• submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's employment or education; or~~
- ~~• such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or learning environment.~~

~~Sexual harassment as set out above, may include, but is not limited to the following:~~

- ~~• verbal or written harassment or abuse, or unwelcome communication implying sexual motives or intentions;~~
- ~~• pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;~~
- ~~• unwelcome touching;~~
- ~~• unwelcome and offensive public sexual display of affection;~~
- ~~• suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.~~

Harassment on the basis of race, religion, national or ethnic origin, color, marital status,

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disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, or other prohibited status means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble individuals when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs, activities or employment;
- submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or
- creating an intimidating, offensive or hostile learning or work environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical or written harassment or abuse or unwelcome communication implying sexual motives or intentions;;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at an individual;-
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- unwelcome and offensive public sexual display of affection;

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<ul style="list-style-type: none"> <li>• <u>suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.</u></li> </ul>		

Employees, students, volunteers or visitors who believe they have suffered harassment shall report such matters to the Compliance Coordinator or building principal investigator for harassment complaints. ~~However, claims regarding harassment may also be reported to the alternate investigator for harassment complaints.~~

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of this policy, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of this policy.

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the

investigator to promptly and reasonably investigate claims of harassment and to pass the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as appropriate. It is the intention of the district to complete its investigation within ten (10) working days after receiving a complaint unless extenuating circumstances such as unavailability of a witness or needing additional time because of the complexity of the investigation or the need to involve outside experts. The extended timeframe for investigation due to extenuating circumstances shall not exceed ten (10) days without the consent of the complainant, unless the alleged victim agrees to a longer time limit. Information regarding an investigation of harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

No one shall retaliate against an employee or student because they have filed a harassment complaint, assisted or participated in a harassment investigation, proceeding, or hearing regarding a harassment charge or because they have opposed language or conduct that violates this policy. This policy should be used when an employee is the alleged harasser or the alleged victim. It is strongly recommended the investigator and alternate investigator be of opposite sexes.

It shall also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop administrative rules regarding this policy. The superintendent or superintendent's designee shall also be responsible for organizing training programs to educate employees, students and others involved with the school district about harassment and the school district's policy prohibiting harassment. The training shall include how to recognize harassment and what to do in case an individual is harassed. The employee training will be documented in personnel files to ensure a record of training for each employee.

Legal Reference: 42 U.S.C. §§ 2000e et seq. (1994).  
29 C.F.R. Pt. 1604.11 (1996).

Cross Reference: 103 Equal Educational Opportunity  
402.01 Equal Opportunity Employment  
402.05 Employee Grievances  
403.03 Abuse of Students by School District Employees  
405 Employee Conduct and Appearance  
504.18 Harassment By Students  
505 Student Discipline

## EMPLOYEE CONDUCT AND APPEARANCE

Employees are role models for the students who come in contact with them during and after school hours. The board recognizes the positive effect employees can have on students in this capacity. To this end, the board strongly suggests and encourages employees to dress themselves, groom themselves and conduct themselves in a manner appropriate to the educational environment.

Employees shall conduct themselves in a professional manner. Employees shall dress in attire appropriate for their position. Clothing should be neat, clean, and in good taste. Discretion and common sense call for an avoidance of extremes which would interfere with or have an effect on the educational process.

Certificated employees of the school district shall follow the code of ethics for their profession as established by the Nebraska Professional Practices Commission.

Every report of alleged violations of employee conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing employee conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of employee conduct policies.

Legal Reference: NDE Rule 27

Cross Reference: 305 Administrative Code Of Ethics  
402.02 Employee Orientation  
404.06 Harassment by Employees  
404.07 Substance-Free Workplace  
408 Certificated Employee Termination of Employment  
414 Support Staff Termination of Employment

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## OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

This section of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student shall have an opportunity to obtain an education in compliance with the policies in this series. It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

The board supports the delivery of the education program and services to students free of discrimination on the basis of race, color, national origin, sex, disability, religion or marital status, sexual orientation or gender identity and provides equal access to the Boy Scouts and other designated youth groups. This concept of equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned, operated, or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

This section of the board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual shall mean the legal parents. It shall also mean the legal guardian or custodian of a student and students who have reached the age of majority or are otherwise considered an adult by law.

Inquiries by students regarding compliance with equal educational opportunity laws and policies, including but not limited to complaints of discrimination, shall be directed to the Compliance Coordinators or the building principal ~~superintendent or his or her designee.~~

Inquiries may also be directed in writing to the Director of the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, the Nebraska Equal Opportunity Commission, State Office Building, 301 Centennial Mall South, 5th floor, P.O. Box 94394, Lincoln, NE 68509-4934, (402) 471-2024 or (800) 642-6112 or by email to [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov). This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

~~Further information and copies of the procedures for filing a complaint are available in~~

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of this policy, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of this policy.

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Legal Reference:                    Sect. 504 of the Rehabilitation Act of 1973  
    20 U.S.C. §1681 et seq. (1994)  
    34 C.F.R. §104 et seq.  
    34 C.F.R. §160 et seq.  
    Neb. Statute 79-2,114 et seq. (Neb. Equal Opportunity in  
    Education Act).

Cross Reference:                100    District Organization and Basic Commitments

## STUDENT CONDUCT

The board believes inappropriate student conduct causes serious disruption to the learning environment, interferes with the rights of others, and threatens the health and safety of students, employees and the public. The Superintendent and staff will develop and implement age-appropriate student codes of conduct to facilitate the educational process.

Students shall conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district. This policy will also apply while on school owned, operated or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

Students who violate this policy and the administrative regulations supporting it will be subject to disciplinary measures including, but not limited to, removal from the classroom, detention, suspension, probation and expulsion. The codes of conduct will include measures to prevent or discourage behavior which interferes with the educational program, behavior which disrupts the orderly and efficient operation of the school or the functioning of school activities, behavior which interferes with the maintenance of a learning environment, behavior that is violent or destructive, or behavior which interferes with the rights of other students to pursue their education. Procedures will be available to allow rights of due process for all students.

Every report of alleged violations of student conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing student conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of student conduct policies.

This disciplinary process is designed to create the expectation that the degree of discipline imposed by the school will be proportionate to the severity of the behavior of the particular student, the previous discipline history of the student and other relevant factors. It will also include parental involvement processes designed to enable parents, guardians, teachers and school administrators to work together to improve and enhance appropriate student behavior and academic performance. All student codes of conduct shall be submitted to the board for approval or review.

Approved

Reviewed

Revised

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HAZING, INITIATION, SECRET SOCIETIES OR GANG ACTIVITIES

Hazing or initiation by any school organizations, groups, clubs, teams or individuals are prohibited unless specifically approved by the administration. Anyone engaging in hazing or initiation behavior will be subject to disciplinary action up to and including expulsion.

Hazing is any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any school organization. Such hazing activity includes whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act which endangers the physical or mental health or safety of any person or the coercing of any such activity.

Every report of alleged hazing or initiation that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing hazing or initiation investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing or initiation.

The Board of Education prohibits the organization of school-sponsored fraternities, sororities or secret organizations wherein membership is determined by members themselves rather than on the basis of free choice. The Board considers those organizations or memberships in those organizations detrimental to the good conduct and discipline of the school. Interference with the instructional program of the district by those groups will not be condoned, and no organizational activities are permitted under the sponsorship of the school district or its personnel.

In addition, the use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, is disruptive of a positive learning environment and will not be tolerated.

Legal Reference: Neb. Statute 79-2,101 to 2,102  
Cross Reference: 505 Student Discipline  
506 Student Activities

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## HARASSMENT BY STUDENTS

Harassment of ~~employees,~~ students, ~~volunteers~~ staff or visitors ~~by other students~~ will not be tolerated in the school district. This policy is in effect while students are on school grounds, school district property, or on property within the jurisdiction of the school district; while on school-owned and/or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school district.

Harassment includes, but is not limited to, race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other prohibited status. Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Students whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, suspension and expulsion.

~~Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:~~

- ~~• submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs or activities;~~
- ~~• submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or~~
- ~~• such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, offensive or hostile learning or work environment.~~

~~Sexual harassment as set out above, may include, but is not limited to the following:~~

- ~~• verbal or written harassment or abuse, or unwelcome communication implying sexual motives or intentions;~~
- ~~• pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;~~
- ~~• unwelcome touching;~~
- ~~• unwelcome and offensive public sexual display of affection;~~
- ~~• suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, achievements, etc.~~

Harassment on the basis of race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, or

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

other prohibited status means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble individuals when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or
- creating an intimidating, offensive or hostile learning or work environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical or written harassment or abuse or unwelcome communication implying sexual motives or intentions;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at an individual;
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- unwelcome and offensive public sexual display of affection;
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.

Approved

Reviewed

Revised

The district will promptly and reasonably investigate allegations of harassment. The Compliance Coordinator or ~~The building principal~~ will be responsible for receiving ~~handling~~ all complaints by students alleging harassment.

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of this policy, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of this policy.

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the investigator to promptly and reasonably investigate claims of harassment and to pass the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as appropriate. It is the intention of the district to complete its investigation within ten (10) working days after receiving a

complaint unless extenuating circumstances such as unavailability of a witness or needing additional time because of the complexity of the investigation or the need to involve outside experts. The extended timeframe for investigation due to extenuating circumstances shall not exceed ten (10) days without the consent of the complainant, unless the alleged victim agrees to a longer time limit. Information regarding an investigation of harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

Retaliation against an individual because the individual has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding is also prohibited. A student who is found to have retaliated against an individual in violation of this policy will be subject to discipline, up to and including, suspension and expulsion.

It shall also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop administrative rules regarding this policy. These rules will be printed and distributed to students and parents in the student handbook. The superintendent shall also be responsible for organizing training programs for students and employees. The training shall include how to recognize harassment and what to do in case an individual is harassed. The employee training will be documented in personnel files to ensure a record of training for each employee.

Legal References:           20 U.S.C. §§ 1221-1234i (1994)  
                                  20 U.S.C. § 1681 et seq.  
                                  29 U.S.C. § 794 (1994)  
                                  42 U.S.C. § 1983  
                                  42 U.S.C. §§ 2000d-2000d-7 (1994).  
                                  42 U.S.C. §§ 12101 et. seq. (1994).

Cross References:         404.06 Harassment by Employees  
                                  505    Student Discipline  
                                  507    Student Records

## BULLYING PREVENTION

The board recognizes the negative impact that bullying has on student health, welfare, safety, and the school's learning environment and prohibits such behavior. Bullying is defined as any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or his or her designee, at a designated school bus stop, or at school-sponsored activities or school-sponsored athletic events.

Bullying may constitute grounds for detention, suspension, expulsion or mandatory reassignment, subject to state and federal statutes and the district's student discipline and due process procedures.

Every report of alleged bullying that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing bullying investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.

It shall be the responsibility of the superintendent to implement appropriate programs or procedures for the purpose of educating students regarding bullying prevention.

This policy shall be reviewed annually.

Legal Reference:                   Neb. Statute 79-2,137

Cross Reference:                505     Student Discipline

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## DATING VIOLENCE PREVENTION

The board prohibits behavior that has a negative impact on student health, welfare, safety, and the school's learning environment. Incidents of dating violence will not be tolerated on school grounds, in district vehicles, or at school sponsored activities or school-sponsored athletic events.

Dating violence is defined as a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. Dating partner means any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

The district will provide appropriate training to staff and incorporate within its educational program age-appropriate dating violence education that shall include, but not be limited to, defining dating violence, recognizing dating violence warning signs, and identifying characteristics of healthy dating relationships.

Every report of alleged dating violence that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing dating violence investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged dating violence.

This policy shall be published in the student handbook.

Legal Reference: Neb. Statute 79-2,141

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## SUSPENSION AND EXPULSION OF STUDENTS

The authority to suspend for a "short term" and to propose an "extended term" suspension and/or expulsion is delegated to the principal or his or her designee. A short-term suspension shall mean the exclusion of a student from school attendance for a period not to exceed five school days. A long-term suspension means the exclusion of a student from school attendance for a period exceeding five school days but less than twenty school days.

The provisions of this section apply to all pupils enrolled in the school district. When considering possible courses of action for special education students in regard to alleged violations of school rules, policies, and regulations, procedural due process rights guaranteed under applicable Federal and State statutes are applicable. The school district is obligated to see that every special education student is provided an appropriate educational program without cost to the parent. Conversely, schools are not required to maintain pupils who are a danger to themselves or others in regular attendance centers.

Suspension from classes or school will not be carried out unless the student while subject to school authority:

1. uses violence, force, threat or intimidation in a manner causing substantial interference with school purposes; or
2. causes or attempts to cause substantial damage to school or private property or steals or attempts to steal school or private property of substantial value; or
3. causes or attempts to cause physical injury to another person except in self-defense; or threatens or intimidates any student for the purpose or intent of obtaining something of value from the student; or
4. possesses or transmits any firearm, knife, explosive or other dangerous object that is ordinarily considered a weapon; or
5. engages in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103 or being under the influence of a controlled substance or alcoholic liquor; or
6. commits public indecency as defined in Nebraska statute 28-806 if that student is at least twelve years of age but less than nineteen years of age; or
7. commits or attempts to commit sexual assault against any person if a complaint has been filed by a prosecutor alleging the incident as required in Nebraska statute 79-267.8; or
8. engages in bullying as defined in section 79-2,137; or
9. engages in any other illegal activity which constitutes a danger to other students or interferes with school purposes; or
10. repeatedly violates the policies, rules and standards of student conduct established by the district.

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

A given suspension will be for a period of time not to exceed 5 school days. A student will be informed of the charges against him or her and, if the student denies them, an explanation of the evidence will be given and the student will be given an opportunity to refute the charges. No time delay is necessary between the time a pupil is notified of the charges and the time of the hearing before the principal.

Guidelines to ensure that students are afforded due process during a suspension or proposed suspension from school will be developed. The procedural rules, regulations and guidelines will be approved by the Board of Education and made known to students, parents and school staff.

Every report of alleged violations of student conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing student conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of student conduct policies.

Administrative procedures complying with the Student Discipline Act shall also be in place to ensure due process to the student should the principal decide to administer a long-term suspension, expulsion, or mandatory reassignment.

Emergency Exclusion: Any student may be excluded from school in the following circumstances:

- 1) If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or
- 2) If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Such an emergency exclusion shall be based upon a clear factual situation warranting it and shall last not longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five days or less, the procedures for a short-term suspension shall be followed. If the superintendent or his or her designee determines that such emergency exclusion shall extend beyond five days, a hearing will be held and a final determination made within ten school days after the initial date of exclusion. Such procedure shall substantially comply with the procedures set forth in state statutes 79-266 to 287 for a long-term suspension or expulsion and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

The principal should make a reasonable effort to contact the parent(s) or guardian(s) of a suspended student by telephone or to communicate to them directly regarding the specific

act(s) for which the suspension is ordered and the length of the suspension. If personal contact cannot be made then a notice will be mailed to parents within 24 hours stating the specific act(s) for which the suspension is ordered and the length of the suspension.

All records and documentation regarding suspension will be destroyed within three years of the student's continuous absence from school. No information regarding a suspension will be communicated to any person not directly involved in the disciplinary proceedings.

The right of appeal to the Board of Education in cases involving student suspension described in this policy does not extend to a suspension from a student extracurricular activities program or other disciplinary action affecting participation in an extracurricular activities program.

For the purposes of this policy and as defined in the Student Discipline Act, expulsion shall mean exclusion from attendance in all schools within the district for a period of time as defined in Nebraska statute 79-283.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the administrator to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

The superintendent will develop procedural rules, regulations and guidelines governing expulsions. These shall be approved by the Board of Education and made known to students, parents and school staff. The principal shall keep records of all expulsions.

All cases of expulsion shall be preceded by short-term suspension and its related procedures or by the condition of emergency exclusion which applies only when a student (a) has a dangerous communicable disease transmissible through normal school contacts and poses an immediate threat to the health and safety of the school community; or (b) exhibits conduct which presents a clear threat to the physical safety of himself/herself or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

When a student is expelled, the student shall be provided with:

1. Notice of the standard of conduct allegedly violated, acts the student is alleged to have committed and a summary of the evidence to be presented against the student;
2. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
3. A statement that the student has a right to a hearing, upon request, on the specified charges;

4. A description of the hearing procedures, along with procedures for appealing any decision rendered at the hearing;
5. A statement the principal, legal counsel for the school, the student, the student's parent or representative or guardian has the right;
  - A. to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and;
  - B. to know the identity of the witnesses to appear at the hearing and the substance of their testimony;
6. A form on which the student or the student's parent/guardian may request a hearing.

#### Violations of Law Relating to Suspensions or Expulsions

1. Student violations or suspected violations of Nebraska law will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Student violations of school policy that are not apparent violations of law will be addressed by school administrators without reporting them to law enforcement. Administrators should consider the student's maturity, and known behavioral, emotional or mental disorders, if applicable. It will be the responsibility of the referring administrator to contact the student's parent that a referral to legal authorities has been or will be made, if applicable.

On or before August 1 the school board will annually review the reporting guidelines above with the County Attorney. These shall be distributed to all parents and guardians and their students at the beginning of each school year, or at the time of enrollment if during the school year. The guidelines shall also be posted conspicuously in each school during the school year.

2. Except in instances of suspected child abuse, when a principal or designee releases a minor student to a law enforcement officer for the purpose of removing the minor from the school premises, immediate steps shall be taken to notify the parent, guardian, or other relative having control of the minor about the minor's release to the officer and about the place to which the minor is reportedly being taken. In cases of suspected child abuse, the principal or designee will provide the law enforcement officer with the address and telephone number of the minor's parents or guardian.

Supplemental to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.



## INDIVIDUALIZED EDUCATION PROGRAM AND FAMILY SERVICES PLAN

The district ensures that an Individualized Education Program (IEP), or an Individualized Family Service Plan (IFSP) is developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007.

Every report of alleged violations of the district’s special education policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of these policies, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of the special education policies.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## LIVE BROADCAST OR VIDEOTAPING

Within the limitations described below, Individuals may broadcast or videotape public school district events, including open board meetings, as long as it does not interfere with or disrupt the school district event and it does not create an undue burden in adapting the buildings and sites to accommodate the request.

It shall be within the discretion of the superintendent to determine whether the request is unduly burdensome and whether the broadcast or videotaping will interfere with or disrupt the school district event.

In addition to limitations on recording or transmitting image or sound in policy 504.12 referenced below, anyone recording or transmitting any sound or image of any person (including themselves) must have the prior consent of the person or persons being recorded or whose image or sound is being transmitted. This requirement applies to all persons, including staff, students, volunteers, and community members, at district facilities or attending district sponsored events. This policy does not apply to District-sponsored athletic events or activities where the focus of the recording or transmission is on the student performances or activity. Nothing in this policy shall prohibit the recording of an Individualized Education Program meeting when necessary to implement parental rights as guaranteed by the Individuals with Disabilities Education Act or in conducting meetings to implement Section 504.

News media coverage of sports and other special events is encouraged. Radio broadcasts of events will be arranged through the superintendent's office. Videotaping of classroom activities will be allowed at the discretion of the superintendent. Parents will be notified prior to videotaping of classroom activities.

It shall be the responsibility of the superintendent to implement this policy and for handling requests for other broadcasting or videotaping activities develop administrative regulations outlining the procedures for making the request and the rules for operation if the request is granted.

Cross Reference: 504.12 Regulated Electronic Devices

~~News media coverage of sports and other special events is encouraged. Radio broadcasts of events will be arranged through the superintendent's office.~~

Approved \_\_\_\_\_ Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## **2020-2021 School Year**

### **Para Name                      Position**

#### **Sped Paras**

Chad Bell	Braillist
Jennifer Hinman	Elem Sped Resource
Shelley Wyland	Elem Sped Resource
Bridgette Thompson	Elem Sped Resource
Lisa Schekall	Elem Sped Resource (Four days a week, Mon-Thur)
Kim O’Gorman	High School Sped Resource
Kristin Yale	High School Sped Resource

#### **Classroom Paras**

Shawn Phillips	Preschool (Four days a week, Mon-Thur)
Lori Glendy	Kindergarten classroom
Kristina Kramer	Kindergarten classroom
Tobie Buchheit	1 <sup>st</sup> Grade classroom
Jeanette Hucke	2 <sup>nd</sup> Grade classroom
Kassy Broadway	3 <sup>rd</sup> Grade classroom
Dena Paris	4 <sup>th</sup> Grade classroom (Part-Time, schedule varies)
Katie Dahl	5 <sup>th</sup> Grade classroom
Pat Vogel	6 <sup>th</sup> Grade classroom

#### **Misc Paras**

Jake Frost	Ag Shop
Karla Mapes	Music/Library/Lunch/Buses
Jennifer Lashley	LifeLink/Meridian Driver (Tim Horn sub)

#### **Subs:**

Reyna Ansley
Krista Gomez
Deb Hutchinson
Hanna Walker
Steph Hill
Margaret Hartman
Molly Roberts
Taellor Neefe - Monday, Friday
Betsy Sorensen (Sub Wednesday, Thursday)
Kristin Powell (Sub Monday, Tuesday, Friday)

**Updated 8/6/20**