

Regular Board Meeting  
Wednesday, December 17, 2025 6:00 PM  
Eastern

Board Room  
1790 East Packard Highway  
Charlotte, Michigan 48813

- I. **REGULAR BUSINESS**
  - I.A. **Call to Order**
    - I.A.1) Pledge of Allegiance
    - I.A.2) Roll Call
  - I.B. **Approval of Agenda**
  - I.C. **Presentations**
  - I.D. **Audience Participation**
  - I.E. **Action Items**
    - I.E.1) Consent Agenda
      - I.E.1)a. 11/19/2025 Regular Board Meeting Minutes
      - I.E.1)b. Personnel Report
      - I.E.1)c. Board Bills and Disbursement Report
    - I.E.2) Second Reading Neola Update Vol. 40, No. 1 – Nondiscrimination, September 2025 ISD: Updates to Policies po1422.02, po1422, po1662, po3122.02 po3122, po3362, po4122, po4122.02, and po4362.
    - I.E.3) Second Reading Neola Update Vol 40, No. 1 – September 2025 ISD: Updates to Policies po2210, po2412, po5517.01, po7540.02, po7541, po8300, and po8305.
    - I.E.4) **Mid-State Health Network Contract Amendment**
    - I.E.5) **1.0 FTE Increase Business Office District Accountant**
- II. **Information Items**
- III. **Board Member Reports & Requests**
- IV. **Correspondence**
  - IV.A. Upcoming Events
- V. **Adjournment**

## Eaton RESA Board of Education Minutes November 19, 2025 - Regular Board Meeting

A Regular Board Meeting of the Eaton Regional Education Service Agency was held on Wednesday, October 15, 2025, at 6:00 p.m. in the Board Room at 1790 East Packard Highway, Charlotte, Michigan.

### I. REGULAR BUSINESS

#### A. Call to Order

- 1) Pledge of Allegiance
- 2) Roll Call

*Roll Call: DuFort, Roberts, Gonzalez, and Rushford*

*Absent: Temsey*

#### B. Approval of Agenda

*MOTION: It was moved by Roberts, and supported by Gonzalez to approve the agenda, as presented. Motion Carried 4-0*

#### C. Presentation

- 1) Instructional Services Updates

#### D. Audience Participation

#### E. Action Items

- 1) Consent Agenda
  - a. 10/15/2025 Regular Board Meeting Minutes
  - b. Personnel Report
  - c. Board Bills and Disbursement Report
  - d. Great Start Readiness Program (GSRP) Agreements: Eaton RESA partners with Eaton Rapids Public Schools, Potterville Public School, You & Me Academy, Wacousta Cooperative Preschool, the Learning Care Group and CACS Head Start to offer GSRP in our local districts. Memos of Understanding and Agreements have been signed by the representative of each entity as well as Eaton Resa Superintendent Dr. Sean Williams to execute these agreements.

*MOTION: It was moved by Roberts, and supported by Rushford to approve the consent agenda, as presented. Motion Carried 4-0*

- 2) Property Transfer Request: Justin Lamb, property owner of 0 E Needmore HWY. within the Charlotte Public School District boundaries, is requesting that the Board approve the transfer of his property to Grand Ledge School District, identified as Parcel No. 23-070-006-100-005-02, from Charlotte Public Schools to Grand Ledge Public Schools pursuant to Sections 951–976 of the Michigan Revised School Code (MCL 380.951 et seq.). The property was purchased by Mr. Lamb on February 20, 2025.

*MOTION: It was moved by Roberts, and supported by Rushford to deny the request to transfer the property, identified as Parcel No. 23-070-006-100-005-02, from Charlotte Public Schools to Grand Ledge Public Schools pursuant to Sections 951–976 of the Michigan Revised School Code (MCL 380.951 et seq.).*

- 3) Authorization Regarding Section 31aa Funding: Section 31aa funding currently requires districts to forfeit attorney–client privilege as a condition of participation. Eaton RESA seeks to protect its legal interests while retaining the option to access these funds if the requirement is removed through legislative or judicial action.

*MOTION: It was moved by Roberts, and supported by Rushford to approve authorization for the Superintendent to decline Section 31aa funding due to the attorney–client privilege forfeiture clause, and to opt in at a later date if legislative changes or a court injunction eliminate that provision.*

- 4) Notice of Layoff: Due to the elimination of Section 32p Great Start Collaborative categorical funding in the FY26 State Budget, the Superintendent is requesting Board approval to issue layoff notices for the two contracted staff members impacted by the loss of funds.  
**MOTION:** *It was moved by Roberts, and supported by Gonzalez to authorize the Superintendent to issue layoff notices to contracted staff affected by the elimination of 32p funding from the state FY26 budget.*
- 5) Bridge Care Service Agreement: Eaton RESA seeks to support student mental health, well-being, and proactive outreach services across local districts. BridgeCare Technologies, Inc. will provide on-demand student support, crisis prevention, wellbeing check-ins, personal growth resources, and data insights for high school students in the Eaton RESA service area during the Spring 2026 semester. Eaton RESA will utilize state C4S grant funds to cover the total cost of \$30,000 for the service period, December 21, 2025 – June 20, 2026.  
**MOTION:** *It was moved by Roberts, and supported by Rushford to approve the agreement with BridgeCare Technologies, Inc. to provide student mental health and well-being support services for high school students in the Eaton RESA service area during the Spring 2026 semester, at a total cost of \$30,000, to be funded through state C4S grant funds.*
- 6) Increase in FTE for Speech and Language Pathologist: Due to an increase in needs, both Pottersville Public Schools and Maple Valley Schools have requested a 0.2 FTE increase for Speech and Language Pathologist, respectively, for a total of 0.4 FTE increase of Speech and Language Pathologist Services with a cost of \$19,651.00 for the 2025-2026 school year.  
**MOTION:** *It was moved by Rushford, and supported by Gonzalez to approve the increase of FTE: 0.4 Speech and Language Pathologist, as presented. Motion Carried 4-0*
- 7) Positive Behavior Advocates, LLC contract to provide a Board Certified Behavior Analyst (BCBA) for the 2025-26 School Year: Kelly Hager, Assistant Superintendent for Special Education, is requesting Board approval for the Superintendent to execute a contract with Positive Behavior Advocates, LLC to provide .45 FTE services for Meadowview School. The FTE was previously board approved for School Social Work and would be reclassified to .45 FTE of BCBA support. BCBA support has been piloted at Meadowview and found to be successful in assisting our staff in meeting the needs of students with more severe behaviors. There will still be sufficient SSW support to continue to provide services as outlined in the IEPs of Meadowview students. The cost is not to exceed 418 hours for a maximum amount of \$41,800.00 for the 2025-2026 school year. The term of the agreement is from November 20, 2025, through June 30, 2026.  
**MOTION:** *It was moved by Rushford, and supported by Roberts to authorize the Superintendent to execute the agreement with Positive Behavior Advocates, LLC, as presented. Motion Carried 4-0*
- 8) Memorandum of Understanding with Kent ISD: Kelly Hager, Assistant Superintendent for Special Education, is requesting Board approval for the renewal of a two-year agreement with Kent ISD who provides MiPSE, which enables the use of the PowerSchool Special Education (PSE) software from PowerSchool using the Kent ISD database for Eaton RESA in a consortium with all constituent districts. An additional \$4000 (\$2000 per year) was added to the estimate to cover the pay per use document fees. The total cost is \$110,635.70. The term of the agreement is from the 2025-2026 school year through the 2026-2027 school year.  
**MOTION:** *It was moved by Roberts, and supported by Gonzalez to authorize the Superintendent to execute the renewal of the two year agreement with Kent ISD, as presented. Motion Carried 4-0*
- 9) Letter of Understanding with Ingham ISD for Monitoring/TA Support: Kelly Hager, Assistant Superintendent for Special Education, is requesting Board approval to enter into a Letter of Understanding with Ingham ISD for Monitoring and Technical Assistance services in order to

fill a vacancy. The agreement would not exceed a total cost of \$46,000. The term of the agreement is for the remainder of the 2025-2026 school year.

***MOTION:*** *It was moved by Roberts, and supported by Gonzalez to approve Letter of Understanding between Ingham ISD and Eaton RESA, as presented. Motion Carried 4-0*

- 10) University of Michigan Health Sparrow, Eaton Hospital Subcontract - Grand Ledge Health Center: Kim Thalison, Director of School Wellness & Prevention Services, is requesting execution of the continuation contract to University of Michigan Health Sparrow Eaton Hospital for the implementation of health care services for the School-Based Health Clinic located in Grand Ledge High School in the amount of \$131,506. The term of the contract is from October 1, 2025, to September 30, 2026.

- 11) University of Michigan Health Sparrow, Eaton Hospital Subcontract - East Lansing Health Center: Kim Thalison, Director of School Wellness & Prevention Services, is requesting execution of the continuation contract to University of Michigan Health Sparrow Eaton Hospital for the implementation of health care services for the School-Based Health Clinic located in East Lansing High School in the amount of \$260,444. The term of the contract is from October 1, 2025, to September 30, 2026.

***MOTION:*** *It was moved by Roberts, and supported by Gonzalez to bundle and authorize the Superintendent to execute the agreements with University of Michigan Health Sparrow, Eaton Hospital, as presented. Motion Carried 4-0*

#### **F. Information Items**

- 1) First Reading Neola Update Vol. 40, No. 1 – Nondiscrimination, September 2025 ISD: Updates to Policies po1422.02, po1422, po1662, po3122.02 po3122, po3362, po4122, po4122.02, and po4362.
- 2) First Reading Neola Update Vol 40, No. 1 – September 2025 ISD: Updates to Policies po2210, po2412, po5517.01, po7540.02, po7541, po8300, and po8305.
- 3) Michigan Blueprint Special Education Funding Study: The Michigan Special Education Finance Reform Blueprint was released to address long-standing inequities and underfunding in the state’s system for serving students with disabilities. Created under Section 51h of the 2024 School Aid Budget, the Blueprint outlines a student-centered and needs-based approach to special education funding. It recommends moving to a four-tier weighted funding model, establishing a high-cost fund for students with significant needs, and updating state policy frameworks to reduce reliance on local property wealth. The report provides a fiscal roadmap for a gradual six-year implementation designed to ensure equitable, sustainable, and predictable resources for all districts.
- 4) Regional Lobbying Efforts: The superintendent will share with the board the progress of discussions around creating a regional approach to lobbying rather than districts taking on those duties individually.

#### **G. Board Member Reports & Requests**

#### **H. Correspondence**

- 1) Upcoming Events
  - a. Regular Board Meeting, December 17, 2025, at 6:00 p.m., Eaton RESA
  - b. Regular Board Meeting, January 14, 2026, at 6:00 p.m., Eaton RESA

#### **I. Adjournment**

*Adjourned at 7:24 p.m.*

\_\_\_\_\_  
Alex Gonzalez, Board Secretary

\_\_\_\_\_  
Date

*It is the policy of Eaton Regional Education Service Agency not to discriminate on the basis of race, color, national origin, gender/sex, age, disability, height, weight, marital status, or lack of English language speaking skills, in its programs, services or activities. The following person has been designated to handle inquiries regarding the nondiscrimination policies: Superintendent, 1790 East Packard Highway, Charlotte, MI 48813, 517.543.5500.*

## Eaton RESA Personnel Report for December 17, 2025

It is recommended that the following personnel action items be approved:

### HIRES

<b>Name</b>	<b>Daynan Brown</b>
<b>Title</b>	Adult Ed Success Specialist
<b>FTE</b>	1.0
<b>Department</b>	Adult Education
<b>Type of Contract</b>	NONA
<b>New/Replace</b>	Replace
<b>Prior Incumbent</b>	Andrea Ryan
<b>Supervisor</b>	Heather Algrim
<b>Schedule</b>	NONA Salary/Group A/Step 3/210 days
<b>Wage</b>	\$68,608
<b>Effective</b>	12/15/2025
<b>Name</b>	<b>Michael Furlong</b>
<b>Title</b>	Behavior/Mental Health Specialist
<b>FTE</b>	1.0
<b>Department</b>	Behavior/Mental Health
<b>Type of Contract</b>	EIEA
<b>New/Replace</b>	Replace
<b>Prior Incumbent</b>	John Berres
<b>Supervisor</b>	Melea Belton
<b>Schedule</b>	Teacher/RSS/MA+15/Step 16
<b>Wage</b>	\$79,316
<b>Effective</b>	12/1/2025
<b>Name</b>	<b>Trisha Washburn</b>
<b>Title</b>	Prevention Specialist
<b>FTE</b>	1.0
<b>Department</b>	Prevention & School Wellness
<b>Type of Contract</b>	EIEA
<b>New/Replace</b>	Replace
<b>Prior Incumbent</b>	Cheyenne Porzondek
<b>Supervisor</b>	Kim Thalison
<b>Schedule</b>	Teacher/RSS/MA+15/Step 7
<b>Wage</b>	\$58,952
<b>Effective</b>	11/20/2025
<b>DEPARTURES</b>	
<b>Name</b>	<b>Jessica Perry-Penhale</b>
<b>Title</b>	School Social Worker
<b>FTE</b>	1.0
<b>Department</b>	Special Education
<b>Type of Contract</b>	EIEA
<b>Supervisor</b>	Randy Cusack
<b>Effective</b>	1/5/2026
<b>Note</b>	Resigned

**Eaton Regional Education Service Agency  
Monthly Disbursements Report  
For Period Ending November 30, 2025**

**Accounts Payable Disbursements (See attached register):**

Payroll Withholdings, Employer Liabilities & Electronic Withdrawal	\$ 1,403,987.55
Check Distributions	\$ 108,926.62
ACH transactions	\$ 1,910,856.22
<b>Total Electronic and Check Distributions</b>	<b><u>\$ 3,423,770.39</u></b>

**Payroll Disbursements:**

Net Pay	11/14/2025	\$ 406,670.68
Net Pay	11/28/2025	\$ 410,934.81
<b>Total Net Pay</b>		<b><u>\$ 817,605.49</u></b>

<b>Total Funds Disbursed This Month</b>	<b><u><u>\$ 4,241,375.88</u></u></b>
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## Check Register

Eaton RESA

Type of Checks: All

Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
<b>REGULAR CHECKS</b>									
309394	11/04/25	15561	VELO LAW OFFICE		G	12-451-0050-000-000-0000	Case# 25GC1082 - Zickafoose, K	323.49	
					G	12-451-0050-000-000-0000	Case# 25GC1082 - Zickafoose, K	333.70	657.19
309395	11/05/25	15848	ASBESTOS ABATEMENT INC	20593 C	G	11-261-4112-000-000-0000	Wrap & Remove Fire Door - Unio	885.00	885.00
309396	11/05/25	13341	AT&T U-VERSE		V	61-284-3490-000-000-0000	November Services - CTE	216.98	216.98
309397	11/05/25	07560	CITY OF CHARLOTTE		G	11-261-3830-000-000-0000	Water/Sewer - 08/01 - 10/31/20	1,632.54	1,632.54
309398	11/05/25	15104	CITY-STAR SERVICES, INC		G	11-261-3840-000-000-0000	October Waste - Packard	262.97	
					G	11-261-3841-000-000-0000	October Waste - Southridge	128.48	391.45
309399	11/05/25	15134	CORUNNA PUBLIC SCHOOL	20703 C	G	11-283-3221-000-000-6352	Special Pop Conf - Reg	210.00	210.00
309400	11/05/25	13613	EDUCATION, TRAINING, AND	20698 C	G	11-221-5910-000-000-6974	Making Proud Choices Bundle	2,048.00	2,048.00
309401	11/05/25	13906	FIDELITY SECURITY LIFE		G	12-451-0012-000-000-0000	November - EYE MED-VISION INSU	2,184.38	2,184.38
309402	11/05/25	15850	MICHIGAN ADULT, COMMUNITY,	20670 C	G	11-221-3220-000-000-3310	MACAE Fall Virtual confr reg	500.00	
				20670 C	G	11-283-3220-000-000-3310	MACAE Fall Virtual confr reg	750.00	1,250.00
309403	11/05/25	15133	MICHIGAN INTERNATIONAL PREP	20744 C	G	11-125-8220-000-000-6352	Books	32.75	
				20744 C	G	11-361-8220-000-000-6352	Clothing/Outerwear	373.98	
				20755 C	G	11-361-8220-000-000-6352	MV Clothing/Outerwear	210.63	
				20756 C	G	11-361-8220-000-000-6352	MC Clothing/Outerwear	124.00	
				20755 C	G	11-361-8221-000-000-6352	MV Shampoo/Conditioner	23.37	764.73
309404	11/05/25	15407	ASCEND LEARNING HOLDINGS,	20760 C	V	61-227-5110-000-000-0000	CCMA Study guide & Exam	3,885.00	3,885.00
309405	11/05/25	15912	PROLITERACY WORLDWIDE	20712 C	G	11-131-5990-000-000-6750	News for You Print - subscript	346.33	346.33
309406	11/12/25	14435	BUREAU OF EDUCATION &		X	21-221-3220-000-011-0000	12/12/25 OT confr bal - Campan	20.00	20.00
309407	11/12/25	16163	FOWLER PUBLIC SCHOOL		H	91-296-7920-000-000-4315	11/6 SEAB bootcamp refund - M.	25.00	25.00
309408	11/12/25	16162	MAAS OUTREACH, RESEARCH,	20775 C	G	11-221-3190-000-000-7674	Tri County Whole Child Meeting	300.00	300.00
309409	11/12/25	14148	MICHIGAN STATE DISBURSEMENT		G	12-451-0027-000-000-0000	ID# 913654672 - Corson	185.06	185.06
309410	11/12/25	46538	MICHIGAN STATE UNIVERSITY	20789 C	V	61-127-5990-000-000-9999	Membership Fee - AM/PM	411.00	411.00
309411	11/12/25	15995	POSITIVE BEHAVIOR ADVOCATES	20771 C	X	21-216-3130-000-041-0000	BCBA Contracted Svs - 4/8/25-5	2,650.00	2,650.00
309412	11/12/25	13986	THOMPSON LAWN CARE		G	11-261-4110-000-000-0000	October Services - Packard	972.00	
					G	11-261-4111-000-000-0000	October Services - Southridge	418.00	1,390.00
309413	11/12/25	15561	VELO LAW OFFICE		G	12-451-0050-000-000-0000	Case# 250875GC - Smith, A 11/1	401.20	401.20
309414	11/19/25	15008	180 DESIGNS LLC	20827 C	V	61-127-5110-000-000-0000	Mobile Lab Posters/Shipping	343.35	
				20827 C	V	61-127-5990-000-000-4490	Aviation Posters/Shipping	251.65	595.00
309415	11/19/25	14920	HOFFMAN CROW INC	20595 P	V	61-127-6410-000-000-3200	Mitsubishi Robot RV2	48,940.69	48,940.69
309416	11/19/25	13960	EATON RAPIDS PUBLIC SCHOOLS	20832 C	G	11-221-8220-000-000-7673	SY25 YRBS Stipend	1,000.00	1,000.00
309417	11/19/25	14036	AUTO GLASS OF MICHIGAN, INC.		G	11-261-4130-000-000-0000	Back Window Repair - Eaton RES	430.00	430.00
309418	11/19/25	00746	MAASE		X	21-283-3220-000-000-0000	Feb 10, 2026 Hot Topics MAAASE	250.00	250.00
309419	11/19/25	15133	MICHIGAN INTERNATIONAL PREP	20810 C	G	11-219-8220-000-000-6352	Kent County Clerk - Birth Cert	14.35	14.35
309420	11/19/25	93591	SKILLS USA MICHIGAN	20842 C	V	61-127-5990-000-000-9999	Fall Leadership Conf - Reg	55.00	55.00
309421	11/19/25	13956	WAVERLY COMMUNITY SCHOOLS	20836 C	G	11-221-8220-000-000-7673	SY25 YRBS Stipend	1,000.00	1,000.00

Eaton RESA

### Check Register

Type of Checks: All

Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
309422	11/19/25	14679	WILLIAMSTON COMMUNITY	20854 C	G	11-221-8220-000-000-7673	SY25 YRBS Stipend	1,000.00	1,000.00
309423	11/26/25	12944	AMERICAN OFFICE SOLUTIONS -	19862 P	G	11-252-4220-000-000-0000	November Services - Lease	5,265.42	5,265.42
309424	11/26/25	13341	AT&T U-VERSE		X	21-261-3410-000-000-0000	November - Sped	175.81	175.81
309425	11/26/25	14920	HOFFMAN CROW INC	20595 P	V	61-127-5990-000-000-3200	EinStar Vega 3D Scanner 1yr wa	2,026.39	
				20595 P	V	61-127-6410-000-000-3200	Stokes SHEP-S Robotics Package	9,000.00	11,026.39
309426	11/26/25	13860	EATON CO TREASURER		G	11-259-7610-000-000-0000	TR-2024 Tax year - Delta Towns	234.65	
					X	21-259-7610-000-000-0000	TR-2024 Tax year - Delta Towns	4,719.54	
					V	61-259-7610-000-000-0000	TR-2024 Tax year - Delta Towns	1,176.04	6,130.23
309427	11/26/25	22160	INGHAM CO TREASURER OFFICE		G	11-259-7410-000-000-0000	Tax Collection Bond - Winter 2	2.11	
					X	21-259-7410-000-000-0000	Tax Collection Bond - Winter 2	42.39	
					V	61-259-7410-000-000-0000	Tax Collection Bond - Winter 2	10.56	55.06
309428	11/26/25	00687	MACOMB ISD	20864 C	G	11-221-3220-000-000-0000	Nov 12-13 MTSS Conf - Reg	250.00	250.00
309429	11/26/25	14803	MASB-SEG PROPERTY/CASUALTY		G	11-261-3910-000-000-0000	FY26 Property Insurance	7,540.00	
					G	11-261-3910-000-000-0000	FY26 Equipment Breakdown	886.00	8,426.00
309430	11/26/25	14148	MICHIGAN STATE DISBURSEMENT		G	12-451-0027-000-000-0000	ID# 913654672 - Corson	185.06	185.06
309431	11/26/25	13991	OVERHEAD DOOR OF LANSING,	20484 P	G	11-261-4111-000-000-0000	Operators/Keypads/Remotes - Pa	1,234.00	
				20484 C	G	11-261-4111-000-000-0000	Operators/Keypads/Remotes - In	4,654.04	5,888.04
309432	11/26/25	94958	SONOVA USA INC	20737 C	X	21-218-6420-000-000-0000	Roger Equipment	776.00	776.00
309433	11/26/25	15561	VELO LAW OFFICE		G	12-451-0050-000-000-0000	Case# 250875GC - Smith, A	164.21	164.21
991479	11/05/25	13536	EDUSTAFF, LLC		G	11-221-3190-000-000-3310	AE 107 PROG SUPPORT SPECIALIST	349.27	349.27
991480	11/05/25	28660	MPSERS		G	12-451-1000-000-000-0000	EE/Member Defined Benefit	26,872.48	
					G	12-451-1001-000-000-0000	ER Defined Bene Contrib H299	151,311.00	
					G	12-451-1010-000-000-0000	H553-561 TDP	50.00	178,233.48
991481	11/05/25	28663	MPSERS DC		G	12-451-1005-000-000-0000	H538 EE Defined Contribution	19,111.62	
					G	12-451-1006-000-000-0000	H539 ER Defined Contribution	9,201.37	
					G	12-451-1007-000-000-0000	H543 EE Personal Hlth Fund	5,353.14	
					G	12-451-1008-000-000-0000	H544 ER Personal Hlth Fund	5,353.14	39,019.27
991482	11/05/25	13536	EDUSTAFF, LLC		G	11-111-3110-000-000-0000	LEA ELEMENTARY SUB SERVICES	26,615.19	
					G	11-112-3110-000-000-0000	LEA MIDDLE SCHOOL SUB	26,615.18	
					G	11-113-3110-000-000-0000	LEA HIGH SCHOOL SUB SERVICES	25,325.39	
					G	11-118-3110-530-000-3430	GSRP CPS TEACH SUBS	355.80	
					G	11-118-3110-560-000-3430	GSRP TEACHER SUBS GL	266.85	
					G	11-118-3110-565-000-3430	GSRP MVPS TEACHER SUBS	355.80	
					G	11-118-3111-530-000-3430	GSRP CPS AID SUBSTITUTES	296.50	
					G	11-118-3111-560-000-3430	GSRP GLPS AID SUBSTITUTES	622.65	
					G	11-118-3111-565-000-3430	GSRP MVPS AID SUBS	1,209.72	
					G	11-131-3110-000-000-0000	BASIC SUB SERVICES	3,786.63	
					G	11-131-3110-000-000-2890	SEC 107a AE C/S ABE TEACHERS	1,155.42	

Eaton RESA

### Check Register

Type of Checks: All

Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
					G	11-131-3110-000-000-3310	AE 107 C/S INSTR SUPPORT	1,163.82	
					G	11-131-3110-000-000-6710	WIOA INSTR C/S ABE INSTR - ABE	3,739.68	
					G	11-131-3110-000-919-6750	WIOA CORR C/S CLINTON - ABE	529.20	
					G	11-131-3110-000-923-6750	WIOA CORR C/S EATON - ABE	299.88	
					G	11-131-3111-000-000-3310	AE 107 C/S AIDE/TUTOR	88.20	
					G	11-132-3110-000-000-2890	SEC 107a AE C/S HSE TEACHERS	1,155.42	
					G	11-132-3110-000-000-3310	AE 107 C/S HSE INSTRUCTORS	1,767.11	
					G	11-132-3110-000-919-6750	WIOA CORR C/S CLINTON - HSE	635.04	
					G	11-132-3110-000-923-6750	WIOA CORR C/S EATON - HSE	246.96	
					G	11-132-3111-000-000-3310	AE 107 C/S HSE TUTOR	141.12	
					G	11-311-3190-000-999-3433	32P PARENT LIAISON C/S	1,565.09	
					G	11-311-3199-000-999-3433	32p LITERACY COORD C/S	1,494.70	
					G	12-121-2000-000-000-0000	ACCTS RECEIV-NON INVOICED	(1,162.78)	
					X	21-122-3110-000-110-0000	LEA SUBS - MILD COG IMP	471.87	
					X	21-122-3110-000-191-0000	LEA SUBS - EARLY CHILDHOOD	226.85	
					X	21-122-3110-000-193-0000	LEA SUBS - AUTISTIC IMPAIR	2,312.70	
					X	21-122-3110-000-194-0000	LEA SUBS - RESOURCE ROOM	17,636.53	
					X	21-122-3110-000-196-0000	LEA SUBS - LRE CLASSROOM	441.57	
					X	21-122-3110-001-130-0000	SCI ERESA SUB TEACHERS	266.85	
					X	21-122-3110-001-140-0000	SEI ERESA SUB TEACHERS	355.80	
					X	21-122-3110-002-120-0000	MOCI SUB TEACHER ER	326.15	
					X	21-122-3111-001-120-0000	MOCI ERESA SUB PARAPRO PPS	948.80	
					X	21-122-3111-001-130-0000	SCI ERESA SUB PARAPRO	448.32	
					X	21-122-3111-001-140-0000	SEI SUB PARAPRO	237.20	
					X	21-122-3111-002-120-0000	MOCI SUB PARAPRO ER	2,466.88	
					X	21-219-3190-000-000-9140	GECKO/TRANSITION CONTRACTED	3,408.04	
					X	21-241-1880-001-000-0000	MDVW SECRETARY SUB	399.84	
					F	51-297-3190-000-000-0000	FOOD SERVICE SUBSTITUTE	88.95	128,304.92
991483	11/05/25	13536	EDUSTAFF, LLC		G	11-311-3190-000-999-3433	32P PARENT LIAISON C/S	948.07	948.07
991484	11/06/25	13536	EDUSTAFF, LLC		G	11-111-3110-000-000-0000	LEA ELEMENTARY SUB SERVICES	37,417.89	
					G	11-112-3110-000-000-0000	LEA MIDDLE SCHOOL SUB	37,417.88	
					G	11-113-3110-000-000-0000	LEA HIGH SCHOOL SUB SERVICES	36,291.18	
					G	11-118-3110-530-000-3430	GSRP CPS TEACH SUBS	444.75	
					G	11-118-3110-560-000-3430	GSRP TEACHER SUBS GL	177.90	
					G	11-118-3110-565-000-3430	GSRP MVPS TEACHER SUBS	355.80	
					G	11-118-3111-530-000-3430	GSRP CPS AID SUBSTITUTES	174.94	
					G	11-118-3111-560-000-3430	GSRP GLPS AID SUBSTITUTES	1,186.00	
					G	11-118-3111-565-000-3430	GSRP MVPS AID SUBS	931.01	

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## Check Register

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Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
					G	11-131-3110-000-000-0000	BASIC SUB SERVICES	4,036.82	
					G	11-131-3110-000-000-2890	SEC 107a AE C/S ABE TEACHERS	1,031.94	
					G	11-131-3110-000-000-3310	AE 107 C/S INSTR SUPPORT	921.51	
					G	11-131-3110-000-000-6710	WIOA INSTR C/S ABE INSTR - ABE	1,649.34	
					G	11-131-3110-000-919-6750	WIOA CORR C/S CLINTON - ABE	423.36	
					G	11-131-3110-000-923-6750	WIOA CORR C/S EATON - ABE	282.24	
					G	11-132-3110-000-000-2890	SEC 107a AE C/S HSE TEACHERS	1,147.48	
					G	11-132-3110-000-000-3310	AE 107 C/S HSE INSTRUCTORS	709.83	
					G	11-132-3110-000-000-6710	WIOA INSTR C/S ABE INSTR - HSE	1,649.34	
					G	11-132-3110-000-919-6750	WIOA CORR C/S CLINTON - HSE	423.36	
					G	11-132-3110-000-923-6750	WIOA CORR C/S EATON - HSE	282.24	
					G	11-227-3190-000-000-3310	AE 107 C/S TEST PROCTOR	370.44	
					G	11-311-3190-000-999-3433	32P PARENT LIAISON C/S	1,567.02	
					G	11-311-3199-000-999-3433	32p LITERACY COORD C/S	1,518.81	
					X	21-122-3110-000-110-0000	LEA SUBS - MILD COG IMP	444.75	
					X	21-122-3110-000-191-0000	LEA SUBS - EARLY CHILDHOOD	473.27	
					X	21-122-3110-000-193-0000	LEA SUBS - AUTISTIC IMPAIR	2,431.30	
					X	21-122-3110-000-194-0000	LEA SUBS - RESOURCE ROOM	26,033.93	
					X	21-122-3110-000-196-0000	LEA SUBS - LRE CLASSROOM	1,129.84	
					X	21-122-3110-001-110-0000	MICI ERESA SUB TEACHERS	237.20	
					X	21-122-3110-001-120-0000	MOCI ERESA SUB TCHR PPS	177.90	
					X	21-122-3110-001-130-0000	SCI ERESA SUB TEACHERS	237.20	
					X	21-122-3110-001-140-0000	SEI ERESA SUB TEACHERS	711.60	
					X	21-122-3110-002-120-0000	MOCI SUB TEACHER ER	177.90	
					X	21-122-3111-001-110-0000	MICI SUB PARAPRO	56.33	
					X	21-122-3111-001-130-0000	SCI ERESA SUB PARAPRO	921.53	
					X	21-122-3111-001-140-0000	SEI SUB PARAPRO	237.20	
					X	21-122-3111-002-120-0000	MOCI SUB PARAPRO ER	2,131.84	
					X	21-219-3190-000-000-9140	GECKO/TRANSITION CONTRACTED	6,495.05	
					X	21-241-1880-001-000-0000	MDVW SECRETARY SUB	1,615.86	173,923.78
991485	11/06/25	46259	HEALTHEQUITY INC		G	12-451-0021-000-000-0000	FSA DEPENDENT DEDUCT	608.97	
					G	12-451-0026-000-000-0000	FSA MEDICAL DEDUCTION	650.95	1,259.92
991486	11/14/25	46259	HEALTHEQUITY INC		G	12-451-0021-000-000-0000	FSA DEPENDENT DEDUCT	111.15	
					G	12-451-0026-000-000-0000	FSA MEDICAL DEDUCTION	430.00	541.15
991487	11/18/25	14239	WEST MICHIGAN HEALTH		G	12-451-0013-000-000-0000	Dec - WMHIP PREMIUMS-EMPLOYER	158,707.63	
					G	12-451-2001-000-000-0000	Dec - WMHIP COPAYS	42,063.62	200,771.25
991488	11/19/25	13536	EDUSTAFF, LLC		G	11-111-3110-000-000-0000	LEA ELEMENTARY SUB SERVICES	40,605.75	
					G	11-112-3110-000-000-0000	LEA MIDDLE SCHOOL SUB	40,605.75	

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Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
					G	11-113-3110-000-000-0000	LEA HIGH SCHOOL SUB SERVICES	39,241.84	
					G	11-118-3110-530-000-3430	GSRP CPS TEACH SUBS	978.45	
					G	11-118-3110-560-000-3430	GSRP TEACHER SUBS GL	355.80	
					G	11-118-3110-565-000-3430	GSRP MVPS TEACHER SUBS	355.80	
					G	11-118-3111-530-000-3430	GSRP CPS AID SUBSTITUTES	492.20	
					G	11-118-3111-560-000-3430	GSRP GLPS AID SUBSTITUTES	670.09	
					G	11-118-3111-565-000-3430	GSRP MVPS AID SUBS	2,081.43	
					G	11-131-3110-000-000-0000	BASIC SUB SERVICES	933.16	
					G	11-131-3110-000-000-2890	SEC 107a AE C/S ABE TEACHERS	917.28	
					G	11-131-3110-000-000-3310	AE 107 C/S INSTR SUPPORT	2,249.10	
					G	11-131-3110-000-000-6710	WIOA INSTR C/S ABE INSTR - ABE	2,540.16	
					G	11-131-3110-000-919-6750	WIOA CORR C/S CLINTON - ABE	635.04	
					G	11-131-3110-000-923-6750	WIOA CORR C/S EATON - ABE	282.24	
					G	11-132-3110-000-000-2890	SEC 107a AE C/S HSE TEACHERS	917.28	
					G	11-132-3110-000-000-3310	AE 107 C/S HSE INSTRUCTORS	1,155.42	
					G	11-132-3110-000-000-6710	WIOA INSTR C/S ABE INSTR - HSE	1,552.32	
					G	11-132-3110-000-919-6750	WIOA CORR C/S CLINTON - HSE	635.04	
					G	11-132-3110-000-923-6750	WIOA CORR C/S EATON - HSE	282.24	
					G	11-221-3190-000-000-3310	AE 107 PROG SUPPORT SPECIALIST	730.30	
					G	11-227-3190-000-000-3310	AE 107 C/S TEST PROCTOR	555.66	
					G	11-311-3190-000-999-3433	32P PARENT LIAISON C/S	1,410.32	
					G	11-311-3199-000-999-3433	32p LITERACY COORD C/S	1,446.48	
					G	11-391-3110-000-933-6790	WIOA LTE INGHAM C/S INSTRUCT	1,164.24	
					G	11-391-3190-000-933-6790	WIOA LTE INGHAM C/S (HUDA)	1,163.06	
					X	21-122-3110-000-110-0000	LEA SUBS - MILD COG IMP	617.02	
					X	21-122-3110-000-191-0000	LEA SUBS - EARLY CHILDHOOD	668.46	
					X	21-122-3110-000-193-0000	LEA SUBS - AUTISTIC IMPAIR	2,283.05	
					X	21-122-3110-000-194-0000	LEA SUBS - RESOURCE ROOM	21,056.64	
					X	21-122-3110-000-196-0000	LEA SUBS - LRE CLASSROOM	841.66	
					X	21-122-3110-001-130-0000	SCI ERESA SUB TEACHERS	237.20	
					X	21-122-3110-001-140-0000	SEI ERESA SUB TEACHERS	830.20	
					X	21-122-3110-001-193-0000	ASD ERESA TEACHER SUB	88.95	
					X	21-122-3110-002-120-0000	MOCI SUB TEACHER ER	415.10	
					X	21-122-3111-001-110-0000	MICI SUB PARAPRO	118.60	
					X	21-122-3111-001-120-0000	MOCI ERESA SUB PARAPRO PPS	237.20	
					X	21-122-3111-001-130-0000	SCI ERESA SUB PARAPRO	480.33	
					X	21-122-3111-002-120-0000	MOCI SUB PARAPRO ER	1,996.33	
					X	21-213-3130-001-015-0000	NURSE CONTRACT SERV	175.22	

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Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
					X	21-219-3190-000-000-9140	GECKO/TRANSITION CONTRACTED	6,052.87	
					X	21-241-1880-001-000-0000	MDVW SECRETARY SUB	1,152.50	181,207.78
991489	11/20/25	46259	HEALTHEQUITY INC		G	12-451-0041-000-000-0000	EMPLOYEE HSA CONTRIBUTION	5,068.94	5,068.94
991490	11/20/25	28660	MPSERS		G	12-451-1000-000-000-0000	EE/Member Defined Benefit	26,913.63	
					G	12-451-1001-000-000-0000	ER Defined Bene Contrib H299	149,241.64	
					G	12-451-1010-000-000-0000	H553-561 TDP	50.00	176,205.27
991491	11/20/25	46618	MPSERS 147C		G	12-451-1040-000-000-0000	ORS 147C UAAL LIABILITY	388,462.60	388,462.60
991492	11/20/25	28663	MPSERS DC		G	12-451-1005-000-000-0000	H538 EE Defined Contribution	19,236.22	
					G	12-451-1006-000-000-0000	H539 ER Defined Contribution	9,145.30	
					G	12-451-1007-000-000-0000	H543 EE Personal Hlth Fund	5,412.84	
					G	12-451-1008-000-000-0000	H544 ER Personal Hlth Fund	5,412.84	39,207.20
991493	11/20/25	96133	UNITED STATES TREASURY		G	12-451-0002-000-000-0000	FEDERAL WITHHOLDING	44,302.91	
					G	12-451-0003-000-000-0000	FICA WITHHOLDING - SOC SEC	36,198.20	
					G	12-451-0003-000-000-0000	FICA WITHHOLDING - SOC SEC	36,198.20	
					G	12-451-0003-000-000-0000	FICA WITHHOLDING - MED	8,465.75	
					G	12-451-0003-000-000-0000	FICA WITHHOLDING - MED	8,465.75	133,630.81
991494	11/20/25	13536	EDUSTAFF, LLC		G	11-111-3110-000-000-0000	LEA ELEMENTARY SUB SERVICES	11,175.24	
					G	11-112-3110-000-000-0000	LEA MIDDLE SCHOOL SUB	11,175.23	
					G	11-113-3110-000-000-0000	LEA HIGH SCHOOL SUB SERVICES	10,552.56	
					G	11-118-3111-565-000-3430	GSRP MVPS AID SUBS	521.84	
					G	11-131-3110-000-000-0000	BASIC SUB SERVICES	4,194.81	
					G	11-131-3110-000-000-2890	SEC 107a AE C/S ABE TEACHERS	608.58	
					G	11-131-3110-000-000-3310	AE 107 C/S INSTR SUPPORT	917.28	
					G	11-131-3110-000-000-6710	WIOA INSTR C/S ABE INSTR - ABE	1,023.12	
					G	11-131-3110-000-919-6750	WIOA CORR C/S CLINTON - ABE	635.04	
					G	11-131-3110-000-923-6750	WIOA CORR C/S EATON - ABE	635.04	
					G	11-131-3111-000-000-3310	AE 107 C/S AIDE/TUTOR	238.14	
					G	11-132-3110-000-000-2890	SEC 107a AE C/S HSE TEACHERS	608.58	
					G	11-132-3110-000-000-3310	AE 107 C/S HSE INSTRUCTORS	1,005.48	
					G	11-132-3110-000-000-6710	WIOA INSTR C/S ABE INSTR - HSE	1,023.12	
					G	11-132-3110-000-919-6750	WIOA CORR C/S CLINTON - HSE	670.32	
					G	11-132-3110-000-923-6750	WIOA CORR C/S EATON - HSE	423.36	
					G	11-132-3111-000-000-3310	AE 107 C/S HSE TUTOR	238.14	
					G	11-212-3190-000-999-3434	32P CONTRACTED SERVICE	1,446.48	
					G	11-227-3190-000-000-3310	AE 107 C/S TEST PROCTOR	79.38	
					G	11-311-3190-000-999-3433	32P PARENT LIAISON C/S	1,438.53	
					X	21-122-3110-000-193-0000	LEA SUBS - AUTISTIC IMPAIR	355.80	
					X	21-122-3110-000-194-0000	LEA SUBS - RESOURCE ROOM	7,511.14	

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CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
					X	21-122-3110-001-120-0000	MOCI ERESA SUB TCHR PPS	859.85	
					X	21-122-3110-002-120-0000	MOCI SUB TEACHER ER	355.80	
					X	21-122-3111-001-120-0000	MOCI ERESA SUB PARAPRO PPS	1,556.63	
					X	21-122-3111-001-130-0000	SCI ERESA SUB PARAPRO	147.66	
					X	21-122-3111-002-120-0000	MOCI SUB PARAPRO ER	794.62	
					X	21-219-3190-000-000-9140	GECKO/TRANSITION CONTRACTED	2,455.48	62,647.25
991495	11/20/25	46259	HEALTHEQUITY INC		G	12-451-0021-000-000-0000	FSA DEPENDENT DEDUCT	2,769.21	
					G	12-451-0021-000-000-0000	FSA DEPENDENT DEDUCT	1,686.52	
					G	12-451-0021-000-000-0000	FSA DEPENDENT DEDUCT	384.62	
					G	12-451-0026-000-000-0000	FSA MEDICAL DEDUCTION	682.54	5,522.89
991496	11/25/25	90436	PNC BANK - BUSINESS CARD	20824	C	G 10-199-1000-000-000-0000	Walmart - Halloween Supplies	59.91	
				20792	C	G 11-118-5110-500-000-3430	Walmart - Wipes/Cutlery/Yogurt	10.79	
				20792	C	G 11-118-5110-530-000-3430	Walmart - Wipes/Cutlery/Yogurt	43.16	
				20792	C	G 11-118-5110-560-000-3430	Walmart - Hanging File Folders	66.92	
				20792	C	G 11-118-5110-560-343-3430	HON/Walmart - Key/File Folders	30.47	
				20792	C	G 11-118-5110-565-000-3430	Walmart - Wipes/Cutlery/Yogurt	32.37	
				20791	C	G 11-221-3190-000-000-6952	Nat Council for Behavior - sto	500.00	
				20824	C	G 11-221-3220-000-000-0000	Michigan Virtual - Registratio	40.00	
				20820	C	G 11-221-3220-000-000-0000	Edge Partnerships - OCTE Fall	150.00	
				20801	C	G 11-221-3220-000-000-2251	Oct 27-28 CMHA Conf - Reg	442.00	
				20880	C	G 11-221-3220-000-923-9304	UofM - CANPAT Conf - Reg	150.00	
				20792	C	G 11-221-3220-500-000-3430	Cottage Inn/Meijer - Pizza/Cle	22.70	
				20818	C	G 11-221-3220-500-000-3430	Bjs - Danish/Mini Muffins	0.92	
				20792	C	G 11-221-3220-530-000-3430	Cottage Inn/Meijer - Pizza/Cle	90.78	
				20818	C	G 11-221-3220-530-000-3430	Bjs - Danish/Mini Muffins	3.69	
				20818	C	G 11-221-3220-560-000-3430	Bjs - Danish/Mini Muffins	4.61	
				20792	C	G 11-221-3220-560-000-3430	Cottage Inn/Meijer - Pizza/Cle	9.40	
				20792	C	G 11-221-3220-565-000-3430	Cottage Inn/Meijer - Pizza/Cle	5.63	
				20818	C	G 11-221-3220-565-000-3430	Bjs - Danish/Mini Muffins	2.77	
				20818	C	G 11-221-3221-000-000-3430	Bjs - Danish/Mini Muffins	11.98	
				20792	C	G 11-221-3221-000-000-3430	Meijer - String Cheese/Apples	24.44	
				20818	C	G 11-221-4141-000-000-3430	HighScope - Classroom Test	150.00	
				20782	C	G 11-221-5110-000-000-7674	Basecamp	30.00	
				20824	C	G 11-221-5910-000-000-0000	Walmart - Presentation Clicker	32.96	
				20824	C	G 11-221-5990-000-000-0000	Dollar Tree - Tablecloths	2.50	
				20757	C	G 11-221-5990-000-000-0000	Heinemann - New Teacher Handbo	525.17	
				20870	C	G 11-221-5990-000-000-2910	Panera Bread - lunch district	33.13	
				20747	C	G 11-221-5990-000-000-7674	Amazon - eGift cards for LINKS	300.00	

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CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
20781	C			20781	G	11-221-5990-000-000-7674	Jimmy Johns & Amy's Catering -	914.48	
20777	C			20777	G	11-221-5990-000-000-7864	DG - Tri Fold Board	8.48	
20824	C			20824	G	11-221-5993-000-000-0000	Walmart/JJs - Meeting food	486.00	
20821	C			20821	G	11-221-5993-000-000-0000	Sun Theater - popcorn for "Cou	67.00	
20781	C			20781	G	11-221-5993-000-000-9014	Mental Health First Aid - seat	119.75	
20824	C			20824	G	11-221-5994-000-919-9304	Walmart - Food for PALS	25.57	
20824	C			20824	G	11-221-5994-000-923-9304	Walmart - Food for PALS	25.57	
20824	C			20824	G	11-221-5994-000-933-9304	Walmart - Food for PALS	25.58	
20778	C			20778	G	11-221-7410-000-000-9014	MISCHA Dues	85.00	
20782	C			20782	G	11-221-7410-000-000-9014	MiSCHCA - Dues	450.00	
20792	C			20792	G	11-226-3220-000-000-3430	MiAEYC - Meeting Reg	675.00	
20818	C			20818	G	11-226-3220-000-000-3430	Springhill Suites - Oct 20-22	866.28	
20790	C			20790	G	11-226-3220-000-000-6351	NAEHCY Conf - Reg	1,020.00	
20790	C			20790	G	11-226-3220-000-000-6352	Delta - NAEHCY Conf - Airfare/	413.65	
					G	11-226-5910-000-000-0000	Credit - Vista Print	(5.07)	
20769	C			20769	G	11-226-5910-000-000-3310	Walmart - Batteries	11.65	
20791	C			20791	G	11-226-5990-000-000-5225	Walmart - GLHC - supplies	11.82	
20791	C			20791	G	11-226-5990-000-000-5229	Walmart - ELHC - supplies	459.79	
20781	C			20781	G	11-226-5990-000-000-5229	Walmart - ELHC supplies	498.69	
20821	C			20821	G	11-226-7410-000-000-0000	MASFPS & Mi ASCD membership re	160.00	
20767	C			20767	G	11-227-5110-000-000-3310	Pearson - GED Exam Vouchers	255.00	
20877	C			20877	G	11-231-3220-000-000-0000	Holiday Inn - Oct confr lodgin	814.96	
20877	C			20877	G	11-232-3190-000-000-0000	MSUFCU & MTG Space CALN	2,050.83	
20877	C			20877	G	11-232-3220-000-000-0000	ASU.GSV Summitt reg	2,200.00	
					G	11-232-3220-000-000-0000	Credit - Phillips Listens Inc	(99.00)	
20871	C			20871	G	11-232-3220-000-000-0000	MASA Midwinter confre reg	550.00	
20871	C			20871	G	11-232-3450-000-000-0000	Zoom & OpenAI	110.00	
20869	C			20869	G	11-252-7412-000-000-0000	Authorize.Net & Security Metri	129.80	
20887	C			20887	G	11-261-5990-000-000-4470	Walmart & Menards	197.43	
20887	C			20887	G	11-261-5991-000-000-0000	Zoro. Menards	216.48	
20887	C			20887	G	11-261-5992-002-000-0000	Ace Hardware & Menards	789.67	
20876	C			20876	G	11-266-3220-000-000-0000	Amway Grand - MISHRM Conf Lodg	410.56	
20766	C			20766	G	11-271-3310-000-000-3310	Speedway - Fuel Cards	150.00	
20845	C			20845	G	11-282-3430-000-000-3310	UPS - Shipping	23.70	
20768	C			20768	G	11-282-3510-000-000-3310	Meta - Facebook Ads	75.00	
20818	C			20818	G	11-282-3510-000-000-3430	Meta - Facebook Ads	142.92	
20792	C			20792	G	11-283-7410-000-000-3430	IdentoGo - Fingerprinting	131.00	
20792	C			20792	G	11-311-5990-000-000-3430	Walmart - Plates/Napkins/Cheer	120.13	

Eaton RESA

## Check Register

Type of Checks: All

Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
				20880	C	G 11-331-3220-000-000-9436	PAM/GWL Parenting Conf - Reg/L	342.88	
				20822	C	G 11-331-3510-000-999-3433	Meta - Facebook Ads	7.96	
				20857	C	X 21-122-5110-001-110-0000	Meijer/Walmart - Cooking suppl	67.38	
				20837	C	X 21-122-5111-002-120-0000	Meijer - Pizza crust/sauce/pep	21.71	
				20838	C	X 21-122-5111-002-120-0000	Walmart - Food for classroom a	121.13	
				20885	C	X 21-122-5111-002-120-0000	Walmart - cooking class food	76.00	
				20885	C	X 21-122-7910-001-001-0000	Charlanes - bowling	52.20	
				20841	C	X 21-213-5990-001-015-0000	eSpecial Needs - Safe straws	34.85	
				20759	C	X 21-214-5990-000-021-0000	WPS - RIAS Kit	1,080.20	
				20759	C	X 21-215-5990-000-032-0000	SLP Now - Membership	263.94	
				20750	C	X 21-218-3450-000-000-0000	Assistiveware - Proloquo lic -	299.97	
				20749	C	X 21-221-3220-000-000-9150	CETA Virtual Training - Reg	150.00	
				20758	C	X 21-221-3220-000-021-0000	GWL - MASP Conf Lodging - 2	265.31	
				20759	C	X 21-221-3220-000-021-0000	GWL - MASP Conf Lodging	285.29	
				20749	C	X 21-221-3220-000-064-0000	Low Incident Outreach - Reg -	125.00	
				20848	C	X 21-221-3220-000-076-0000	CPI - Refresher Course/Workboo	310.14	
				20762	C	X 21-221-3220-000-080-0000	All for Advancement/DEC/CCRESA	620.00	
				20753	C	X 21-221-5993-000-000-0000	Chipolte - Food for L&L 10/21/	316.94	
				20759	C	X 21-221-5993-000-000-0000	Walmart - Donuts/Cinn Rolls	8.95	
				20762	C	X 21-221-5993-000-000-0000	Cottage Inn - Lunch for EC PD	494.14	
				20886	C	X 21-221-5993-000-000-0000	BJ - cookie platter for PD	24.99	
				20762	C	X 21-226-5990-000-080-0000	Brookes - Books	157.97	
				20876	C	X 21-226-7910-000-082-0000	MDE - Educator License E.Moubr	45.00	
				20848	C	X 21-241-7910-001-000-0000	Walmart - Detergent/Locks/Drin	110.43	
				20848	C	X 21-261-3430-000-000-0000	USPS - Postage	38.30	
				20762	C	X 21-261-3430-000-000-0000	USPS - Book of stamps - 2	31.20	
				20887	C	X 21-261-5990-000-000-0000	Ace Hardware, Walmart,	119.75	
				20759	C	X 21-283-3220-000-000-0000	AASPA Conf - Registration/Lodg	1,355.79	
						X 21-283-3220-000-000-0000	Credit - Holston House	(82.71)	
				20886	C	X 21-283-3220-000-000-0000	Various vendors for DEC confr	1,547.06	
				20754	C	X 21-283-3220-000-000-0000	MEPFP Conf - Meals/Lodging/Fli	792.55	
				20785	C	V 61-127-5110-000-000-0000	Rustoleum Locks	66.96	
				20843	C	V 61-212-3220-000-000-0000	EMU Fall Leadership reg - Hisc	26.85	
						V 61-212-3220-000-000-0000	Credit - Mountain Grand Lodge	(21.12)	
				20786	C	V 61-212-3220-000-000-0000	Edge Partnerships - EDGE MDE R	450.00	
				20786	C	V 61-212-5910-000-000-0000	BJs - Coffee and Creamer	52.98	
				20787	C	V 61-212-5910-000-000-0000	Walmart - earplugs	21.94	
				20851	C	V 61-226-3220-000-000-0000	Tap30/Hampton Inn - 10/17 CEPD	208.19	

Eaton RESA

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Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
				20787 C	V	61-227-5110-000-000-0000	Univ Cinti CE Courses	10.00	
				20843 C	V	61-227-5110-000-000-0000	PSI Aviation exam -fees	1,925.00	
				20843 C	V	61-241-3220-000-000-0000	EDGE Jan reg - Theisen	350.00	
				20787 C	V	61-241-5910-000-000-0000	Nat Tech Honors Soc	840.00	
				20759 C	H	91-296-7920-000-000-4312	JJs/Meijer/Walmart - MV Meetin	569.36	
				20857 C	H	91-296-7920-000-000-4313	Meijer - Ice cream party suppl	7.98	
				20885 C	H	91-296-7920-000-000-4313	Walmart - scale & blender	45.40	
				20790 C	H	91-296-7920-000-000-4315	BJs/Sams - Cookie Platter/Frui	78.04	
				20791 C	H	91-296-7920-000-000-4315	Oct stakeholder meals & travel	257.73	
				20781 C	H	91-296-7920-000-000-4315	Walmart - office supplies	29.91	31,367.56
991497	11/25/25	16123	LIBERTY TITLE AGENCY INC		B	41-455-6210-000-000-1100	Union St. Purchase	125,622.75	125,622.75
991498	11/25/25	46259	HEALTHY EQUITY INC		G	12-451-0021-000-000-0000	FSA DEPENDENT DEDUCT	527.08	
					G	12-451-0026-000-000-0000	FSA MEDICAL DEDUCTION	151.74	678.82

**Sub Total: \$1,984,454.10**

**ACH CHECKS**

A14776	11/05/25	13573	ADAMS OUTDOOR ADVERTISING	20745 C	G	11-282-3510-000-000-3310	Billboards - 10/20-11/16 #739-	3,000.00	3,000.00
A14777	11/05/25	15315	AKELA LLC	20732 C	X	21-221-3120-000-000-0000	Oct 24th - CPR/AED Training	693.00	693.00
A14778	11/05/25	12719	ALGRIM, HEATHER		G	11-226-3210-000-000-3310	October Mileage	82.60	82.60
A14779	11/05/25	14848	AMAZON CAPITAL SERVICES, INC	20715 C	G	11-118-5110-530-000-3430	Dry erase markers/Magnet tiles	57.58	
				20362 C	G	11-118-5110-530-343-3430	GSRP START UP CPS SUPPLIES	175.52	
				20687 C	G	11-118-5110-560-343-3430	Dino counters/Car Rug/Plastic	106.98	
				20723 C	G	11-118-5110-565-000-3430	Construction Paper - 2	14.16	
				20629 P	G	11-125-5990-000-000-6352	Headphones	16.13	
					G	11-131-5110-000-000-3310	Credit - Rubbermaid cart	(193.08)	
					G	11-132-5990-000-000-3310	Credit - Rubbermaid cart	(193.07)	
					G	11-221-5990-000-000-2700	Organic snap pea seeds	6.99	
					G	11-221-5990-000-000-9600	Credit - Robotics Mat	(170.59)	
				20382 P	G	11-221-5990-000-000-9600	3P SUPPLIES	512.35	
					G	11-331-5110-000-999-3433	Wooden play set & diaper rash c	239.60	
					G	11-331-5995-000-999-3433	Teacher appreciation for women	9.99	
				20443 P	G	11-361-5990-000-000-6351	4 pack boys sweatpants	39.99	
				20629 P	G	11-361-5990-000-000-6352	Boys shoes/socks/clothes	345.63	
				20629 C	G	11-361-5990-000-000-6352	Comics/Sweatshirt	29.98	
				20724 C	X	21-122-5990-001-130-0000	Hanging Scale	58.90	
				20565 C	X	21-213-5990-000-011-0000	iPad Case	26.59	
				20733 C	X	21-213-5990-001-015-0000	Syringes	31.99	
					X	21-213-5990-001-015-0000	Disposable face mask	9.89	
					X	21-213-5990-001-015-0000	Digital ear thermometer	59.05	

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Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
				20725	C	X 21-214-5990-000-021-0000	Wireless Mouse/Ipad case/g2 pe	69.26	
				20674	C	X 21-215-5910-000-032-0000	Wooden puzzle/Hungry Caterpill	25.03	
				20709	C	X 21-215-5910-000-032-0000	Spinning toy/Mr Potato Head/Fo	45.84	
				20674	P	X 21-215-5910-000-032-0000	Little Blue Truck Board Book	5.78	
				20726	C	X 21-216-5990-000-041-0000	Fidgets/Markers/Sharpies	57.03	
				20704	C	X 21-218-5990-000-000-0000	Stamp/Screen Protectors	68.12	
				20728	C	X 21-218-6420-000-000-0000	Keyboard Case/Lapel Mic	73.97	
				20735	C	X 21-226-5910-000-000-0000	AA & AAA Batteries	23.98	
				20701	C	X 21-226-5990-000-000-0000	Quad Monitor	113.99	1,667.58
A14780	11/05/25	01194	SCP WQS LOWER HOLDCO, LLC	20029	P	G 11-261-4220-000-000-0000	Water Cooler Rent - November	76.00	
				20029	P	G 11-261-5990-000-000-0000	Water Delivery	308.98	384.98
A14781	11/05/25	94390	BOSWORTH URGENT CARE	20237	P	X 21-213-3150-000-000-9310	125 RX - 10/21	468.75	468.75
A14782	11/05/25	16025	BROWN, RICHADA			G 11-226-3210-000-000-6352	October Mileage	51.24	51.24
A14783	11/05/25	15951	CAPITAL AREA MICHIGAN WORKS!	20746	C	G 11-261-4210-000-000-3310	CAMW! RENT - 1st Qtr	6,578.58	
				20746	C	G 11-261-4210-000-000-6710	CAMW! RENT - 1st Qtr	274.13	6,852.71
A14784	11/05/25	15613	CAPITAL REGION AIRPORT	20279	C	V 61-261-4210-000-000-0000	Sept Services	3,565.82	3,565.82
A14785	11/05/25	00065	CDW LLC	20740	C	G 11-284-3190-000-000-0000	Google Voice - August	745.34	
				20739	C	G 11-284-3190-000-000-0000	Google Voice - July	738.79	1,484.13
A14786	11/05/25	13224	CHEESEMAN, KAREN			X 21-213-3210-000-014-0000	October Mileage	161.21	161.21
A14787	11/05/25	16079	CLINICAL CONSULTING	20731	C	X 21-216-3130-000-041-0000	SSW Services - 10/20-10/24	10,758.50	10,758.50
A14788	11/05/25	13827	CLUTE, ANGELA			G 11-226-3210-000-000-3430	October Mileage	87.50	
						G 11-311-5990-000-000-3430	GFS - Gogurt	11.98	99.48
A14789	11/05/25	15417	COOK, KIMBERLY DONN			X 21-122-5990-000-140-0000	Walmart - Padlocks (2)	20.88	20.88
A14790	11/05/25	12823	COUSINS, SUSAN			G 11-118-3210-000-000-3430	Sept - Oct Mileage	53.20	
						G 11-118-5610-560-000-3430	Meijer - Fruit - Classroom sna	4.99	
						G 11-118-5610-560-000-3430	Meijer - Fruit - Classroom sna	51.92	110.11
A14791	11/05/25	15671	CUSACK, RANDY			X 21-226-3210-000-082-0000	October Mileage	78.89	78.89
A14792	11/05/25	90023	DEAN TRANSPORTATION, INC.	20239	P	G 11-271-3310-000-000-3431	Sept GSRP	6,239.68	
						X 21-122-3111-001-140-0000	September Parapro - Eaton RESA	4,057.83	
				20239	P	X 21-271-3310-030-000-0000	Sept Attendant - CPS	6,085.70	
				20239	P	X 21-271-3310-030-000-0000	Sept Bus & Driver - CPS	83,927.95	
				20239	P	X 21-271-3310-050-000-0000	Sept Bus & Driver - EPRS	57,833.54	
				20239	P	X 21-271-3310-050-000-0000	Sept Attendant - ERPS	16,117.20	
				20239	P	X 21-271-3310-060-000-0000	Sept Attendant - GLPS	17,345.79	
				20239	P	X 21-271-3310-060-000-0000	Sept Bus & Driver - GLPS	147,667.97	
				20239	P	X 21-271-3310-065-000-0000	Sept Bus & Driver - MVPS	32,670.67	
				20239	P	X 21-271-3310-065-000-0000	Sept Attendant - MVPS	9,958.81	
				20239	P	X 21-271-3310-065-000-9140	Sept GECKO - MVPS	304.64	

### Check Register

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CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
				20239 P	X	21-271-3310-090-000-0000	Sept Attendant - PPS	2,327.01	
				20239 P	X	21-271-3310-090-000-0000	Sept Bus & Driver - PPS	25,678.40	
				20239 P	X	21-271-3310-090-000-9140	Sept GECKO - PPS	192.60	410,407.79
A14793	11/05/25	15501	DETERS, ERICA		X	21-218-3210-000-064-0000	October Mileage	515.62	515.62
A14794	11/05/25	14106	ELITE AUDITING AND CONSULTING,	19867 P	G	11-285-3190-000-000-0000	November Services	4,166.67	4,166.67
A14795	11/05/25	14138	FADER, BRYANNA YVONNE		X	21-212-3210-000-080-0000	October Mileage	268.80	268.80
A14796	11/05/25	15857	FOX, ELIZABETH		X	21-212-3210-000-080-0000	September Mileage	368.48	368.48
A14797	11/05/25	16074	GAFFNER, ALISON		X	21-218-3210-000-067-0000	October Mileage	184.94	184.94
A14798	11/05/25	15689	GET 'EM AND GO PLUS MORE LLC	20748 C	X	21-271-3310-000-000-9140	10/28 Transportation Svs	376.46	
				20736 C	X	21-271-3310-000-000-9140	10/21 & 10/23 Transportation S	752.89	1,129.35
A14799	11/05/25	15958	GREGORY, MALIKAH		G	11-221-3220-000-000-0000	Aug 11-13 MAISA Early Math Con	85.27	85.27
A14800	11/05/25	12978	HAGER, KELLY		X	21-226-3210-000-082-0000	Aug - Oct Mileage	81.34	
					X	21-283-3220-000-000-0000	Oct 14 MAASE Conf - Mileage	12.00	93.34
A14801	11/05/25	00402	HIRCHERT, STEPHANIE		X	21-212-3210-000-080-0000	October Mileage	154.42	
					X	21-216-7410-000-080-0000	NASW Membership Dues	115.00	269.42
A14802	11/05/25	13589	HOLMES, CHRISTINA		G	11-221-3210-000-000-7674	October Mileage	52.78	52.78
A14803	11/05/25	14743	HUBBERT, LAURIE ANN		X	21-218-3210-000-065-0000	October Mileage	385.98	385.98
A14804	11/05/25	15462	JOHNSON, KATIE		G	11-212-3210-000-000-2251	August Mileage	78.61	78.61
A14805	11/05/25	15602	LAUTZ E FLIPS, LLC	19866 P	X	21-261-4210-000-000-0000	November Rent	300.00	
				19866 P	X	21-261-4210-000-000-0000	October - Sewer	89.59	389.59
A14806	11/05/25	15759	MARSHALL ACADEMY	20743 C	G	11-361-8220-000-000-6351	Clothing/Outerwear	566.76	566.76
A14807	11/05/25	13218	MORSE, HEATHER		X	21-213-3210-000-011-0000	October Mileage	130.69	130.69
A14808	11/05/25	16071	NETTLETON, EDYN		X	21-221-3220-000-021-0000	Oct 23-24 MASP Conf - Reg/Mile	647.71	647.71
A14809	11/05/25	14253	OSBORN, BRIDGET KAY		G	11-226-3220-000-000-3430	Oct 20-22 GSRP ECC/ECS Conf -	99.33	99.33
A14810	11/05/25	14333	PFM FINANCIAL ADVISORS, LLC		G	11-252-7412-000-000-0000	Prep & Filing FY2025	1,000.00	1,000.00
A14811	11/05/25	13834	R.A. DINKEL & ASSOCIATES, INC.	20608 C	G	11-221-5110-000-000-7674	MMH Grade 5 Lesson Kit	221.35	221.35
A14812	11/05/25	13018	SIMON, BRITTANY		X	21-212-3210-000-080-0000	October Mileage	216.02	
					X	21-226-5990-000-080-0000	Meijer - Craft sticks/baby wip	7.76	223.78
A14813	11/05/25	14134	SMITH, ALICIA ANN		X	21-221-5993-000-000-0000	Family Dollar - Soda for L&L 1	10.15	
					X	21-226-3210-000-082-0000	October Mileage	48.44	58.59
A14814	11/05/25	13216	SURATO, JENNIFER		X	21-214-3210-000-021-0000	October Mileage	27.16	27.16
A14815	11/05/25	15636	TAYLOR, LYNN		F	51-297-3210-000-000-0000	October Mileage	15.82	15.82
A14816	11/05/25	14425	TRUMBLE, CHELSEY JOAN		X	21-214-3210-000-021-0000	October Mileage	30.24	30.24
A14817	11/05/25	15113	TTF SOLUTIONS, LLC	20763 C	X	21-216-3130-000-041-0000	V.Carmona - 10/5-10/26	13,581.30	13,581.30
A14818	11/05/25	14683	VANDEVEN, RACHEL		X	21-213-3210-000-011-0000	October Mileage	157.08	157.08
A14819	11/05/25	14111	VANHOESEN, JOHN K		G	11-283-3220-000-000-0000	June 4-6 Active Assailant Conf	133.00	
					G	11-283-3220-000-000-0000	May 13th Gallagher HR Summit -	61.46	194.46
A14820	11/05/25	13355	WALDROP, CARLY R		X	21-212-3210-000-080-0000	October Mileage	185.92	185.92

Eaton RESA

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Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
A14821	11/05/25	15885	WIDDICOMBE, MELINDA		X	21-215-3210-000-032-0000	Aug - Sept Mileage	89.11	89.11
A14822	11/12/25	13889	A.D.N. ADMINISTRATORS - CLAIMS		G	12-451-0009-000-000-0000	October Replenish	9,980.85	9,980.85
A14823	11/12/25	00543	AIS CONSTRUCTION EQUIPMENT	19864 P	V	61-127-3110-000-000-9516	November Billing	29,250.00	29,250.00
A14824	11/12/25	15315	AKELA LLC	20734 C	X	21-221-3120-000-000-0000	Oct 14th - CPR/AED Training RS	474.00	
				20734 C	X	21-221-3120-000-080-0000	Oct 14th - CPR/AED Training EO	1,027.00	1,501.00
A14825	11/12/25	14848	AMAZON CAPITAL SERVICES, INC	20779 C	G	11-118-5110-530-000-3430	Broom&Dustpan//Magnetic Tiles	65.28	
					G	11-118-5110-530-343-3430	Squishy Sensory Toys	9.49	
				20722 C	G	11-118-5110-560-343-3430	Hole Punch/Packing Tape/Paper/	58.54	
				20716 C	G	11-118-5110-560-343-3430	Soccer Goal	27.99	
				20720 C	G	11-118-5110-560-343-3430	Shoe Tray - 3 Pack	139.98	
				20730 C	G	11-118-5110-560-343-3430	Stapler/Dough Tools/Glue Stick	139.87	
				20729 P	G	11-118-5110-560-343-3430	Coffee Filters	11.44	
				20729 C	G	11-118-5110-560-343-3430	Foam Bowl/Glue Sticks/Masking	162.00	
				20721 C	G	11-118-5110-565-000-3430	Hanging Rest Mat	70.44	
				20742 C	G	11-221-5990-000-000-7674	Resistance Bands - 100 pack	239.82	
					G	11-252-5910-000-000-0000	Colored flag stickers - 600 pc	6.98	
				20752 C	X	21-122-5990-001-120-0000	Door Chime - MoCl Pville	26.99	
				20738 C	X	21-213-5990-000-011-0000	iPad Case	8.54	
				20784 C	X	21-213-5990-000-011-0000	Suction Plates	7.95	
					X	21-213-5990-001-015-0000	Syringes	28.87	
				20772 C	X	21-214-5990-000-021-0000	iPad Cases	46.77	
				20764 C	X	21-215-5910-000-032-0000	Uno Games/Mirror/Hand Puppet	100.78	
				20765 C	X	21-221-5990-000-000-0000	The Thin Book of Trust	579.04	
				20770 C	V	61-212-5910-000-000-0000	Pentel Pens	2.87	
					H	91-296-7920-000-000-4315	Kars Variety Pack	24.99	1,758.63
A14826	11/12/25	14841	AMPLIFIED IT, LLC	20539 C	G	11-284-3450-000-000-0000	Google Workspace for Edu - Ann	2,700.00	
				20539 C	G	11-284-3450-000-000-0000	CHECK # A14826 VOIDED	(2,700.00)	0.00
A14827	11/12/25	02360	BARRY EATON DIST HEALTH DEPT	20330 C	G	11-221-3190-000-923-9303	FY25 contract bal payment	1,527.99	1,527.99
A14828	11/12/25	13733	BELTON, MELEA T.		G	11-221-3220-000-000-2251	Sept 26 Conf - Mileage	39.20	39.20
A14829	11/12/25	46233	CLEAR RATE COMMUNICATIONS,	20040 P	G	11-261-3410-000-000-0000	November Services	358.58	358.58
A14830	11/12/25	16079	CLINICAL CONSULTING	20773 C	X	21-216-3130-000-041-0000	SSW Services - 10/27-10/31	11,544.00	11,544.00
A14831	11/12/25	94460	HASSEL FREE FUELS		G	11-261-5710-000-000-0000	S/C PACK TRUCK GASOLINE	25.99	25.99
A14832	11/12/25	13029	DEVOLDER-HICKS, SHEILA		X	21-212-3210-000-080-0000	October Mileage	129.78	129.78
A14833	11/12/25	04242	EATRAN	20802 C	G	11-271-3310-000-000-3310	October 2025 GED Route	14.00	14.00
A14834	11/12/25	44684	EPARS (403B)		G	12-451-0015-000-000-0000	TSA 403B	7,321.33	
					G	12-451-0015-000-000-0000	TSA 403B BOE PD	2,724.61	
					G	12-451-0015-000-000-0000	TSA 40B ROTH	1,124.00	
					G	12-451-0015-000-000-0000	457	550.00	11,719.94

## Check Register

Eaton RESA

Type of Checks: All

Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
A14835	11/12/25	15955	ESSENTIAL EDUCATION	20803 C	G	11-131-3450-000-000-3310	GED Academy/TABE/GED Practice	8,345.50	
				20803 C	G	11-132-5990-000-000-3310	GED Academy/TABE/GED Practice	8,345.50	16,691.00
A14836	11/12/25	14408	GREAT LAKES GRAPHICS, INC.		G	11-232-5910-000-000-0000	Eaton Resa Note Cards	41.65	
				20796 C	X	21-241-7910-001-000-0000	Capybara Posters for MV	12.52	54.17
A14837	11/12/25	14857	GORDON FOOD SERVICE INC.	20286 P	G	11-118-5610-565-000-3430	Snack Supplies - MVPS	161.25	
				20286 P	F	51-297-5610-000-000-8530	Snack Supplies - CACFP	1,205.30	1,366.55
A14838	11/12/25	46475	GRAND LEDGE PUBLIC SCHOOLS -		G	11-118-8220-560-000-3430	GSRP - October Adult Meals	800.80	
					G	11-118-8220-560-000-3430	GSRP - September Adult Meals	639.65	1,440.45
A14839	11/12/25	14650	HAMMELL, TRACI LYNN		X	21-122-3210-000-273-0000	October Mileage	112.00	112.00
A14840	11/12/25	14714	HEFTY, MICAH ELIZABETH LURIE	20804 C	G	11-221-3190-000-923-9304	DYTUR Activities	20.00	
				20804 C	G	11-331-3190-000-000-9436	Class Prep	640.00	
				20804 C	G	11-331-5110-000-000-9436	Zoom Membership	159.90	819.90
A14841	11/12/25	14299	HOLT PUBLIC SCHOOLS	20774 C	G	11-221-8220-000-000-7674	Sub Reimbs - MI Model Training	533.70	533.70
A14842	11/12/25	13225	HUNTINGTON, KARI		X	21-213-3210-000-013-0000	October Mileage	96.95	96.95
A14843	11/12/25	15490	JUIP, JYLIAN		X	21-215-3210-000-032-0000	October Mileage	52.92	52.92
A14844	11/12/25	16018	KNIGHT, ABBY		X	21-213-3210-000-011-0000	October Mileage	13.44	13.44
A14845	11/12/25	13817	STEVEN KOLONICH		G	11-261-4112-000-000-0000	Union St - 11/10	150.00	150.00
A14846	11/12/25	15602	LAUTZ E FLIPS, LLC	19866 P	X	21-261-4210-000-000-0000	November - Consumers	97.89	97.89
A14847	11/12/25	15688	LUMBERT, TAMMY		X	21-122-3210-001-120-0000	October Mileage	11.34	11.34
A14848	11/12/25	15511	MAIDA, ALICIA		X	21-215-3210-000-032-0000	October Mileage	20.72	20.72
A14849	11/12/25	15323	MCCLINTOCK, ALYSON		G	11-221-3210-000-000-7674	November Mileage	89.60	89.60
A14850	11/12/25	93913	MICHIGAN VIRTUAL UNIVERSITY	20780 C	G	11-225-3110-000-000-9321	MVU Tuition - Bath, Char, Conc	461,940.00	461,940.00
A14851	11/12/25	15662	MIDWEST AIR LLC	20788 C	V	61-127-3110-000-000-9528	September Hours	6,000.00	6,000.00
A14852	11/12/25	15859	MOLETTE, SHIANN		X	21-212-3210-000-080-0000	October Mileage	21.63	21.63
A14853	11/12/25	94398	PEARSON	20741 C	X	21-213-5990-000-011-0000	PDMS-3 Record Booklets	169.00	169.00
A14854	11/12/25	15247	PEOPLE DRIVEN TECHNOLOGY,	20711 C	G	11-284-6420-000-000-0000	Dell Pro 16 and REMC	1,769.85	1,769.85
A14855	11/12/25	15703	PROMER, MARLENE		X	21-212-3210-000-080-0000	October Mileage	194.67	
					X	21-226-5990-000-080-0000	Amazon - Vinyl for EO wagons	7.99	202.66
A14856	11/12/25	45836	PURITY CYLINDER GASES INC	20798 C	V	61-127-5110-000-000-9519	Hybrid Welding Jacket	55.59	55.59
A14857	11/12/25	40545	ROSE PEST SOLUTIONS		G	11-261-4110-000-000-0000	10/24/25 - Services	88.00	88.00
A14858	11/12/25	12810	SEHI COMPUTER PRODUCTS, INC.	20415 C	X	21-225-6420-000-000-0000	HP Monitors/REMC/E-Rate Spin	740.00	740.00
A14859	11/12/25	15937	SHARP, TORI		X	21-213-3210-000-011-0000	October Mileage	7.49	7.49
A14860	11/12/25	13037	SHARPE, KIM		X	21-213-3210-000-011-0000	October Mileage	74.62	74.62
A14861	11/12/25	01902	SMITH, LUCINDA		X	21-213-3220-000-000-9310	Nov 4 Medicaid SSP Training -	21.28	21.28
A14862	11/12/25	14134	SMITH, ALICIA ANN		X	21-221-5993-000-000-0000	Director Interview - Lunch	20.10	20.10
A14863	11/12/25	13216	SURATO, JENNIFER		X	21-221-3220-000-021-0000	Oct 23-24 MASP Conf - Reg/Mile	723.83	723.83
A14864	11/12/25	15900	WACOSTA COOPERATIVE		G	11-441-8513-000-000-3430	GSRP - July 1 - Oct 31, 2025	33,799.23	33,799.23
A14865	11/12/25	15879	YOU AND ME ACADEMY		G	11-441-8512-000-000-3430	GSRP - July - Oct	33,781.43	33,781.43

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CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
A14866	11/12/25	46314	ZAYO NETWORK SERVICES, LLC	19868 P	G	11-284-3490-000-000-0000	November Services	8,798.00	8,798.00
A14867	11/12/25	91627	CELICO PARTNERSHIP		G	11-261-3410-000-000-0000	Oct - *S/C TELEPHONE EXPENSE	1,424.92	
					G	11-261-3490-000-000-0000	Oct - GE Broadband Wireless	72.02	1,496.94
A14868	11/19/25	15450	7C LINGO LLC	20852 C	X	21-212-3190-000-080-0000	Interpretation - 11/13	150.00	150.00
A14869	11/19/25	16066	A.D.N ADMINISTRATORS - ADMIN		G	12-451-0009-000-000-0000	A.D.N. ADMIN-DENTAL PREMIUMS -	1,707.75	1,707.75
A14870	11/19/25	14848	AMAZON CAPITAL SERVICES, INC	20794 C	G	11-118-5110-530-000-3430	Stress Balls/Alphabet Robots	60.74	
				20527 P	G	11-118-5110-530-000-3430	Blue Plaid Vest	8.99	
				20527 C	G	11-118-5110-530-000-3430	Magnet hooks/velcro dots/block	112.09	
				20819 C	G	11-118-5110-560-000-3430	Safety scissors/mini stapler/s	215.89	
				20793 C	G	11-118-5110-560-343-3430	Playdoh tools/lapboards/Tape/E	121.06	
				20795 C	G	11-118-5110-565-000-3430	Rotating Puzzles/magnet people	170.05	
				20839 C	X	21-122-5110-001-120-0000	Wireless Headphones	59.96	
				20839 C	X	21-122-5110-001-193-0000	Sensory Bin - Christmas/Pet	46.98	
				20699 C	X	21-122-5990-001-110-0000	Plastic silverware	19.98	
				20699 P	X	21-122-5990-001-193-0000	Tree Tent wchair swing	157.99	
				20699 C	X	21-122-5990-001-193-0000	Play Doh kits, play sand & cra	238.71	
				20699 C	X	21-122-5990-002-120-0000	Electric griddle & magnetic mo	78.16	
				20812 C	X	21-213-5990-000-011-0000	Light Pad	39.99	
				20807 C	X	21-213-5990-000-013-0000	Light Covers	57.36	
				20846 C	X	21-213-5990-001-015-0000	Syringes	27.87	
				20840 C	X	21-213-5990-001-015-0000	Tylenol/Motrin	18.72	
				20806 C	X	21-226-5990-000-000-0000	Wireless Mouse	16.99	
				20846 C	X	21-241-5910-001-000-0000	Laminating Roll	128.64	
				20699 C	X	21-241-7910-001-000-0000	Mesh wall mounted file holder	31.42	
				20839 C	F	51-297-5990-000-000-0000	Fridge Thermometer - 4pack	9.78	
				20799 C	V	61-127-5210-000-000-9525	Advanced Skills for HC - Books	851.58	
				20699 P	H	91-296-7920-000-000-4313	Rubber cement	56.99	2,529.94
A14871	11/19/25	12895	ANDERSON, STACI		X	21-219-3210-000-000-0000	Oct - Nov 19th Mileage	202.09	202.09
A14872	11/19/25	14486	ASAP PRINTING		G	11-211-5990-000-000-9074	Business cards - H.Dean	34.80	
					V	61-212-5910-000-000-0000	Business cards - D.Patterson	34.80	
				20849 C	V	61-212-5910-000-000-0000	Business cards - M.Hiscock/Z.M	69.60	139.20
A14873	11/19/25	15454	BKM LLC	20826 C	H	91-296-7920-000-000-4312	Corn Oil/Caramel/Delivery fee	293.95	293.95
A14874	11/19/25	16068	BOUWENS, MEGAN		X	21-221-3220-000-041-0000	Nov MASSW confr - mileage	243.60	243.60
A14875	11/19/25	15578	BUCHHOP-SILER, ELIZABETH		X	21-122-2310-001-120-8100	Tuition Reimb - Approach for T	2,379.00	2,379.00
A14876	11/19/25	15892	CHAMBERLAIN, ADYSON		G	11-221-3210-000-919-9304	October Mileage	106.96	106.96
A14877	11/19/25	15236	CHAMBERS, CHELSEA MARIE		G	11-221-3220-000-000-0000	Oct 14-15 Adaptive Schools Con	85.40	85.40
A14878	11/19/25	07360	CHARLOTTE PUBLIC SCHOOL	20855 C	G	11-221-8220-000-000-7673	SY25 YRBS Stipend	1,000.00	1,000.00
A14879	11/19/25	15845	CLARK, RACHAEL		X	21-221-3220-000-080-0000	Nov 6 MI DEC Conf - Mileage	117.60	117.60

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A14880	11/19/25	16079	CLINICAL CONSULTING	20847 C	X	21-216-3130-000-041-0000	SSW Services - 10/13-10/17	11,583.00	
				20817 C	X	21-216-3130-000-041-0000	SSW Services - 11/3-11/7	11,427.00	23,010.00
A14881	11/19/25	00341	CLINTON COUNTY RESA	20829 C	G	11-282-8220-000-000-3430	Website Support - GSRP/Head St	1,875.00	
				20829 C	G	11-282-8221-000-000-3430	Website Support - GSRP/Head St	1,875.00	3,750.00
A14882	11/19/25	13859	D & D MAINTENANCE SUPPLY, INC	19865 P	G	11-261-4110-000-000-0000	October Services	8,497.00	
					G	11-261-5990-000-000-0000	Roll White Towels	351.00	
					G	11-261-5992-002-000-0000	Tissue 2-ply	85.67	
					G	11-261-5992-002-000-0000	Floor Scrubber Repair	701.08	9,634.75
A14883	11/19/25	14914	DAHLGREN, MELISSA		G	11-221-3220-000-000-2251	Oct 27-28 CMH Assoc Conf - Mil	343.19	343.19
A14884	11/19/25	13084	DEAN, HARRIETT		G	11-211-3210-000-000-9074	October Mileage	143.99	
					G	11-221-3210-000-923-9304	October Mileage	117.81	261.80
A14885	11/19/25	15992	DEJONG, TAMARA		X	21-221-3220-000-041-0000	Nov 5-7 MASSW Conf - Meals & M	159.45	159.45
A14886	11/19/25	14456	DEWITT PUBLIC SCHOOLS	20833 C	G	11-221-8220-000-000-7673	SY25 YRBS Stipend	1,000.00	1,000.00
A14887	11/19/25	19060	GRAND LEDGE PUBLIC SCHOOLS	20831 C	G	11-221-8220-000-000-7673	SY25 YRBS Stipend	1,000.00	1,000.00
A14888	11/19/25	14650	HAMMELL, TRACI LYNN		X	21-221-3220-000-273-0000	Nov 6-7 MiDEC Conf - Mileage	68.60	68.60
A14889	11/19/25	14299	HOLT PUBLIC SCHOOLS	20835 C	G	11-221-8220-000-000-7673	SY25 YRBS Stipend	1,000.00	1,000.00
A14890	11/19/25	13476	JASKOWSKI, LISA		X	21-212-3210-000-080-0000	Oct & Nov Mileage	110.46	110.46
A14891	11/19/25	00420	LANSING COMMUNITY COLLEGE	20850 C	V	61-241-3430-000-000-0000	Mail charges 11/11/25	25.90	
				20800 C	V	61-331-5993-000-000-0000	Event Meal - 10/29	3,246.60	3,272.50
A14892	11/19/25	46477	LANSING SCHOOL DISTRICT	20834 C	G	11-221-8220-000-000-7673	SY25 YRBS Stipend	1,000.00	1,000.00
A14893	11/19/25	15331	LEALE, NATHAN J		G	11-226-3220-000-000-0000	Nov 3-4 MASA Conf - Mileage	231.00	231.00
A14894	11/19/25	14484	MADISON NATIONAL LIFE		G	12-451-0022-000-000-0000	Dec - MADISON NAT'L LIFE INS C	7,219.57	7,219.57
A14895	11/19/25	16026	MCBRIDE, MEGHAN		G	11-221-3220-000-000-7674	Oct 27 AI Conf - Mileage	57.96	57.96
A14896	11/19/25	12684	MEA FINANCIAL SERVICES, INC.		G	12-451-2500-000-000-0000	Dec Premiums	178.10	178.10
A14897	11/19/25	94398	PEARSON	20808 C	X	21-213-5990-000-011-0000	DTVP 3 Response books/record f	165.00	165.00
A14898	11/19/25	15247	PEOPLE DRIVEN TECHNOLOGY,	20536 C	X	21-225-6420-000-000-0000	Dell Pro Thunderbolt dock	201.40	201.40
A14899	11/19/25	14859	PLANSOURCE BENEFITS		G	12-451-0023-000-000-0000	AFLAC - December	2,020.74	2,020.74
A14900	11/19/25	16001	POSITIVE BEHAVIOR SUPPORTS	20816 C	X	21-216-3130-000-041-0000	S.Young/K.Thomas - October Svs	4,453.75	
				20815 C	X	21-216-3130-000-041-0000	K.Thomas - October	2,127.50	
				20814 C	X	21-216-3130-000-041-0000	K.Thomas - October	1,610.00	
				20813 C	X	21-216-3130-000-041-0000	K.Thomas - October	862.50	9,053.75
A14901	11/19/25	14017	POWERSCHOOL GROUP LLC	20797 C	V	61-127-3450-000-000-0000	SIS Hosted Subscription	315.00	315.00
A14902	11/19/25	91170	SCHOOL SPECIALTY, LLC.	20761 C	G	11-226-5910-000-000-3430	Heavyweight Records Folders	393.69	393.69
A14903	11/19/25	14309	SONITROL GREAT LAKES		G	11-284-3190-000-000-0000	Southridge - Monthly Fee - 12/	147.75	
					G	11-284-3190-000-000-0000	Packard - Monthly Fee - 12/1/2	422.91	570.66
A14904	11/19/25	00019	SUPER DUPER INC	20783 P	X	21-215-5910-000-032-0000	Tills Exam Kit/SLS Users Manua	649.90	649.90
A14905	11/20/25	46007	RELEVANT ACADEMY OF EATON		G	10-518-1902-902-000-0000	November State Aid	(1,711.80)	
					G	12-421-1902-000-000-0000	November State Aid	65,371.23	63,659.43

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CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
A14906	11/26/25	14848	AMAZON CAPITAL SERVICES, INC	20830	C	G 11-118-5110-530-000-3430	GSRP CH - classroom supplies	195.64	
				20872	C	G 11-211-5990-000-000-9074	Folder inserts	78.88	
				20811	C	G 11-221-5910-000-000-7674	Noise cancelling headphones	99.99	
				20844	C	G 11-221-5990-000-000-6974	Paper bags/Pencils/Tape/Tote/T	131.92	
				20878	C	G 11-221-5990-000-000-7674	Adapter for Headset	9.38	
					G	11-284-5990-000-000-0000	HDMI Splitter 1 in 4 out	17.99	
				20828	C	G 11-361-5990-000-000-6352	Winter Boots - MV	42.99	
					X	21-213-5990-001-015-0000	Credit - Syringes	(28.87)	
				20858	C	X 21-221-5990-000-000-9150	Peel/Stick sensory pathway cli	19.80	
				20860	C	X 21-221-5990-000-000-9150	Childrens Books/Laminating Pou	159.18	
	20866	C	V 61-127-5110-000-000-9507	Fiberglass tape measure	20.95	747.85			
A14907	11/26/25	15736	AMERICAN OFFICE SOLUTIONS -	19874	P	G 11-252-4220-000-000-0000	Nov eGold Fax Services	150.00	150.00
A14908	11/26/25	15173	AMN ALLIED SERVICES LLC	20863	C	X 21-216-3130-000-041-0000	Rials - 11/2-11/8/2025	2,446.06	2,446.06
A14909	11/26/25	14542	AMY'S CATERING LLC	20856	C	X 21-221-3120-000-000-0000	Event Meal - 9/9/25	1,206.40	1,206.40
A14910	11/26/25	16083	BEERS, LAUREN		X	21-213-3210-000-013-0000	October - November Mileage	149.24	149.24
A14911	11/26/25	16025	BROWN, RICHADA		G	11-226-3220-000-000-6352	Nov 1-4 NAECHY Conf - Lyft	45.46	45.46
A14912	11/26/25	15578	BUCHHOP-SILER, ELIZABETH		X	21-122-3210-001-120-0000	Oct - Nov Mileage	57.40	57.40
A14913	11/26/25	15892	CHAMBERLAIN, ADYSON		G	11-221-3210-000-919-9304	November Mileage	209.58	209.58
A14914	11/26/25	07360	CHARLOTTE PUBLIC SCHOOL	20884	C	F 51-297-5610-000-000-8500	Oct - MV Breakfast	1,709.86	
				20883	C	F 51-297-5610-000-000-8500	Sept - MV Breakfast	1,463.20	
				20883	C	F 51-297-5610-000-000-8510	Sept - MV Lunch	2,087.85	
				20884	C	F 51-297-5610-000-000-8510	Oct - MV Lunch	2,397.30	
				20884	C	F 51-297-8220-000-000-0000	Oct - DELIVERY FEE/Trays/Sprks	74.69	
				20883	C	F 51-297-8220-000-000-0000	Sept - DELIVERY FEE/Trays/Brkf	246.30	
					F	51-297-8220-000-000-0000	DELIVERY FEE/OTHER PURCHASES	87.02	
					F	51-297-8220-000-000-0000	Lunch trays/Sporks	115.26	
					F	51-297-8220-000-000-0000	Lunch Trays/Sporks	115.26	
					F	51-297-8220-000-000-0000	DELIVERY FEE/OTHER PURCHASES	85.88	
					F	51-297-8220-000-000-8500	Sept - Galewood Breakfast	2,250.85	
					F	51-297-8220-000-000-8500	Oct - GSRP Breakfast	666.70	
					F	51-297-8220-000-000-8500	Oct - Galewood Breakfast	2,548.80	
					F	51-297-8220-000-000-8500	Sept - GSRP Breakfast	675.55	
	F	51-297-8220-000-000-8510	Sept - GSRP Lunch	1,064.85					
	F	51-297-8220-000-000-8510	Oct - Galewood Lunch	4,017.60					
	F	51-297-8220-000-000-8510	Oct - GSRP Lunch	1,050.90					
	F	51-297-8220-000-000-8510	Sept - Galewood Lunch	3,547.95	24,205.82				
A14915	11/26/25	13224	CHEESEMAN, KAREN		X	21-213-3210-000-014-0000	November Mileage	93.73	93.73
A14916	11/26/25	15845	CLARK, RACHAEL		X	21-212-3210-000-080-0000	October Mileage	169.75	169.75

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Type of Checks: All

Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
A14917	11/26/25	16079	CLINICAL CONSULTING	20865 C	X	21-216-3130-000-041-0000	SSW Services - 11/10-11/13	11,700.00	11,700.00
A14918	11/26/25	13827	CLUTE, ANGELA		G	11-226-3210-000-000-3430	November Mileage	26.25	26.25
A14919	11/26/25	15671	CUSACK, RANDY		X	21-226-3210-000-082-0000	November Mileage	79.17	
					X	21-226-3210-000-082-0000	November Mileage	101.92	181.09
A14920	11/26/25	13859	D & D MAINTENANCE SUPPLY, INC		G	11-261-5990-000-000-0000	Packard - Neutra Fresh/Just fo	243.00	
					G	11-261-5992-002-000-0000	US - Aero Blue Foam	96.80	339.80
A14921	11/26/25	94460	HASSEL FREE FUELS		G	11-261-5710-000-000-0000	S/C PACK TRUCK GASOLINE	42.20	42.20
A14922	11/26/25	15468	DAVIS, ZACHARY B		X	21-214-3210-000-021-0000	November Mileage	5.32	5.32
A14923	11/26/25	13029	DEVOLDER-HICKS, SHEILA		X	21-212-3210-000-080-0000	September Mileage	49.84	49.84
A14924	11/26/25	44684	EPARS (403B)		G	12-451-0015-000-000-0000	TSA 403B	7,321.33	
					G	12-451-0015-000-000-0000	TSA 403B BOE PD	2,724.61	
					G	12-451-0015-000-000-0000	TSA 403B ROTH	1,124.00	
					G	12-451-0015-000-000-0000	457	550.00	11,719.94
A14925	11/26/25	14138	FADER, BRYANNA YVONNE		X	21-212-3210-000-080-0000	September Mileage	289.10	
					X	21-226-5990-000-080-0000	GFS - Cookies for EO family ev	19.99	309.09
A14926	11/26/25	15857	FOX, ELIZABETH		X	21-221-3220-000-080-0000	Medbridge Continuing Education	324.00	324.00
A14927	11/26/25	13071	FRACCAROLLI, DEBRA		X	21-215-3210-000-032-0000	Aug - Oct Mileage	280.84	
					X	21-215-5990-000-032-0000	SLP Impact - Annual renewal	99.00	379.84
A14928	11/26/25	15689	GET 'EM AND GO PLUS MORE LLC	20862 C	X	21-271-3310-000-000-9140	11/14 - Transportation	98.00	
				20861 C	X	21-271-3310-000-000-9140	11/4 Transportation Services	376.46	474.46
A14929	11/26/25	15655	GILMORE, HANNAH		X	21-215-3210-000-032-0000	October Mileage	14.21	14.21
A14930	11/26/25	12978	HAGER, KELLY		X	21-226-3210-000-082-0000	November Mileage	34.51	34.51
A14931	11/26/25	16118	HICKS, LUCAS		G	11-221-3210-000-923-9304	October Mileage	66.22	66.22
A14932	11/26/25	15607	HOARD, KRISTEN		X	21-214-3210-000-021-0000	October Mileage	16.80	16.80
A14933	11/26/25	13589	HOLMES, CHRISTINA		G	11-221-3210-000-000-7674	November Mileage	38.29	
					G	11-221-3210-000-000-9014	November Mileage	38.29	
					H	91-296-7920-000-000-4315	Sept 15-18 MISHCA Conf - Milea	360.79	437.37
A14934	11/26/25	15550	JACKSON, TAYLOR		X	21-221-3220-000-075-0000	Nov 6-7 SHAPE Conf - Reg/Meals	226.96	226.96
A14935	11/26/25	13476	JASKOWSKI, LISA		X	21-221-3220-000-080-0000	Nov 6 Mi Division for EO - Mil	60.20	60.20
A14936	11/26/25	14690	JOBSON, SARA MARIE		V	61-212-3210-000-000-0000	Aug - Nov Mileage	114.94	114.94
A14937	11/26/25	13402	KAISER, BARBARA		X	21-221-3220-000-032-0000	Nov 6-7 Talking AAC Conf - Mil	30.80	30.80
A14938	11/26/25	14540	LOBDELL, CHRISTINA JOY		X	21-215-3210-000-035-0000	July - Sept Mileage	257.88	257.88
A14939	11/26/25	15688	LUMBERT, TAMMY		X	21-122-3210-001-120-0000	November Mileage (2)	3.78	3.78
A14940	11/26/25	16026	MCBRIDE, MEGHAN		G	11-221-5990-000-000-7674	Little Ceasars - Pizza for PAL	176.05	176.05
A14941	11/26/25	15609	MCBRIDE, SYLVIA		X	21-213-3210-000-011-0000	September - October Mileage	342.37	342.37
A14942	11/26/25	14441	LOWRIE, AMY MILLER		X	21-283-3220-000-000-0000	Oct 7-10 DEC Conf - Mileage	102.20	102.20
A14943	11/26/25	13218	MORSE, HEATHER		X	21-213-3210-000-013-0000	September Mileage (2)	79.24	
					X	21-213-5990-000-013-0000	Meijer - Potty seat/Step stool	23.98	103.22

Eaton RESA

### Check Register

Type of Checks: All

Date Range: 11/01/2025 to 11/30/2025

CheckNo	CkDate	Vendor	Name	PO #	AFC	Account	Description	Amount	CheckAmt
A14944	11/26/25	14253	OSBORN, BRIDGET KAY		G	11-226-3220-000-000-3430	Nov 11-12 MTSS Conf - Parking	30.00	30.00
A14945	11/26/25	94398	PEARSON	20823 C	X	21-215-5990-000-080-0000	DAYC-2 Communication Booklets	118.00	118.00
A14946	11/26/25	37660	POTTERVILLE PUBLIC SCHOOL		X	21-215-8220-000-032-0000	Independent Education Eval	3,425.40	3,425.40
A14947	11/26/25	14878	PRESENCELEARNING, INC	20874 C	X	21-214-3130-000-021-0000	SP Evaluations	268.00	
				20874 C	X	21-216-3130-000-041-0000	BMH Hours	14,872.00	15,140.00
A14948	11/26/25	15703	PROMER, MARLENE		X	21-221-3220-000-080-0000	Nov 7 Early Childhood Conf - M	18.92	18.92
A14949	11/26/25	15391	PUNG, FAITH		X	21-215-7410-000-032-0000	ASHA Certification - Reimb	115.00	
					X	21-221-3220-000-032-0000	Nov 6-7 Talking AAC Conf - Mil	15.40	130.40
A14950	11/26/25	16030	RITCHEY, MEGHAN		X	21-221-3220-000-041-0000	Nov 5-7 MASSW Conf - Mileage/M	287.60	287.60
A14951	11/26/25	15138	ROUSH, VICKI LYNN		G	11-221-3220-000-000-2250	Oct 27-28 CMHA Conf - Mileage	337.12	337.12
A14952	11/26/25	15496	SIX, KRISTIN		X	21-122-3210-002-120-0000	November Mileage	15.40	15.40
A14953	11/26/25	13038	SOMMERLOT, EVELYN		X	21-215-3210-000-032-0000	October Mileage	39.62	39.62
A14954	11/26/25	14309	SONITROL GREAT LAKES		G	11-261-4112-000-000-0000	US - Fire Permit	335.00	
					G	11-261-4112-000-000-0000	US - Electrical Permit	335.00	670.00
A14955	11/26/25	16019	STUMP, BROOKE		X	21-215-3210-000-032-0000	October Mileage	159.18	159.18
A14956	11/26/25	15636	TAYLOR, LYNN		F	51-297-3210-000-000-0000	November Mileage	15.82	15.82
A14957	11/26/25	15938	TRANSFORMING RESEARCH INTO		G	11-445-8510-000-000-4880	4th pymnt of 31p2	112,000.00	112,000.00
A14958	11/26/25	15690	TRUSTMARK VOLUNTARY BENEFIT		G	12-451-0060-000-000-0000	LTC ER PREMIUM - 11/14/2025	2,306.92	
					G	12-451-0060-000-000-0000	LTC ER PREMIUM - 11/28/2025	2,373.64	
					G	12-451-0061-000-000-0000	LTC EE PREMIUM - 11/14/2025	1,198.11	
					G	12-451-0061-000-000-0000	LTC EE PREMIUM - 11/28/2025	1,198.11	7,076.78
A14959	11/26/25	14115	WILLIAMS, SEAN M		G	11-232-3210-000-000-0000	Oct - Nov Mileage	332.92	332.92
							<b>Sub Total:</b>	<b>\$1,439,316.29</b>	
							<b>Register Total:</b>	<b>\$3,423,770.39</b>	



Book	Policy Manual
Section	Vol. 40, No. 1 - Nondiscrimination - September 2025 ISD
Title	Vol. 40, No. 1 - Nondiscrimination - September 2025 Rescind NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE
Code	po1422.02
Status	From Neola
Adopted	February 15, 2012

### **Rescind Policy - Vol. 40, No. 1**

#### **1422.02 — NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE**

~~The Board of Education prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of his/her genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.~~

~~In accordance with the Genetic Information Nondiscrimination Act ("GINA"), the Board shall not request, require, or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with this Act, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the District's application process.~~

~~[ ] The District recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. The District prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information.~~

~~"Genetic information," as defined by GINA, means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.~~

~~If the District either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider, it shall be treated as a confidential medical record in accordance with law.~~

~~The Superintendent shall appoint a compliance officer who shall be responsible for overseeing the District's compliance with Federal regulations and promptly dealing with any inquiries or complaints. S/He shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members and that all District requests for health related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information.~~

~~The warning shall read as follows:~~

~~The Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by GINA Title II, including the Board of Education, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.~~

~~[ ] The District offers health services ( ) including a wellness program **[END OF OPTION]**. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to his/her health services providers, but only genetic information in aggregate form will be provided to the Board. **[END OF OPTIONAL SENTENCE]**~~

Legal

29 C.F.R. Part 1635

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



Book	Policy Manual
Section	Board Review Non-Discrim Fall 2025
Title	Vol. 40, No. 1 - Nondiscrimination - September 2025 Replacement NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT
Code	po1422
Status	
Adopted	January 16, 2013
Last Revised	August 20, 2025

**Replacement Policy - Vol. 40, No. 1**

**1422 - NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including pregnancy, childbirth, and related medical conditions; sexual orientation; and gender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category (collectively, Protected Classes) in its programs and activities, including employment opportunities.

The Board is committed to providing a work environment that is free from Prohibited Conduct, responding promptly and effectively when it has knowledge of conduct that reasonably may constitute Prohibited Conduct, and addressing Prohibited Conduct in its education programs or activities. This commitment applies to all District operations and this policy applies to Prohibited Conduct occurring within or as a part of the District's education programs and activities, whether on school property or at another location during an activity sponsored by the Board.

Persons who commit Prohibited Conduct are subject to the full range of disciplinary sanctions set forth in this policy.

The Board will provide persons who have experienced Prohibited Conduct with ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs or activities.

All school employees share responsibility for avoiding, discouraging, and reporting any form of Prohibited Conduct.

The Board will take immediate action to address the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging Prohibited Conduct, or has participated in the below-described grievance procedures.
- B. Filing a malicious or knowingly false report or complaint of Prohibited Conduct.
- C. Disregarding, failing to appropriately address, or delaying action to appropriately address allegations of Prohibited Conduct when responsibility for reporting and/or investigating such charges comprises part of one's administrative/supervisory duties.

**Definitions:**

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

**Bullying** means: any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult, that is sufficiently severe or pervasive to create an intimidating, hostile, or offensive work environment; or unreasonably interfere with the individual's work performance or participation. It may involve: (a) threats; (b) intimidation; (c) stalking; (d) cyberstalking; (e) cyberbullying; (f) physical violence; (g) theft; (h) sexual, religious, or racial harassment; (i) public humiliation; or (j) destruction of property. Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more employees, and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal and/or State civil rights laws. Ordinary teasing, horseplay, arguments, and peer conflict do not constitute bullying for purposes of this policy.

**Complainant** means: an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or a person, other than an employee, who is alleged to have been subjected to conduct that could constitute Prohibited Conduct and who was participating or attempting to participate in the District's education programs or activities at the time of the alleged Prohibited Conduct.

**Complaint** means: an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged Prohibited Conduct.

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

**Disciplinary sanctions** means: consequences imposed on a respondent following a determination that the respondent engaged in Prohibited Conduct.

**Education programs or activities** refer to: all the District's operations including, but not limited to, in-person and online/remote educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all programs and activities operated by the Board on school grounds or on other property owned or occupied by the Board. It also includes events and circumstances that take place off school property/grounds but over which the District asserts disciplinary authority (e.g., at off-campus activities sponsored by the Board).

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

**Genetic information** means: information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

**Harassment** means: any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against an employee that (a) places the employee in reasonable fear of harm to their person or damage to their property; (b) has the effect of substantially interfering with the employee's work performance; or (c) has the effect of substantially disrupting the orderly operation of a school. Each of the following types of harassment involves unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's protected characteristic(s) and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

**A. Age Harassment** means: harassment based on negative perceptions about older workers. It also includes harassment based on stereotypes about older workers, even if they are not motivated by animus, such as pressuring an older employee to transfer to a job that is less technology-focused because of the perception that older workers are not well-suited to such work or encouraging an older employee to retire.

**B. Disability Harassment** means: harassment based upon a person's disability and includes harassment based upon stereotypes about individuals with disabilities in general or about an individual's particular disability. It also includes harassment based on traits or characteristics linked to an individual's disability, such as how the person speaks, looks, or moves. For example, negative comments about an individual's speech patterns, movement, physical impairments, or defects/appearances, or the like. Disability-based harassment includes: (a) harassment because an individual requests or receives reasonable accommodation; (b) harassment because an individual is regarded as having an impairment, even if the individual does not have an actual disability, or a record of disability; (c) harassment because an individual has a record of a disability, even if the individual currently does not have a disability; and (d) harassment based on the disability of an individual with whom the employee is associated. Finally, disability-based harassment may occur where conduct is directed at or pertains to a person's genetic

information.

- C. **National Origin/Ancestry Harassment** means: harassment due to a person's (or their ancestor's) place of origin. Such harassing conduct can include ethnic slurs or epithets, derogatory comments about individuals of a particular nationality, and use of stereotypes about a person's national origin. Additionally, it can include harassment regarding traits or characteristics linked to an individual's national origin, such as physical characteristics, ethnic or cultural characteristics or customs (e.g., surnames, attire, or diet), or linguistic characteristics (e.g., a person's manner of speaking, non-English language accent, or a lack of fluency in English).
- D. **Race/Color Harassment** means: unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's race or color and has the purpose or effect of interfering with the individual's work performance; or creating an intimidating, hostile, or offensive work environment. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.
- E. **Religious (Creed) Harassment** means: harassment based on a person's surname, religion (including atheism or lack of religious belief), religious traditions and practices, or religious dress/clothing, and includes making offensive comments about the same. It also includes religious slurs or epithets, harassing conduct based on religious stereotypes, and harassment associated with a person's request for and/or receipt of religious accommodation. Religious harassment also involves explicitly or implicitly coercing an employee to engage in religious practices at work.
- F. **Sexual Harassment** means (for purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment; (b) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of interfering with the individual's work performance; or creating an intimidating, hostile, or offensive working environment. Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.
1. Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.
  2. Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:
    - a. Conduct of a sexualized nature, such as unwanted conduct expressing sexual attraction or involving sexual activity (e.g., unwelcome sexual propositions, invitations, solicitations, and flirtations; unwanted physical and/or sexual contact, including unwelcome and inappropriate touching, patting, or pinching (x)); and obscene gestures [END OF OPTION].

- b. Sexual attention or sexual coercion, such as demands or pressure for sexual favors (e.g., threats or insinuations that a person's employment, wages, or other conditions of employment may be adversely affected by not submitting to sexual advances; giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin).
- c. Rape, sexual assault, or other acts of sexual violence.
- d. Discussing or displaying visual depictions of sex acts or sexual remarks (e.g., unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, texts, etc.; sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature placed in the work environment; asking or telling about sexual fantasies, sexual preferences, or sexual activities; speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history).
- e. A consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- f. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
- g. Non-sexual conduct based on sex, such as sex-based epithets; sexist comments (such as remarks that women do not belong in management or that men do not belong in the nursing profession); or facially sex-neutral offensive conduct motivated by sex (such as bullying directed toward employees of one sex).
- h. Harassment based on pregnancy, childbirth, or related medical condition, which may include issues pertaining to lactation, using or not using contraception, or deciding whether to have, or not to have, an abortion.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be objectively offensive (a reasonable person would find it hostile or abusive), subjectively offensive (the complainant actually perceived it as abusive), and either sufficiently severe (a single extremely serious incident) or pervasive (a pattern of behavior), such that it adversely affects, limits, or denies an individual's employment, or creates a hostile or abusive employment environment.

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

**Military status** means: a person's past, current, or future membership, service, or obligation in a uniformed service (e.g., Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, Public Health Service Commissioned Corps, and National Oceanic and Atmospheric Administration Commissioned Officer Corps). Service in the uniformed services also means the performance of duty, on a voluntary basis, or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It further includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

**Party** means: a complainant or respondent.

**Pregnancy, childbirth, or related medical conditions** means:

- A. "Pregnancy" and "childbirth" refer to the pregnancy or childbirth of a specific employee and include, but are not limited to, current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including vaginal and cesarean delivery).
- B. "Related medical conditions" are medical conditions relating to the pregnancy or childbirth of a specific employee, and may include termination of pregnancy, including via miscarriage, stillbirth, or abortion; ectopic pregnancy; preterm labor; pelvic prolapse; nerve injuries; cesarean or perineal wound infection; maternal cardiometabolic disease; gestational diabetes; preeclampsia; HELLP (hemolysis, elevated liver enzymes and low platelets) syndrome; hyperemesis gravidarum; anemia; endometriosis; sciatica; lumbar lordosis; carpal tunnel syndrome; chronic migraines; dehydration; hemorrhoids; nausea or vomiting; edema of the legs, ankles, feet, or fingers; high blood pressure; infection; antenatal (during pregnancy) anxiety, depression, or psychosis; postpartum depression, anxiety, or psychosis; frequent urination; incontinence; loss of balance; vision changes; varicose veins; changes in hormone levels; vaginal bleeding; menstruation; and lactation and conditions related to lactation, such as low milk supply, engorgement, plugged ducts, mastitis, or fungal infections. The preceding list of related medical conditions is not exhaustive.

**Prohibited Conduct** means: unlawful discrimination or harassment based on a person's Protected Class(es) or retaliation. Such misconduct involves a violation of Federal and/or State civil rights laws.

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

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

**Respondent** means: a person who is alleged to have engaged in Prohibited Conduct.

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

**School District community** means: students and Board employees (i.e., administrators and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Supportive measures** means: non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge to the complainant or the respondent before or after making a report or filing a complaint. Such measures are designed to restore or preserve that party's access to the District's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment or deter Prohibited Conduct. Supportive measures may include modifications of work schedules, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings; training related to Prohibited Conduct, ~~( ) referral to Employee Assistance Program, [END OF OPTION]~~ and other similar measures.

**Third Parties** means: guests and/or visitors on District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

### **Pregnancy, Childbirth, and Related Medical Conditions**

The Board will not discriminate against an employee based on the person's current pregnancy, potential or intent to become pregnant, past pregnancy, or medical condition related to pregnancy or childbirth, or because the person uses birth control, or has had or not had an abortion.

Additionally, the Board will provide a reasonable accommodation to an employee's known limitation related to pregnancy, childbirth, or a related medical condition, unless the accommodation will cause the District undue hardship.

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

The Board will provide reasonable break time for an employee to express breast milk while at work for the first year after the employee's child's birth. The Board will provide the employee with a space, other than a bathroom, that is clean, shielded from view, free from intrusion from coworkers and the public, and which the employee can use as needed to express breast milk. See Board Policy 6700 – Fair Labor Standards Act.

## **Nondiscrimination Based on Employee's Genetic Information**

The Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of the individual's genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Nondiscrimination Act ("GINA"), the Board shall not request, require, or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with GINA, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the District's application process.

[  ] The District recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. The District prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information. **[END OF OPTION]**

If the District either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider, it shall be treated as a confidential medical record in accordance with law.

The District Compliance Officer (see below) shall be responsible for overseeing the District's compliance with applicable Federal regulations and promptly dealing with any inquiries or complaints. The District Compliance Officer or designee shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all District requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the Americans with Disabilities Act ("ADA") or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

The Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by GINA Title II, including the Board of Education, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical

research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

~~[ ] The District offers health services ( ), including a wellness program **[END OF INTERNAL OPTION]**. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to the person's health services providers, but only genetic information in aggregate form will be provided to the Board. **[END OF OPTION]**~~

## **District Compliance Officer(s)**

### **[DRAFTING NOTES:**

- 1. Neola suggests the Board appoint both a male and a female to serve as the District Compliance Officers. By appointing two (2) District Compliance Officers, there should always be a District Compliance Officer available to address a claim that pertains to the other District Compliance Officer. If, however, the Board appoints more than one (1) District Compliance Officer, Neola recommends that it designate one (1) of the District Compliance Officers to retain ultimate oversight over the assigned responsibilities and ensure the Board's consistent compliance with its responsibilities under applicable Federal and State laws that prohibit unlawful discrimination/harassment based on protected classes and retaliation. Alternatively, the Board could appoint a District Compliance Officer and one (1) or more persons to assist the District Compliance Officer with performance of the responsibilities identified in this policy and its accompanying administrative guidelines. Often the person(s) designated to assist a District Compliance Officer is/are called Deputy or Assistant Compliance Officer(s). If the Board elects this alternative approach, it would designate a District Compliance Officer for purposes of this policy, and then designate the other position(s) through its AG. The person(s) in the alternative support role(s) will need to be trained in the same manner as the District Compliance Officer (see AG 1422).**
- 2. The Board must list in this policy either the Name(s) or Title(s) of the District Compliance Officer(s); while the Board may list both the Name(s) and Title(s), Neola suggests that the Board only list the Title(s) in this policy (so the Board does not need to revise/amend the policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name(s) and Title(s) in the requisite notices/postings (e.g., website) and publications (e.g., handbooks). The District will also need to decide whether to list the Name(s) and Title(s), or just the Title(s), in Administrative Guideline 1422 if the District elects to identify the District Compliance Officer in the AG (see DRAFTING NOTE in the AG; again, if the District lists the Name(s) and Title(s), it will need to remember to update the AG whenever there is a change in the actual person(s) holding the designated position(s). No matter what, the Board will need to amend its policy and update its AG, requisite notices/postings, and publications, whenever it changes the Title of the position(s) designated to serve as the District Compliance Officer(s).**

- 3. Reminder: Whenever a new person begins to serve as the District Compliance Officer (or in a support role to the District Compliance Officer), the District needs to make sure the new person is appropriately trained, in a timely manner, to fulfill the responsibilities of the position to which the person is assigned.]**

**[END OF DRAFTING NOTES]**

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Federal and State laws that prohibit discrimination, including harassment, based on Protected Classes and retaliation (also known as "Civil Rights Coordinator(s)" or "Anti-Harassment Compliance Officer(s)") (hereinafter referred to as the "District Compliance Officer(s)" or "CO(s)"):

John VanHoesen  
Human Resource Coordinator  
1790 East Packard Highway  
Charlotte, MI 48813  
517.541.8722  
jvanhoesen@eatonresa.org

Kelly Hager  
Technical Assistance Provider & Maple Valley Special Ed Director  
1790 East Packard Highway  
Charlotte, MI 48813  
517.541.8723/517.852.9275  
khager@eatonresa.org

**[DRAFTING NOTE: The District may want to create a static (i.e., fixed) District Compliance Officer -specific email address and phone number that will not change when the person(s) and/or position(s) designated to be the CO(s) change(s) – e.g., CO4CivilRights@(insert District's domain) – which the Technology Director/Department can program to be forwarded to the actual individual(s) serving as the District Compliance Officer(s) at any given time. Likewise, the District may want to establish a static Telephone Number for the position of District Compliance Officer that can be forwarded to, and accessed by, the actual person(s) serving in the CO position(s) at any given time. These two (2) steps will help reduce the information that needs to be updated in policy, AG, and/or the requisite notices/postings and publications when changes occur to the specific person(s)/position(s) designated to serve as the CO(s).]**

**x ]** The Board designates the Superintendent **[DRAFTING NOTE: Insert Name and/or Title of the District Compliance Officer who is ultimately responsible for the District's compliance with its responsibilities under Federal and State laws that prohibit discrimination/harassment based on Protected Classes and retaliation as the individual who is ultimately responsible for oversight over the Board's compliance with applicable Federal and State laws and regulations that prohibit discrimination based on the basis of Protected Classes and retaliation. [END OF OPTION]**

] The District Compliance Officer may delegate specific duties to one (1) or more designees. **[END OF OPTION]**

The contact information concerning the District Compliance Officer(s) will be published on the School District's website. ~~( ) and annually [END OF OPTION].~~

- A. ~~( ) in parent/student and staff handbooks.~~
- B. ~~( ) in the School District Annual Report to the public.~~
- C. ~~( ) on each individual school's website.~~
- D. ~~( ) in the School District's calendar.~~
- E. ~~( ) \_\_\_\_\_.~~

**[DRAFTING NOTE: The Board may want to select the following option when the Superintendent is not the CO. While Neola recognizes that this may not always be possible, it may be preferable to have the CO be someone other than the Superintendent because then – if the CO serves as the investigator and decisionmaker – the Superintendent can serve as the appeal decisionmaker or the facilitator for the informal resolution process.]**

] The District Compliance Officer(s) shall report directly to the Superintendent except when the Superintendent is a party to a complaint (i.e., either the complainant or the respondent). Under such circumstances, the CO(s) shall report directly to **[SELECT ONE OF THE FOLLOWING]**  the Board President ~~( ) the Board's Legal Counsel ( ) \_\_\_\_\_~~ ~~[OTHER] [END OF INTERNAL OPTIONS]~~ until the matter in which the Superintendent is a party is concluded. **[END OF OPTION]**

Questions about this policy ~~( ) and AG 1422 [END OF OPTION]~~ should be directed to the District Compliance Officer(s).

The CO(s) is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, harassment, retaliation, or denial of equal opportunity/access. The CO(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), Genetic Information Nondiscrimination Act (GINA), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. ~~[ ] Any sections of the District's collective bargaining agreements dealing with hiring, promotion, demotion, discipline, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement set forth above. [END OF OPTION] [ ] In addition, as practical, gender-specific terms should be eliminated from such contracts. [END OF OPTION]~~ Copies of the laws and regulations listed above are available upon request from the CO(s).

The CO(s) will be available during regular work hours to discuss concerns related to Prohibited Conduct, to assist employees, other members of the District community, and third parties who seek support or advice when informing another individual about Prohibited Conduct, including

unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The CO(s) shall monitor the District's education programs and activities for barriers to reporting information about conduct that reasonably may constitute Prohibited Conduct pursuant to Federal and/or State laws that prohibit discrimination/harassment based on the basis of a Protected Class/Category and retaliation, and take steps reasonably calculated to address such barriers.

### **Notice of Nondiscrimination**

The Superintendent shall provide a notice of nondiscrimination to students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the Superintendent shall post the notice of nondiscrimination on the District's website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to the persons listed above, or which are otherwise used in connection with the recruitment of employees. (↔) ~~See AG 1422 and Form 1422F1 — Notice and Statement of Nondiscrimination. [END OF OPTION]~~

### **NOTIFICATION/REPORTS OF PROHIBITED CONDUCT**

Any person may provide information to the CO(s) concerning conduct that reasonably may constitute Prohibited Conduct. Such information may be submitted in person, by mail, by telephone, or by electronic mail using the CO's(s') published contact information, or by any other means (oral or written) that results in the CO(s) receiving the information. Information may be provided at any time (including during non-work hours). ~~[ ] Anonymous reports may be submitted using ( ) the online reporting form posted at \_\_\_\_\_ [insert the web address for the reporting form, or insert a hyperlink tied to the phrase "online reporting form"] [or] ( ) the hotline reporting number ( \_\_\_\_\_ [insert phone number]). [END OF OPTION]~~

All Board employees are required to notify the CO(s) of conduct that reasonably may constitute Prohibited Conduct. For the Board to fulfill its responsibilities under applicable Federal and/or State laws, if a Board employee has knowledge of conduct that reasonably may constitute Prohibited Conduct, the Board employee must notify the/a CO within two (2) days of learning the information or receiving the report. **[DRAFTING NOTE: The applicable statutes and regulations do not specify within how many days the Board employee must notify the CO of receiving notification/a report of Prohibited Conduct; Neola suggests "two (2) days". Alternatively, the Board could make this language more open-ended – e.g., "\*\* \* \* must immediately/promptly notify the/a CO of such information or report."]** The Board employee must also comply with mandatory reporting responsibilities pursuant to Policy 8462 – Student Abuse and Neglect, if applicable. If the Board employee's knowledge about the alleged Prohibited Conduct is based on another individual bringing the information to the Board employee's attention, and the reporting individual submitted a written notification/report or complaint to the Board employee, the Board employee must provide the written notification/report or complaint to the CO.

Notification can be provided orally or in writing and should be as specific as possible. The person making the notification/report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a notification/report or complaint involves allegations of Prohibited Conduct by or involving the CO, the person making the report (i.e., providing the notification or filing the complaint) should submit it to the Superintendent or another Board employee who, in turn, will notify the Superintendent of the report/complaint. The Superintendent will then serve in place of the CO for purposes of addressing that report of Prohibited Conduct. **[DRAFTING NOTE: If the Superintendent is the CO, substitute "Board President" in place of "Superintendent."]**

When a Board employee notifies the CO of suspected Prohibited Conduct, the employee is required to report all known details about the alleged Prohibited Conduct including: (1) the name of the alleged respondent(s); (2) the person who experienced the alleged Prohibited Conduct (i.e., the complainant); (3) other persons involved in the alleged Prohibited Conduct (e.g., witnesses); and (4) any other relevant facts, such as date, time, and location. Failure to provide such notification may result in discipline, up to and including suspension or termination of employment.

Any allegations of misconduct not involving Prohibited Conduct as defined in this policy will be addressed through the procedures outlined in other Board policies ~~( ) and/or administrative guidelines~~ **[END OF OPTION]**, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

When a notification/report or complaint of Prohibited Conduct is made, the CO shall promptly (i.e., within two (2) days **[DRAFTING NOTE: The applicable laws and/or regulations do not define "promptly" or otherwise specify within how many days the contact has to be made; Neola suggests "two (2) days."]** of the CO's receipt of the notification/report or complaint of Prohibited Conduct) contact the purported 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 complaint, and explain to the complainant the process for filing a complaint. The CO is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the complainant or respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures.

## **GRIEVANCE PROCEDURES**

### **Overview:**

The Board adopts the following grievance procedures to provide for the prompt, effective, and equitable resolution of complaints made by employees, applicants, or other individuals who are participating or attempting to participate in the District's education programs or activities (i.e., members of the School District community and Third Parties), or by the CO alleging any act of Prohibited Conduct.

These grievance procedures shall be used for all complaints of Prohibited Conduct unless it involves conduct involving a student, in which case the grievance procedures set forth in Policy 2260 or Policy 5517.01 shall apply. These grievance procedures set forth the means for

investigating and resolving claims involving such Prohibited Conduct; in particular, the procedures provide a method for assessing – in a prompt, effective, and equitable manner – whether an applicable Federal or State law was violated and, if it was, how best to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.

Due to the sensitivity surrounding complaints of Prohibited Conduct, timelines are flexible for initiating the grievance procedures; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner.

**[DRAFTING NOTE: Title VII of the Civil Rights Act of 1964 (“Title VII”) prohibits discrimination in employment. Specifically, it prohibits employment discrimination based on race, color, religion, sex, or national origin, and applies to employers with fifteen (15) or more employees. Title IX, on the other hand, specifically prohibits discrimination based on sex in education programs and activities that receive Federal financial assistance, including employment within those institutions. Title IX is addressed by Board Policy 2266 and AG 2266. While both laws aim to prevent sex-based discrimination in the workplace, Title VII applies more broadly to various types of employers, whereas Title IX is limited to educational institutions receiving Federal funds. Ultimately, both laws aim to ensure equal employment opportunities and protect individuals from discrimination. When a District Compliance Officer receives a complaint or notification of alleged misconduct involving sex discrimination (in particular, sexual harassment) that involves an employee complainant and an employee respondent, the District Compliance Officer should consult with the Title IX Coordinator and/or the Board’s Legal Counsel concerning which law – it may be both – the District will need to comply with when investigating the allegations.]**

Under all circumstances, the CO shall offer and coordinate supportive measures, as appropriate, in accordance with this policy ~~( ) and AG 1422~~ **[END OF OPTION]**.

### **Complaints:**

The following people may make a complaint of Prohibited Conduct – i.e., request that the District investigate and determine whether Prohibited Conduct occurred:

A. a “complainant,” which includes:

1. an employee of the District who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
2. a person other than an employee of the District who is alleged to have been subjected to conduct that could constitute Prohibited Conduct at a time when that individual was participating or attempting to participate in the District’s education programs or activities;

B. an authorized legal representative with the legal right to act on behalf of a complainant;

C. the District Compliance Officer.

A person is entitled to make a complaint of unlawful harassment only if they themselves are alleged to have been subjected to the unlawful harassment, or if the CO initiates a complaint.

**[DRAFTING NOTE: This paragraph emphasizes that in order for a person to file a complaint of unlawful harassment, the person has to have been subjected to the alleged misconduct directly or be a person who has a legal right to act on behalf of the person who was subjected to the alleged misconduct. This is consistent with the prior paragraph, where the complainant is identified as an employee who was “subjected to conduct that could constitute Prohibited Conduct.” The following paragraph, on the other hand, expands who can file a complaint – when the alleged Prohibited Conduct does not involve unlawful harassment, or the complaint involves allegations of retaliation – to persons who are aware of the alleged Prohibited Conduct, even if that person was not directly affected by or subject to the alleged Prohibited Conduct.]**

With respect to complaints of Prohibited Conduct other than unlawful harassment, or complaints involving allegations of retaliation, in addition to the people listed above, the following persons have a right to make a complaint:

- A. any employee of the District; or
- B. any person other than an employee who was participating or attempting to participate in the District’s education programs or activities at the time of the alleged Prohibited Conduct.

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

A person may file criminal charges simultaneously with filing a complaint. A person does not need to wait until the District’s internal grievance procedures are completed before filing a criminal complaint. Likewise, questions or complaints relating to alleged violations of applicable Federal or State laws may be filed with the U.S. Department of Education’s Office for Civil Rights, the U.S. Department of Justice’s Civil Rights Division, the U.S. Equal Employment Opportunity Commission, or the Michigan Department of Civil Rights, at any time based on the underlying statutory basis for the complaint.

### **Basic Requirements:**

The District will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects of this Policy, including the District Compliance Officer, the investigator, the decisionmaker, and the appeal decisionmaker, (x) and the facilitator of the informal resolution process, **[END OF OPTION]** shall be free from any conflicts of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

[  The CO may serve simultaneously as an investigator and/or a decisionmaker. **[END OF OPTION] [DRAFTING NOTE: Neola recommends the Board select this OPTION; note it is “may” (i.e., optional) so the CO can decide when to serve in both roles and when to designate one or more persons to perform these responsibilities in a given case.]**

If the CO does not intend to serve as the investigator/decisionmaker in a specific case, the CO shall designate one (1) or more administrators who are appropriately trained to serve in the role.

In circumstances when the CO and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons impair the CO and other trained administrators from serving as an investigator/decisionmaker in a specific case, the CO shall in consultation with (  ) and approval of **[END OF OPTION]** the Superintendent or ~~( ) Board~~ (  ) Board President (as appropriate), **[END OF OPTION]** secure one (1) or more independent third parties to serve as the investigator and/or decisionmaker.

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

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

A. **Evaluation** – The District Compliance Officer will determine whether to dismiss a complaint or investigate it within ten ( 10 ) **[INSERT AMOUNT]** days of receiving the complaint. **[DRAFTING NOTE: Neola recommends that the evaluation stage be completed within ten (10) days of the CO receiving notice of the complaint.]**

B. **Investigation** – The CO, or designated investigator/decisionmaker, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) and issue a Determination (i.e., consider the relevant and not otherwise impermissible evidence and decide whether Prohibited Conduct occurred) within twenty ( 20 ) **[INSERT AMOUNT]** days of the CO determining the charges require investigation. **[DRAFTING NOTE: Recognizing that it is important for investigations to be completed and Determinations issued in a prompt and equitable manner, Neola recommends that a school district typically complete an investigation and issue a Determination within twenty (20) days.]**

**[DRAFTING NOTE: If the investigator/decisionmaker is someone other than the CO, upon written request from the investigator/decisionmaker, the CO should be permitted to approve a reasonable extension of time for the investigation to be completed and the Determination issued. If the CO is the investigator/decisionmaker: upon written request from the CO, the Superintendent should be permitted to approve a reasonable extension of time for the investigation to be completed and the Determination issued. In either situation, the administrator granting the extension should communicate to the parties the new deadline along with a rationale for the extension.]**

If, however, the CO, or designated investigator/decisionmaker, determines that the investigation is going to take longer, the CO will so notify the parties (  ) and the Superintendent **[END OF OPTION]** and will thereafter keep the parties (  ) and the Superintendent **[END OF OPTION]** informed of the status of the matter on a regular

basis\_\_\_\_\_ [INSERT TIME PERIOD – E.G., BIWEEKLY OR REGULAR] basis.

- C. **Appeal** – A party filing an appeal of the CO’s decision to dismiss a complaint (  ), or the Determination, [END OF OPTION] must do so within five\_\_\_\_ ( 5 ) [INSERT AMOUNT] days of receiving the Dismissal (  ) or Determination [END OF OPTION]. [DRAFTING NOTE: Neola recommends the Board allow limited appeals based on the Determination. See DRAFTING NOTE below in the appeal section.]

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

The District will take reasonable steps to protect the privacy of the parties and witnesses.  ] These steps will not restrict the ability of the parties to present evidence or otherwise participate in the grievance procedures. [END OF OPTION] The parties shall not engage in retaliation, including against witnesses.

The CO, or designated investigator/decisionmaker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible — including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person’s status as a complainant, respondent, or witness.

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

- A. evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed voluntarily waived the privilege or confidentiality; and
- B. a party’s or witness’s records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party’s or witness’s voluntary, written consent for use in its grievance procedures.

### **Notice of Allegations:**

Upon initiation of the Board’s grievance procedures, the District Compliance Officer shall notify the parties of the following:

- A. the Board’s grievance procedures (  ) and informal resolution process [END OF OPTION] associated with claims involving Prohibited Conduct; [DRAFTING NOTE: Neola encourages the Board to include an informal resolution process.]
- B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s); and
- C. retaliation is prohibited.

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

**Dismissal of a Complaint:**

The CO may dismiss a complaint of Prohibited Conduct if:

- A. the District is unable to identify the respondent after taking reasonable steps to do so;
- B. the respondent is not participating in the District's education program or activity and is not employed by the Board;
- C. the complainant voluntarily withdraws any or all the allegations in the complaint, the CO declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute Prohibited Conduct even if proven; or
- D. the District determines the conduct alleged in the complaint, even if proven, would not constitute Prohibited Conduct. Before dismissing the complaint, the CO will make reasonable efforts to clarify the allegations with the complainant.

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

The CO will further notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of the complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the CO will also notify the respondent that the dismissal may be appealed.

Dismissals may be appealed on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- C. the CO had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that would change the outcome.

If the dismissal is appealed, the CO will:

- A. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- B. implement appeal procedures equally for the parties;

- C. ensure that the appeal decisionmaker did not take part in the original dismissal of the complaint;
- D. ensure that the appeal decisionmaker has been trained consistent with this Policy  and AG 1422 ~~[END OF OPTION]~~;
- E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- F. notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the CO will, at a minimum:

- A. offer supportive measures to the complainant as appropriate;
- B. if the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- C. take other prompt and effective steps, as appropriate, to ensure that Prohibited Conduct does not continue or recur within the District's education programs or activities.

**[DRAFTING NOTE: Neola encourages the Board to select the following option so the CO can choose, in appropriate circumstances, to offer the parties the opportunity to participate in an informal resolution process, or to honor the parties' request to use an informal resolution process, to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.]**

**[OPTIONAL LANGUAGE: INFORMAL RESOLUTION PROCESS]**

**Informal Resolution Process:**

In lieu of resolving a complaint through the Board's formal grievance procedures, the parties may instead elect to participate in an informal resolution process. The District will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law.

**[END OF OPTIONAL LANGUAGE: INFORMAL RESOLUTION PROCESS]**

**Adding Allegations and/or Consolidating Complaints:**

If, in the course of an investigation, the District decides to investigate additional allegations of Prohibited Conduct by the respondent toward the complainant that are not included in the original Notice of Allegations or to consolidate charges raised in a different complaint involving the same respondent, the CO will notify the parties of the additional allegations.

**Investigation:**

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

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

The CO, or the designated investigator/decisionmaker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The CO, or the designated investigator/decisionmaker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible, regardless of relevance.

### **Determination of Whether Prohibited Conduct Occurred:**

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the CO or designated investigator/decisionmaker will:

- A. Use the preponderance of the evidence standard of proof to determine whether Prohibited Conduct occurred. This standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that Prohibited Conduct occurred, regardless of the quantity of the evidence, the decisionmaker will not determine that Prohibited Conduct occurred. **[DRAFTING NOTE: While a board of education could elect to use the "clear and convincing" evidence standard of proof, Neola does not recommend it. If a board does select the "clear and convincing" standard, it should use it in all other comparable proceedings. Neola expects it will be a rare situation when a board chooses to use a clear and convincing standard of proof.]**
- B. Notify the parties, in writing, of the determination whether Prohibited Conduct occurred, including the rationale for such determination ~~(-), and the procedures and permissible bases for the complainant and respondent to appeal~~ **[END OF OPTION]**.
- C. Not impose discipline on a respondent for Prohibited Conduct unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in Prohibited Conduct.
- D. If there is a determination that Prohibited Conduct occurred, the CO will, as appropriate:
  1. coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education programs or activities limited or denied by the Prohibited Conduct;
  2. coordinate the imposition of any disciplinary sanctions on a respondent ~~(-), including notification to the complainant of any such disciplinary sanctions~~ **[END OF OPTION]**; and
  3. take other appropriate prompt and effective steps to ensure that the Prohibited Conduct does not continue or recur within the District's education programs or activities.
- E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent.

- F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement based solely on the determination of whether Prohibited Conduct occurred.

**[DRAFTING NOTE: If the CO dismisses a complaint in the Evaluation stage (i.e., prior to commencing an investigation), the complainant may appeal as set forth above. Neola also recommends the Board include an appeal process related to the Determination.]**

**[  ] [OPTIONAL LANGUAGE - APPEAL OF DETERMINATION]**

**Appeal of Determinations:**

If a party disagrees with the decisionmaker's determination as to whether Prohibited Conduct occurred, the party may file an appeal. Appeals must be submitted, in writing, within **five**\_\_\_\_ (**5**) (**INSERT AMOUNT**) days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the investigation occurred and the Determination was made; and
- C. the CO, or the designated investigator/decisionmaker, had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome;

**[DRAFTING NOTE: The Board may insert additional grounds on which an appeal may be filed.]**

- D. ~~( ) the recommended remedies (including disciplinary sanctions/consequences) are unreasonable in light of the findings of fact (i.e., the nature and severity of the Prohibited Conduct).~~

- E. ~~( ) [OTHER] \_\_\_\_\_.~~

**[  ]** The complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed. **[END OF OPTION]**

**[DRAFTING NOTE: The following options are offered in case the Board wants the Superintendent to serve as the appeal decisionmaker or the Board wants to nominally be identified as the appeal decisionmaker but will be delegating the responsibility to a person who is properly trained. Neola does not recommend that the Board itself be named as the appeal decisionmaker because of the preference for the decisionmaker to be trained to render a decision. If the Board wants to serve as the appeal decisionmaker, it should discuss this issue with its Legal Counsel. Select OPTION 1 or OPTION 2 below.]**

**[ ] [OPTION 1]**

~~The CO will designate an appeal decisionmaker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained ( ), as set forth in AG 1422 [END OF INTERNAL OPTION].~~

~~The CO has authority ( ), in consultation with ( ) and approval of [END OF OPTION] the Superintendent or ( ) Board ( ) Board President (as appropriate), [END OF OPTIONS] to secure an independent Third Party to serve as the appeal decisionmaker.~~

~~[ ] In designating an appeal decisionmaker, the CO will work with the Board to identify and appoint an independent Third Party to serve as the appeal decisionmaker—this individual shall be considered to be the Board's designee and will submit the appeal decision to the Board who will promptly adopt it as written and forward it to the CO who will send it simultaneously to the parties. [END OF OPTIONAL SENTENCE]~~

~~[END OF OPTION 1]~~

**x ] [OPTION 2]**

The Superintendent shall serve as the appeal decisionmaker, provided the Superintendent has not been otherwise involved in the grievance procedures (i.e., did not serve as the investigator/decisionmaker or informal resolution process facilitator) and is appropriately trained. If the Superintendent is not eligible to serve as the appeal decisionmaker, the CO will designate an appeal decisionmaker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained ( ), as set forth in AG 1422 [END OF INTERNAL OPTION].

[END OF OPTION 2]

[END OF OPTIONS]

If a party appeals the Determination, the CO will:

- A. notify the parties of the appeal;
- B. implement appeal procedures equally for the parties;
- C. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the Determination;
- D. provide the appeal decisionmaker with the relevant and not otherwise impermissible evidence and the Determination; and
- E. notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale for the outcome.

**Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Dismissal ( **x** ) or Determination [END OF OPTION]**

When a party files an appeal, the party must set forth the reason(s)/basis/bases for the appeal, and the other party will have five ( 5 ) [INSERT AMOUNT] days to provide the appeal

decisionmaker with a statement in support of their position. Once the decisionmaker receives the statement (or the deadline for filing such a statement expires), the appeal decisionmaker will have ten (10) [INSERT AMOUNT] days to issue a decision on the appeal.

**[DRAFTING NOTE: Neola suggests any appeals should be filed within five (5) days of the parties receiving written notice of the Determination. Neola further suggests that the timeline for the other party submitting a statement be equivalent to the timeframe in which an appeal has to be filed. Finally, Neola suggests the appeal decisionmaker have ten (10) days from receipt of the statements to issue a decision.]**

While a party appealing a Determination may argue the reason/basis for the appeal is that new evidence has been discovered/obtained that would change the outcome and that said new evidence was not reasonably available when the Determination was originally made, the party may not submit the new or additional evidence during the appeal process. Rather, the party appealing should identify/describe in detail the evidence, including how and when it was discovered/obtained, and explain why it was not reasonably available during the Investigation (i.e., prior to the Determination). If the appeal decisionmaker accepts the proffered explanation, the appeal decisionmaker should remand the case back to the investigator/decisionmaker (i.e., reopen the investigation) so the new evidence may be submitted and considered by the other party and the investigator/decisionmaker.

The appeal decisionmaker shall determine the outcome of the appeal based on the appeal decisionmaker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence and the written determination) and the appeal decisionmaker's application of the law and Board policy to the facts in the record. The appeal decisionmaker must give due deference and due weight to the decisionmaker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record read in its entirety compels a contrary conclusion. Generally, the appeal decisionmaker is expected to uphold the original Determination unless the appeal decisionmaker concludes the original Determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the original Determination.

The appeal decisionmaker shall

**[DRAFTING NOTE: The Board must select either OPTION 1 or OPTION 2 unless the Board appointed an independent Third Party to serve as the Board's appeal decisionmaker, in which case the Board should select OPTION 3.]**

[OPTION 1]

simultaneously notify the parties, in writing, of the result of the appeal and the rationale for the outcome.

~~[END OF OPTION 1]~~

-

~~[OR]~~

[OPTION 2]

-

~~notify the CO, in writing, of the result of the appeal and the rationale for the outcome. The CO~~

~~will then simultaneously notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale for the outcome.~~

-

~~[END OF OPTION 2]~~

-

~~[OR]~~

~~( ) [OPTION 3]~~

-

~~submit the appeal decision to the Board who will promptly adopt it as written and forward it to the CO, who will send it simultaneously to the parties. The appeal decision shall set forth the result of the appeal and the appeal decisionmaker's rationale for the outcome.~~

-

~~[END OF OPTION 3]~~

The (x) appeal decisionmaker's ~~( ) Board's [END OF OPTION]~~ decision shall be final.

### **[END OF OPTIONAL LANGUAGE - APPEAL OF DETERMINATION]**

#### **Supportive Measures:**

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

The CO shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the CO deems to be reasonably available. Supportive measures may include, but are not limited to: modifications of work schedules, mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain work settings; training related to Prohibited Conduct; ~~( ) referral to Employee Assistance Program; [END OF OPTION]~~ and other similar measures.

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

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

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

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

The District will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the District's education programs or activities, or as otherwise permitted under existing law and/or policy.

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

### **Disciplinary Sanctions and Remedies:**

Following a determination that Prohibited Conduct occurred, the District may impose disciplinary sanctions, which may include:

- A.  oral or written warning;
- B.  written reprimands;
- C.  required counseling;
- D.  required training or education;
- E.  demotion;
- F.  suspension with pay;

#### **[END OF OPTIONS]**

- G. suspension without pay;
- H. termination; and
- I. any other sanction authorized by any applicable Board policy, Employee/Administrator Handbook, and/or collective bargaining agreement.

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

**[DRAFTING NOTE: The Board should review applicable policy(ies)/administrative guidelines/employee handbooks to determine whether changes are needed to establish timelines associated with imposition of discipline as a result of possible delays caused by the Board implementing the preceding grievance procedures; likewise, the Board may need to discuss with union representatives how implementation of the grievance procedures may impact any disciplinary provisions contained in applicable collective bargaining (e.g., timelines, permitted attendees at investigative interviews, etc.).]**

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

## **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging Prohibited Conduct or retaliation, or participates in an investigation, is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the U.S. Constitution, the Michigan Constitution, Federal or State law, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a code of conduct violation that does not involve Prohibited Conduct but arises out of the same facts and circumstances as a complaint or information reported about possible Prohibited Conduct, for the purpose of interfering with the exercise of any right or privilege secured by Federal or State law constitutes retaliation. Retaliation against a person for making a complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

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

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

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

## **Privacy/Confidentiality**

The District will employ all reasonable efforts to protect the rights of the complainant, the respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. The District will keep confidential the identity of any individual who has made a complaint of Prohibited Conduct, any complainant, any individual who has been reported to be the perpetrator of Prohibited Conduct, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of relevant Federal or State law or regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the complainant's and respondent's receipt of the information to which they are entitled related to the investigation and determination of whether Prohibited Conduct occurred). All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the respondent must be provided the complainant's identity.

During an investigation, the CO or designated investigator/decisionmaker will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual

who is interviewed as part of an investigation is expected not to disclose to other members of the School District Community or Third Parties any information that is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against Prohibited Conduct by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where Prohibited Conduct is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a respondent be found to have committed Prohibited Conduct based on expressive conduct that is protected by the First Amendment

### **Training**

All employees, investigators, decisionmakers, facilitators of informal resolution process, the District Compliance Officer(s), and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under applicable Federal and State laws and this policy. ~~[ ] The training shall be provided promptly upon hiring or a change of position that alters their duties under this policy, and annually thereafter. [END OF OPTIONAL SENTENCE]~~ The training shall not rely on stereotypes involving Protected Classes.

] Training materials will be made available for inspection upon request by members of the public. **[END OF OPTION]**

### **Recordkeeping (including retention of investigatory records and materials)**

The District Compliance Officer(s) is/are responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315) created and received as part of an investigation. Records and materials associated with the implementation of this policy shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for the period set forth below, unless required to be maintained for a longer period pursuant to the District's records retention schedule.

**[DRAFTING NOTE: For purposes of uniformity, Neola recommends that the Board use the same seven (7) year period for recordkeeping that is required by the 2020 Title IX regulations - see Board Policy 2266; if the Board selects a different timeframe for maintaining the below specified records, it should verify the time period selected is consistent with and/or reflected in its record retention schedule – see AG 8310.]**

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

- A. for each complaint of Prohibited Conduct, records documenting the informal resolution process and/or the grievance procedures followed and the resulting outcome;
- B. for each notification that the District Compliance Officer receives of information about conduct that reasonably may constitute Prohibited Conduct, records documenting the actions the District took to implement this policy; and
- C. all materials used to provide the training referenced above ~~( )~~ and in AG 1422 **[END OF OPTION]**.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records, medical records).

### **Outside Appointments, Dual Appointments, and Delegations**

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy including, but not limited to, District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, or facilitator of the informal resolution process.

The Board also retains discretion to appoint two (2) or more persons to jointly fulfill the role of District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, and facilitator of the informal resolution process.

The Superintendent may delegate functions assigned to a specific Board employee under this policy including, but not limited to, the functions assigned to the District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, and facilitator of the informal resolution process to any suitably qualified individual, and such delegation may be rescinded by the Superintendent at any time.

**[DRAFTING NOTE: The following option expressly sets forth authority that the Board has, regardless of whether it is included in this policy, but is offered for those boards of education that may want to affirmatively communicate to/address these issues for readers of this policy.]**

### **Discretion in Application**

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

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

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

**[END OF OPTION]**

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Legal

- M.C.L. 37.2101 et seq., 37.1101 et seq.
- 20 U.S.C. 1092(F)(6)(A)(v)
- 20 U.S.C. 1232g
- 20 U.S.C. Section 1681, Title IX of Education Amendment Act
- 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
- 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
- 29 C.F.R. Part 1635
- 29 U.S.C. 201 et seq., The Fair Labor Standards Act ("FLSA")
- 29 U.S.C. 218d, PUMP for Nursing Mothers Act ("PUMP Act")
- 29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
- 29 U.S.C. 701 et seq. (in particular 794), Rehabilitation Act of 1973, as amended
- 34 C.F.R. Part 110 (7/27/93)
- 38 U.S.C. Chapter 43 4301-4335 (see in particular 4311(a) [prohibits discrimination based on military service] and 4312 [reemployment rights]), Uniformed Services Employment and Reemployment Rights Act ("USERRA")
- 42 U.S.C. 1983
- 42 U.S.C. 2000d et seq.
- 42 U.S.C. 2000e et seq., Civil Rights Act of 1964 (e.g., Title VI and Title VII), as amended by the Pregnancy Discrimination Act
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 2000gg, Pregnant Workers Fairness Act ("PWFA")

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

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

Fourteenth Amendment, U.S. Constitution



Book	Policy Manual
Section	Vol. 40, No. 1 - Nondiscrimination - September 2025 ISD
Title	Vol. 40, No. 1 - Nondiscrimination - September 2025 Rescind ANTI-HARASSMENT
Code	po1662
Status	From Neola

### **Rescind Policy - Vol. 40, No. 1**

#### **~~1662~~ ANTI-HARASSMENT**

#### **General Policy Statement**

~~It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.~~

~~The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age, religion, ancestry, or genetic information (collectively, Protected Classes) that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment) and encourages those within the School District community, as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.~~

~~[ ] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and where appropriate, the person(s) who committed the unlawful harassment.~~

#### **Other Violations of the Anti-Harassment Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

## Definitions

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

**Complainant** is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

**School District community** means students and Board employees (i.e., administrators and professional and support staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Third Parties** include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with or seeking to do business with the Board, and other individuals who come in contact with members of the School District community at school related events/activities (whether on or off District property).

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

## Bullying

Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

**Harassment** means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

### **Sexual Harassment**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, sexual harassment is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working, and/or

learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment that may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise

creates a hostile work environment.

- M. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- N. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

**[DRAFTING NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of sexual battery. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.]**

### **Race/Color Harassment**

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working, and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

### **Religious (Creed) Harassment**

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### **National Origin/Ancestry Harassment**

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an

educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

### **Anti-Harassment Compliance Officers**

The following individual(s) shall serve as the District's Anti Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

**[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The same individual(s) assigned to serve as Compliance Officer(s) may also be assigned to serve as the District's Section 504 Compliance Officer(s) /ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) Compliance Officers, there should also be a Compliance Officer available to investigate a claim of harassment that pertains to the other Compliance Officer.]**

\_\_\_\_\_  
\_\_\_\_\_  
(Name)

\_\_\_\_\_  
\_\_\_\_\_  
(School District Title)

\_\_\_\_\_  
\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
\_\_\_\_\_  
(Office Address)

\_\_\_\_\_  
\_\_\_\_\_  
(E-mail Address)

\_\_\_\_\_  
\_\_\_\_\_  
(Name)

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(School District Title)

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\_\_\_\_\_  
(Telephone Number)

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\_\_\_\_\_  
(Office Address)

\_\_\_\_\_  
\_\_\_\_\_  
(E-mail Address)

The name(s), title(s), and contact information of this/these individual(s) will be published annually on the District's website ( ) and:

- A. ( ) in the parent and staff handbooks.
- B. ( ) in the School District Annual Report to the public.
- C. ( ) on each individual school's website.
- D. ( ) in the School District's calendar.
- E. ( ) \_\_\_\_\_.

The Compliance Officer(s) ( ) is ( ) are **[END OF OPTION]** responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about unwelcome conduct or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District level official. Upon receipt of a report of alleged harassment, one (1) of the Compliance Officers(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment) or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to one (1) of the Compliance Officer(s) within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to one (1) of the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected

to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, a Compliance Officer or designee must contact the Complainant if age eighteen (18) or older, or the Complainant's parents/guardians if the Complainant is under the age of eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

### **Reports and Complaints of Harassing Conduct**

Members of the School District community, along with Third Parties, are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor, or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with one (1) of the Compliance Officer(s) within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior, and/or harassment in accordance with Policy 5517.01—Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior, and/or harassment to a Compliance Officer who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

### **Investigation and Complaint Procedure (See Form 1662 F1)**

Except for Sexual Harassment that is covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Program or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment or retaliation may seek resolution of the complaint through either the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

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

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the allegedly harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officer(s) are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one (1) of the Compliance Officer(s); and/or 3) to the Superintendent or other District level employee.

All informal complaints must be reported to one (1) of the Compliance Officer(s) who will either facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Board's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one (1) or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint and, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to a Compliance Officer/designee within two (2) business days.

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

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including the Board's Anti Harassment Policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

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

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

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a written decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

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

The decision of the Superintendent shall be final.

## **OR**

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting. The decision of the Board will be final.

## **[END OF OPTIONS]**

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties may be represented, at their own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

## **Privacy/Confidentiality**

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided with the Complainant's identity.

During the course of a formal investigation, the Compliance Officer or designee will instruct all members of the School District community and Third Parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

## **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action, up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

## **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

## **Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct**

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer's or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

### **Education and Training**

In support of this Anti Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

### **Retention of Investigatory Records and Materials**

The Compliance Officer(s) is responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information (ESI), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation which may include, but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for

~~violations of this policy;~~

- I. ~~dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;~~
- J. ~~documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~
- K. ~~documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- L. ~~copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);~~
- M. ~~copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

**~~[DRAFTING NOTE: The following options should be selected if the District concludes that the following items are not adequately encompassed in the preceding paragraphs.]~~**

- N. ~~() documentation of any training provided to District personnel related to this policy including, but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- O. ~~() documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~() copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- Q. ~~() copies of any notices sent to the Complainant and the Respondent in advance of any interview, meeting, or hearing;~~
- R. ~~() copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law — e.g., student records and confidential medical records.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.~~

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Legal

- 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
- 29 C.F.R. Part 1635
- 29 U.S.C. 621 et seq, Age Discrimination in Employment Act of 1967
- 29 U.S.C. 794, Rehabilitation Act of 1973, as amended
- 42 U.S.C. 1983
- 42 U.S.C. 2000e et seq.
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 6101, The Age Discrimination Act of 1975
- 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
- Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
- Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
- The Handicappers Civil Rights Act, M.C.L. 37.1101 et seq.
- The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
- Policies on Bullying, Michigan State Board of Education, 7-19-01
- Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
- National School Boards Association Inquiry and Analysis May 2008



Book	Policy Manual
Section	Vol. 40, No. 1 - Nondiscrimination - September 2025 ISD
Title	Vol. 40, No. 1 - Nondiscrimination - September 2025 Rescind NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE
Code	po3122.02
Status	From Neola
Adopted	November 17, 2010
Last Revised	February 15, 2012

### **Rescind Policy - Vol. 40, No. 1**

#### **3122.02 — NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE**

~~The Board of Education prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of his/her genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.~~

~~In accordance with the Genetic Information Nondiscrimination Act (GINA), the Board shall not request, require or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with this Act, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the District's application process.~~

~~[ ] The District recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. The District prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information.~~

~~"Genetic information," as defined by GINA, means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.~~

~~If the District either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider it shall be treated as a confidential medical record in accordance with law.~~

~~The Superintendent shall appoint a compliance officer who shall be responsible for overseeing the District's compliance with Federal regulations and promptly dealing with any inquiries or complaints. S/He shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members and that all District requests for health related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:~~

~~The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II, including the Board of Education, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.~~

~~[ ] The District offers health services, ( ) including a wellness program. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to his/her health services providers, but only genetic information in aggregate form will be provided to the Board.~~

~~[NOTE: It should be noted that any sections of the District's collective bargaining agreements dealing with terms and conditions of employment should contain a statement of nondiscrimination similar to that in the Board's statement above.]~~

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Legal

29 C.F.R. Part 1635

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



Book	Policy Manual
Section	Board Review Non-Discrim Fall 2025
Title	Vol. 40, No. 1 - Nondiscrimination - September 2025 Replacement NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT
Code	po3122
Status	
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Last Revised	August 20, 2025

**Replacement Policy - Vol. 40, No. 1**

**3122 - NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including pregnancy, childbirth, and related medical conditions; sexual orientation; and gender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category (collectively, Protected Classes) in its programs and activities, including employment opportunities.

The Board is committed to providing a work environment that is free from Prohibited Conduct, responding promptly and effectively when it has knowledge of conduct that reasonably may constitute Prohibited Conduct, and addressing Prohibited Conduct in its education programs or activities. This commitment applies to all District operations and this policy applies to Prohibited Conduct occurring within or as a part of the District's education programs and activities, whether on school property or at another location during an activity sponsored by the Board.

Persons who commit Prohibited Conduct are subject to the full range of disciplinary sanctions set forth in this policy.

The Board will provide persons who have experienced Prohibited Conduct with ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs or activities.

All school employees share responsibility for avoiding, discouraging, and reporting any form of Prohibited Conduct.

The Board will take immediate action to address the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging Prohibited Conduct, or has participated in the below-described grievance procedures.
- B. Filing a malicious or knowingly false report or complaint of Prohibited Conduct.
- C. Disregarding, failing to appropriately address, or delaying action to appropriately address allegations of Prohibited Conduct when responsibility for reporting and/or investigating such charges comprises part of one's administrative/supervisory duties.

**Definitions:**

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

**Bullying** means: any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult, that is sufficiently severe or pervasive to create an intimidating, hostile, or offensive work environment; or unreasonably interfere with the individual's work performance or participation. It may involve: (a) threats; (b) intimidation; (c) stalking; (d) cyberstalking; (e) cyberbullying; (f) physical violence; (g) theft; (h) sexual, religious, or racial harassment; (i) public humiliation; or (j) destruction of property. Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more employees, and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal and/or State civil rights laws. Ordinary teasing, horseplay, arguments, and peer conflict do not constitute bullying for purposes of this policy.

**Complainant** means: an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or a person, other than an employee, who is alleged to have been subjected to conduct that could constitute Prohibited Conduct and who was participating or attempting to participate in the District's education programs or activities at the time of the alleged Prohibited Conduct.

**Complaint** means: an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged Prohibited Conduct.

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

**Disciplinary sanctions** means: consequences imposed on a respondent following a determination that the respondent engaged in Prohibited Conduct.

**Education programs or activities** refer to: all the District's operations including, but not limited to, in-person and online/remote educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all programs and activities operated by the Board on school grounds or on other property owned or occupied by the Board. It also includes events and circumstances that take place off school property/grounds but over which the District asserts disciplinary authority (e.g., at off-campus activities sponsored by the Board).

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

**Genetic information** means: information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

**Harassment** means: any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against an employee that (a) places the employee in reasonable fear of harm to their person or damage to their property; (b) has the effect of substantially interfering with the employee's work performance; or (c) has the effect of substantially disrupting the orderly operation of a school. Each of the following types of harassment involves unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's protected characteristic(s) and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

**A. Age Harassment** means: harassment based on negative perceptions about older workers. It also includes harassment based on stereotypes about older workers, even if they are not motivated by animus, such as pressuring an older employee to transfer to a job that is less technology-focused because of the perception that older workers are not well-suited to such work or encouraging an older employee to retire.

**B. Disability Harassment** means: harassment based upon a person's disability and includes harassment based upon stereotypes about individuals with disabilities in general or about an individual's particular disability. It also includes harassment based on traits or characteristics linked to an individual's disability, such as how the person speaks, looks, or moves. For example, negative comments about an individual's speech patterns, movement, physical impairments, or defects/appearances, or the like. Disability-based harassment includes: (a) harassment because an individual requests or receives reasonable accommodation; (b) harassment because an individual is regarded as having an impairment, even if the individual does not have an actual disability, or a record of disability; (c) harassment because an individual has a record of a disability, even if the individual currently does not have a disability; and (d) harassment based on the disability of an individual with whom the employee is associated. Finally, disability-based harassment may occur where conduct is directed at or pertains to a person's genetic

information.

- C. **National Origin/Ancestry Harassment** means: harassment due to a person's (or their ancestor's) place of origin. Such harassing conduct can include ethnic slurs or epithets, derogatory comments about individuals of a particular nationality, and use of stereotypes about a person's national origin. Additionally, it can include harassment regarding traits or characteristics linked to an individual's national origin, such as physical characteristics, ethnic or cultural characteristics or customs (e.g., surnames, attire, or diet), or linguistic characteristics (e.g., a person's manner of speaking, non-English language accent, or a lack of fluency in English).
- D. **Race/Color Harassment** means: unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's race or color and has the purpose or effect of interfering with the individual's work performance; or creating an intimidating, hostile, or offensive work environment. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.
- E. **Religious (Creed) Harassment** means: harassment based on a person's surname, religion (including atheism or lack of religious belief), religious traditions and practices, or religious dress/clothing, and includes making offensive comments about the same. It also includes religious slurs or epithets, harassing conduct based on religious stereotypes, and harassment associated with a person's request for and/or receipt of religious accommodation. Religious harassment also involves explicitly or implicitly coercing an employee to engage in religious practices at work.
- F. **Sexual Harassment** means (for purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment; (b) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of interfering with the individual's work performance; or creating an intimidating, hostile, or offensive working environment. Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.
1. Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.
  2. Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:
    - a. Conduct of a sexualized nature, such as unwanted conduct expressing sexual attraction or involving sexual activity (e.g., unwelcome sexual propositions, invitations, solicitations, and flirtations; unwanted physical and/or sexual contact, including unwelcome and inappropriate touching, patting, or pinching (x)); and obscene gestures [END OF OPTION].

- b. Sexual attention or sexual coercion, such as demands or pressure for sexual favors (e.g., threats or insinuations that a person's employment, wages, or other conditions of employment may be adversely affected by not submitting to sexual advances; giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin).
- c. Rape, sexual assault, or other acts of sexual violence.
- d. Discussing or displaying visual depictions of sex acts or sexual remarks (e.g., unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, texts, etc.; sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature placed in the work environment; asking or telling about sexual fantasies, sexual preferences, or sexual activities; speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history).
- e. A consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- f. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
- g. Non-sexual conduct based on sex, such as sex-based epithets; sexist comments (such as remarks that women do not belong in management or that men do not belong in the nursing profession); or facially sex-neutral offensive conduct motivated by sex (such as bullying directed toward employees of one sex).
- h. Harassment based on pregnancy, childbirth, or related medical condition, which may include issues pertaining to lactation, using or not using contraception, or deciding whether to have, or not to have, an abortion.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be objectively offensive (a reasonable person would find it hostile or abusive), subjectively offensive (the complainant actually perceived it as abusive), and either sufficiently severe (a single extremely serious incident) or pervasive (a pattern of behavior), such that it adversely affects, limits, or denies an individual's employment, or creates a hostile or abusive employment environment.

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

**Military status** means: a person's past, current, or future membership, service, or obligation in a uniformed service (e.g., Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, Public Health Service Commissioned Corps, and National Oceanic and Atmospheric Administration Commissioned Officer Corps). Service in the uniformed services also means the performance of duty, on a voluntary basis, or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It further includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

**Party** means: a complainant or respondent.

**Pregnancy, childbirth, or related medical conditions** means:

- A. "Pregnancy" and "childbirth" refer to the pregnancy or childbirth of a specific employee and include, but are not limited to, current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including vaginal and cesarean delivery).
- B. "Related medical conditions" are medical conditions relating to the pregnancy or childbirth of a specific employee, and may include termination of pregnancy, including via miscarriage, stillbirth, or abortion; ectopic pregnancy; preterm labor; pelvic prolapse; nerve injuries; cesarean or perineal wound infection; maternal cardiometabolic disease; gestational diabetes; preeclampsia; HELLP (hemolysis, elevated liver enzymes and low platelets) syndrome; hyperemesis gravidarum; anemia; endometriosis; sciatica; lumbar lordosis; carpal tunnel syndrome; chronic migraines; dehydration; hemorrhoids; nausea or vomiting; edema of the legs, ankles, feet, or fingers; high blood pressure; infection; antenatal (during pregnancy) anxiety, depression, or psychosis; postpartum depression, anxiety, or psychosis; frequent urination; incontinence; loss of balance; vision changes; varicose veins; changes in hormone levels; vaginal bleeding; menstruation; and lactation and conditions related to lactation, such as low milk supply, engorgement, plugged ducts, mastitis, or fungal infections. The preceding list of related medical conditions is not exhaustive.

**Prohibited Conduct** means: unlawful discrimination or harassment based on a person's Protected Class(es) or retaliation. Such misconduct involves a violation of Federal and/or State civil rights laws.

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

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

**Respondent** means: a person who is alleged to have engaged in Prohibited Conduct.

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

**School District community** means: students and Board employees (i.e., administrators and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Supportive measures** means: non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge to the complainant or the respondent before or after making a report or filing a complaint. Such measures are designed to restore or preserve that party's access to the District's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment or deter Prohibited Conduct. Supportive measures may include modifications of work schedules, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings; training related to Prohibited Conduct, ~~( ) referral to Employee Assistance Program, [END OF OPTION]~~ and other similar measures.

**Third Parties** means: guests and/or visitors on District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

### **Pregnancy, Childbirth, and Related Medical Conditions**

The Board will not discriminate against an employee based on the person's current pregnancy, potential or intent to become pregnant, past pregnancy, or medical condition related to pregnancy or childbirth, or because the person uses birth control, or has had or not had an abortion.

Additionally, the Board will provide a reasonable accommodation to an employee's known limitation related to pregnancy, childbirth, or a related medical condition, unless the accommodation will cause the District undue hardship.

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

The Board will provide reasonable break time for an employee to express breast milk while at work for the first year after the employee's child's birth. The Board will provide the employee with a space, other than a bathroom, that is clean, shielded from view, free from intrusion from coworkers and the public, and which the employee can use as needed to express breast milk. See Board Policy 6700 – Fair Labor Standards Act.

## **Nondiscrimination Based on Employee's Genetic Information**

The Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of the individual's genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Nondiscrimination Act ("GINA"), the Board shall not request, require, or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with GINA, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the District's application process.

[  ] The District recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. The District prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information. **[END OF OPTION]**

If the District either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider, it shall be treated as a confidential medical record in accordance with law.

The District Compliance Officer (see below) shall be responsible for overseeing the District's compliance with applicable Federal regulations and promptly dealing with any inquiries or complaints. The District Compliance Officer or designee shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all District requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the Americans with Disabilities Act ("ADA") or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

The Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by GINA Title II, including the Board of Education, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical

research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

~~[ ] The District offers health services ( ), including a wellness program [END OF INTERNAL OPTION]. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to the person's health services providers, but only genetic information in aggregate form will be provided to the Board. [END OF OPTION]~~

## **District Compliance Officer(s)**

### **[DRAFTING NOTES:**

- 1. Neola suggests the Board appoint both a male and a female to serve as the District Compliance Officers. By appointing two (2) District Compliance Officers, there should always be a District Compliance Officer available to address a claim that pertains to the other District Compliance Officer. If, however, the Board appoints more than one (1) District Compliance Officer, Neola recommends that it designate one (1) of the District Compliance Officers to retain ultimate oversight over the assigned responsibilities and ensure the Board's consistent compliance with its responsibilities under applicable Federal and State laws that prohibit unlawful discrimination/harassment based on protected classes and retaliation. Alternatively, the Board could appoint a District Compliance Officer and one (1) or more persons to assist the District Compliance Officer with performance of the responsibilities identified in this policy and its accompanying administrative guidelines. Often the person(s) designated to assist a District Compliance Officer is/are called Deputy or Assistant Compliance Officer(s). If the Board elects this alternative approach, it would designate a District Compliance Officer for purposes of this policy, and then designate the other position(s) through its AG. The person(s) in the alternative support role(s) will need to be trained in the same manner as the District Compliance Officer (see AG 1422).**
- 2. The Board must list in this policy either the Name(s) or Title(s) of the District Compliance Officer(s); while the Board may list both the Name(s) and Title(s), Neola suggests that the Board only list the Title(s) in this policy (so the Board does not need to revise/amend the policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name(s) and Title(s) in the requisite notices/postings (e.g., website) and publications (e.g., handbooks). The District will also need to decide whether to list the Name(s) and Title(s), or just the Title(s), in Administrative Guideline 1422 if the District elects to identify the District Compliance Officer in the AG (see DRAFTING NOTE in the AG; again, if the District lists the Name(s) and Title(s), it will need to remember to update the AG whenever there is a change in the actual person(s) holding the designated position(s). No matter what, the Board will need to amend its policy and update its AG, requisite notices/postings, and publications, whenever it changes the Title of the position(s) designated to serve as the District Compliance Officer(s).**

- 3. Reminder: Whenever a new person begins to serve as the District Compliance Officer (or in a support role to the District Compliance Officer), the District needs to make sure the new person is appropriately trained, in a timely manner, to fulfill the responsibilities of the position to which the person is assigned.]**

**[END OF DRAFTING NOTES]**

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Federal and State laws that prohibit discrimination, including harassment, based on Protected Classes and retaliation (also known as "Civil Rights Coordinator(s)" or "Anti-Harassment Compliance Officer(s)") (hereinafter referred to as the "District Compliance Officer(s)" or "CO(s)"):

John VanHoesen  
Human Resource Coordinator  
1790 East Packard Highway  
Charlotte, MI 48813  
517.541.8722  
jvanhoesen@eatonresa.org

Kelly Hager  
Technical Assistance Provider & Maple Valley Special Ed Director  
1790 East Packard Highway  
Charlotte, MI 48813  
517.541.8723/517.852.9275  
khager@eatonresa.org

**[DRAFTING NOTE: The District may want to create a static (i.e., fixed) District Compliance Officer -specific email address and phone number that will not change when the person(s) and/or position(s) designated to be the CO(s) change(s) – e.g., CO4CivilRights@(insert District's domain) – which the Technology Director/Department can program to be forwarded to the actual individual(s) serving as the District Compliance Officer(s) at any given time. Likewise, the District may want to establish a static Telephone Number for the position of District Compliance Officer that can be forwarded to, and accessed by, the actual person(s) serving in the CO position(s) at any given time. These two (2) steps will help reduce the information that needs to be updated in policy, AG, and/or the requisite notices/postings and publications when changes occur to the specific person(s)/position(s) designated to serve as the CO(s).]**

**x ]** The Board designates the Superintendent **[DRAFTING NOTE: Insert Name and/or Title of the District Compliance Officer who is ultimately responsible for the District's compliance with its responsibilities under Federal and State laws that prohibit discrimination/harassment based on Protected Classes and retaliation as the individual who is ultimately responsible for oversight over the Board's compliance with applicable Federal and State laws and regulations that prohibit discrimination based on the basis of Protected Classes and retaliation. [END OF OPTION]**

] The District Compliance Officer may delegate specific duties to one (1) or more designees. **[END OF OPTION]**

The contact information concerning the District Compliance Officer(s) will be published on the School District's website. ~~( ) and annually [END OF OPTION].~~

- A. ~~( ) in parent/student and staff handbooks.~~
- B. ~~( ) in the School District Annual Report to the public.~~
- C. ~~( ) on each individual school's website.~~
- D. ~~( ) in the School District's calendar.~~
- E. ~~( ) \_\_\_\_\_.~~

**[DRAFTING NOTE: The Board may want to select the following option when the Superintendent is not the CO. While Neola recognizes that this may not always be possible, it may be preferable to have the CO be someone other than the Superintendent because then – if the CO serves as the investigator and decisionmaker – the Superintendent can serve as the appeal decisionmaker or the facilitator for the informal resolution process.]**

] The District Compliance Officer(s) shall report directly to the Superintendent except when the Superintendent is a party to a complaint (i.e., either the complainant or the respondent). Under such circumstances, the CO(s) shall report directly to **[SELECT ONE OF THE FOLLOWING]**  the Board President ~~( ) the Board's Legal Counsel ( ) \_\_\_\_\_~~ ~~[OTHER] [END OF INTERNAL OPTIONS]~~ until the matter in which the Superintendent is a party is concluded. **[END OF OPTION]**

Questions about this policy ~~( ) and AG 1422 [END OF OPTION]~~ should be directed to the District Compliance Officer(s).

The CO(s) is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, harassment, retaliation, or denial of equal opportunity/access. The CO(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), Genetic Information Nondiscrimination Act (GINA), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. ~~[ ] Any sections of the District's collective bargaining agreements dealing with hiring, promotion, demotion, discipline, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement set forth above. [END OF OPTION] [ ] In addition, as practical, gender-specific terms should be eliminated from such contracts. [END OF OPTION]~~ Copies of the laws and regulations listed above are available upon request from the CO(s).

The CO(s) will be available during regular work hours to discuss concerns related to Prohibited Conduct, to assist employees, other members of the District community, and third parties who seek support or advice when informing another individual about Prohibited Conduct, including

unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The CO(s) shall monitor the District's education programs and activities for barriers to reporting information about conduct that reasonably may constitute Prohibited Conduct pursuant to Federal and/or State laws that prohibit discrimination/harassment based on the basis of a Protected Class/Category and retaliation, and take steps reasonably calculated to address such barriers.

### **Notice of Nondiscrimination**

The Superintendent shall provide a notice of nondiscrimination to students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the Superintendent shall post the notice of nondiscrimination on the District's website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to the persons listed above, or which are otherwise used in connection with the recruitment of employees. (↔) ~~See AG 1422 and Form 1422F1 — Notice and Statement of Nondiscrimination. [END OF OPTION]~~

### **NOTIFICATION/REPORTS OF PROHIBITED CONDUCT**

Any person may provide information to the CO(s) concerning conduct that reasonably may constitute Prohibited Conduct. Such information may be submitted in person, by mail, by telephone, or by electronic mail using the CO's(s') published contact information, or by any other means (oral or written) that results in the CO(s) receiving the information. Information may be provided at any time (including during non-work hours). ~~[ ] Anonymous reports may be submitted using ( ) the online reporting form posted at \_\_\_\_\_ [insert the web address for the reporting form, or insert a hyperlink tied to the phrase "online reporting form"] [or] ( ) the hotline reporting number ( \_\_\_\_\_ [insert phone number]). [END OF OPTION]~~

All Board employees are required to notify the CO(s) of conduct that reasonably may constitute Prohibited Conduct. For the Board to fulfill its responsibilities under applicable Federal and/or State laws, if a Board employee has knowledge of conduct that reasonably may constitute Prohibited Conduct, the Board employee must notify the/a CO within two (2) days of learning the information or receiving the report. **[DRAFTING NOTE: The applicable statutes and regulations do not specify within how many days the Board employee must notify the CO of receiving notification/a report of Prohibited Conduct; Neola suggests "two (2) days". Alternatively, the Board could make this language more open-ended – e.g., "\*\* \* \* must immediately/promptly notify the/a CO of such information or report."]** The Board employee must also comply with mandatory reporting responsibilities pursuant to Policy 8462 – Student Abuse and Neglect, if applicable. If the Board employee's knowledge about the alleged Prohibited Conduct is based on another individual bringing the information to the Board employee's attention, and the reporting individual submitted a written notification/report or complaint to the Board employee, the Board employee must provide the written notification/report or complaint to the CO.

Notification can be provided orally or in writing and should be as specific as possible. The person making the notification/report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a notification/report or complaint involves allegations of Prohibited Conduct by or involving the CO, the person making the report (i.e., providing the notification or filing the complaint) should submit it to the Superintendent or another Board employee who, in turn, will notify the Superintendent of the report/complaint. The Superintendent will then serve in place of the CO for purposes of addressing that report of Prohibited Conduct. **[DRAFTING NOTE: If the Superintendent is the CO, substitute "Board President" in place of "Superintendent."]**

When a Board employee notifies the CO of suspected Prohibited Conduct, the employee is required to report all known details about the alleged Prohibited Conduct including: (1) the name of the alleged respondent(s); (2) the person who experienced the alleged Prohibited Conduct (i.e., the complainant); (3) other persons involved in the alleged Prohibited Conduct (e.g., witnesses); and (4) any other relevant facts, such as date, time, and location. Failure to provide such notification may result in discipline, up to and including suspension or termination of employment.

Any allegations of misconduct not involving Prohibited Conduct as defined in this policy will be addressed through the procedures outlined in other Board policies ~~( ) and/or administrative guidelines~~ **[END OF OPTION]**, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

When a notification/report or complaint of Prohibited Conduct is made, the CO shall promptly (i.e., within two (2) days **[DRAFTING NOTE: The applicable laws and/or regulations do not define "promptly" or otherwise specify within how many days the contact has to be made; Neola suggests "two (2) days."]** of the CO's receipt of the notification/report or complaint of Prohibited Conduct) contact the purported 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 complaint, and explain to the complainant the process for filing a complaint. The CO is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the complainant or respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures.

## **GRIEVANCE PROCEDURES**

### **Overview:**

The Board adopts the following grievance procedures to provide for the prompt, effective, and equitable resolution of complaints made by employees, applicants, or other individuals who are participating or attempting to participate in the District's education programs or activities (i.e., members of the School District community and Third Parties), or by the CO alleging any act of Prohibited Conduct.

These grievance procedures shall be used for all complaints of Prohibited Conduct unless it involves conduct involving a student, in which case the grievance procedures set forth in Policy 2260 or Policy 5517.01 shall apply. These grievances procedures set forth the means for

investigating and resolving claims involving such Prohibited Conduct; in particular, the procedures provide a method for assessing – in a prompt, effective, and equitable manner – whether an applicable Federal or State law was violated and, if it was, how best to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.

Due to the sensitivity surrounding complaints of Prohibited Conduct, timelines are flexible for initiating the grievance procedures; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner.

**[DRAFTING NOTE: Title VII of the Civil Rights Act of 1964 (“Title VII”) prohibits discrimination in employment. Specifically, it prohibits employment discrimination based on race, color, religion, sex, or national origin, and applies to employers with fifteen (15) or more employees. Title IX, on the other hand, specifically prohibits discrimination based on sex in education programs and activities that receive Federal financial assistance, including employment within those institutions. Title IX is addressed by Board Policy 2266 and AG 2266. While both laws aim to prevent sex-based discrimination in the workplace, Title VII applies more broadly to various types of employers, whereas Title IX is limited to educational institutions receiving Federal funds. Ultimately, both laws aim to ensure equal employment opportunities and protect individuals from discrimination. When a District Compliance Officer receives a complaint or notification of alleged misconduct involving sex discrimination (in particular, sexual harassment) that involves an employee complainant and an employee respondent, the District Compliance Officer should consult with the Title IX Coordinator and/or the Board’s Legal Counsel concerning which law – it may be both – the District will need to comply with when investigating the allegations.]**

Under all circumstances, the CO shall offer and coordinate supportive measures, as appropriate, in accordance with this policy ~~( ) and AG 1422~~ **[END OF OPTION]**.

### **Complaints:**

The following people may make a complaint of Prohibited Conduct – i.e., request that the District investigate and determine whether Prohibited Conduct occurred:

A. a “complainant,” which includes:

1. an employee of the District who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
2. a person other than an employee of the District who is alleged to have been subjected to conduct that could constitute Prohibited Conduct at a time when that individual was participating or attempting to participate in the District’s education programs or activities;

B. an authorized legal representative with the legal right to act on behalf of a complainant;

C. the District Compliance Officer.

A person is entitled to make a complaint of unlawful harassment only if they themselves are alleged to have been subjected to the unlawful harassment, or if the CO initiates a complaint.

**[DRAFTING NOTE: This paragraph emphasizes that in order for a person to file a complaint of unlawful harassment, the person has to have been subjected to the alleged misconduct directly or be a person who has a legal right to act on behalf of the person who was subjected to the alleged misconduct. This is consistent with the prior paragraph, where the complainant is identified as an employee who was “subjected to conduct that could constitute Prohibited Conduct.” The following paragraph, on the other hand, expands who can file a complaint – when the alleged Prohibited Conduct does not involve unlawful harassment, or the complaint involves allegations of retaliation – to persons who are aware of the alleged Prohibited Conduct, even if that person was not directly affected by or subject to the alleged Prohibited Conduct.]**

With respect to complaints of Prohibited Conduct other than unlawful harassment, or complaints involving allegations of retaliation, in addition to the people listed above, the following persons have a right to make a complaint:

- A. any employee of the District; or
- B. any person other than an employee who was participating or attempting to participate in the District’s education programs or activities at the time of the alleged Prohibited Conduct.

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

A person may file criminal charges simultaneously with filing a complaint. A person does not need to wait until the District’s internal grievance procedures are completed before filing a criminal complaint. Likewise, questions or complaints relating to alleged violations of applicable Federal or State laws may be filed with the U.S. Department of Education’s Office for Civil Rights, the U.S. Department of Justice’s Civil Rights Division, the U.S. Equal Employment Opportunity Commission, or the Michigan Department of Civil Rights, at any time based on the underlying statutory basis for the complaint.

### **Basic Requirements:**

The District will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects of this Policy, including the District Compliance Officer, the investigator, the decisionmaker, and the appeal decisionmaker, (x) and the facilitator of the informal resolution process, **[END OF OPTION]** shall be free from any conflicts of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

[  The CO may serve simultaneously as an investigator and/or a decisionmaker. **[END OF OPTION] [DRAFTING NOTE: Neola recommends the Board select this OPTION; note it is “may” (i.e., optional) so the CO can decide when to serve in both roles and when to designate one or more persons to perform these responsibilities in a given case.]**

If the CO does not intend to serve as the investigator/decisionmaker in a specific case, the CO shall designate one (1) or more administrators who are appropriately trained to serve in the role.

In circumstances when the CO and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons impair the CO and other trained administrators from serving as an investigator/decisionmaker in a specific case, the CO shall in consultation with (  ) and approval of **[END OF OPTION]** the Superintendent or ~~( ) Board~~ (  ) Board President (as appropriate), **[END OF OPTION]** secure one (1) or more independent third parties to serve as the investigator and/or decisionmaker.

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

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

A. **Evaluation** – The District Compliance Officer will determine whether to dismiss a complaint or investigate it within ten ( 10 ) **[INSERT AMOUNT]** days of receiving the complaint. **[DRAFTING NOTE: Neola recommends that the evaluation stage be completed within ten (10) days of the CO receiving notice of the complaint.]**

B. **Investigation** – The CO, or designated investigator/decisionmaker, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) and issue a Determination (i.e., consider the relevant and not otherwise impermissible evidence and decide whether Prohibited Conduct occurred) within twenty ( 20 ) **[INSERT AMOUNT]** days of the CO determining the charges require investigation. **[DRAFTING NOTE: Recognizing that it is important for investigations to be completed and Determinations issued in a prompt and equitable manner, Neola recommends that a school district typically complete an investigation and issue a Determination within twenty (20) days.]**

**[DRAFTING NOTE: If the investigator/decisionmaker is someone other than the CO, upon written request from the investigator/decisionmaker, the CO should be permitted to approve a reasonable extension of time for the investigation to be completed and the Determination issued. If the CO is the investigator/decisionmaker: upon written request from the CO, the Superintendent should be permitted to approve a reasonable extension of time for the investigation to be completed and the Determination issued. In either situation, the administrator granting the extension should communicate to the parties the new deadline along with a rationale for the extension.]**

If, however, the CO, or designated investigator/decisionmaker, determines that the investigation is going to take longer, the CO will so notify the parties (  ) and the Superintendent **[END OF OPTION]** and will thereafter keep the parties (  ) and the Superintendent **[END OF OPTION]** informed of the status of the matter on a regular

basis\_\_\_\_\_ [INSERT TIME PERIOD – E.G., BIWEEKLY OR REGULAR] basis.

- C. **Appeal** – A party filing an appeal of the CO’s decision to dismiss a complaint (  ), or the Determination, [END OF OPTION] must do so within five\_\_\_\_ ( 5 ) [INSERT AMOUNT] days of receiving the Dismissal (  ) or Determination [END OF OPTION]. [DRAFTING NOTE: Neola recommends the Board allow limited appeals based on the Determination. See DRAFTING NOTE below in the appeal section.]

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

The District will take reasonable steps to protect the privacy of the parties and witnesses.  ] These steps will not restrict the ability of the parties to present evidence or otherwise participate in the grievance procedures. [END OF OPTION] The parties shall not engage in retaliation, including against witnesses.

The CO, or designated investigator/decisionmaker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible — including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person’s status as a complainant, respondent, or witness.

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

- A. evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed voluntarily waived the privilege or confidentiality; and
- B. a party’s or witness’s records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party’s or witness’s voluntary, written consent for use in its grievance procedures.

#### **Notice of Allegations:**

Upon initiation of the Board’s grievance procedures, the District Compliance Officer shall notify the parties of the following:

- A. the Board’s grievance procedures (  ) and informal resolution process [END OF OPTION] associated with claims involving Prohibited Conduct; [DRAFTING NOTE: Neola encourages the Board to include an informal resolution process.]
- B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s); and
- C. retaliation is prohibited.

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

**Dismissal of a Complaint:**

The CO may dismiss a complaint of Prohibited Conduct if:

- A. the District is unable to identify the respondent after taking reasonable steps to do so;
- B. the respondent is not participating in the District's education program or activity and is not employed by the Board;
- C. the complainant voluntarily withdraws any or all the allegations in the complaint, the CO declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute Prohibited Conduct even if proven; or
- D. the District determines the conduct alleged in the complaint, even if proven, would not constitute Prohibited Conduct. Before dismissing the complaint, the CO will make reasonable efforts to clarify the allegations with the complainant.

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

The CO will further notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of the complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the CO will also notify the respondent that the dismissal may be appealed.

Dismissals may be appealed on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- C. the CO had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that would change the outcome.

If the dismissal is appealed, the CO will:

- A. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- B. implement appeal procedures equally for the parties;

- C. ensure that the appeal decisionmaker did not take part in the original dismissal of the complaint;
- D. ensure that the appeal decisionmaker has been trained consistent with this Policy  and AG 1422 ~~[END OF OPTION]~~;
- E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- F. notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the CO will, at a minimum:

- A. offer supportive measures to the complainant as appropriate;
- B. if the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- C. take other prompt and effective steps, as appropriate, to ensure that Prohibited Conduct does not continue or recur within the District's education programs or activities.

**[DRAFTING NOTE: Neola encourages the Board to select the following option so the CO can choose, in appropriate circumstances, to offer the parties the opportunity to participate in an informal resolution process, or to honor the parties' request to use an informal resolution process, to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.]**

**[OPTIONAL LANGUAGE: INFORMAL RESOLUTION PROCESS]**

**Informal Resolution Process:**

In lieu of resolving a complaint through the Board's formal grievance procedures, the parties may instead elect to participate in an informal resolution process. The District will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law.

**[END OF OPTIONAL LANGUAGE: INFORMAL RESOLUTION PROCESS]**

**Adding Allegations and/or Consolidating Complaints:**

If, in the course of an investigation, the District decides to investigate additional allegations of Prohibited Conduct by the respondent toward the complainant that are not included in the original Notice of Allegations or to consolidate charges raised in a different complaint involving the same respondent, the CO will notify the parties of the additional allegations.

**Investigation:**

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

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

The CO, or the designated investigator/decisionmaker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The CO, or the designated investigator/decisionmaker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible, regardless of relevance.

### **Determination of Whether Prohibited Conduct Occurred:**

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the CO or designated investigator/decisionmaker will:

- A. Use the preponderance of the evidence standard of proof to determine whether Prohibited Conduct occurred. This standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that Prohibited Conduct occurred, regardless of the quantity of the evidence, the decisionmaker will not determine that Prohibited Conduct occurred. **[DRAFTING NOTE: While a board of education could elect to use the "clear and convincing" evidence standard of proof, Neola does not recommend it. If a board does select the "clear and convincing" standard, it should use it in all other comparable proceedings. Neola expects it will be a rare situation when a board chooses to use a clear and convincing standard of proof.]**
- B. Notify the parties, in writing, of the determination whether Prohibited Conduct occurred, including the rationale for such determination ~~( ), and the procedures and permissible bases for the complainant and respondent to appeal~~ **[END OF OPTION]**.
- C. Not impose discipline on a respondent for Prohibited Conduct unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in Prohibited Conduct.
- D. If there is a determination that Prohibited Conduct occurred, the CO will, as appropriate:
  1. coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education programs or activities limited or denied by the Prohibited Conduct;
  2. coordinate the imposition of any disciplinary sanctions on a respondent ~~( ), including notification to the complainant of any such disciplinary sanctions~~ **[END OF OPTION]**; and
  3. take other appropriate prompt and effective steps to ensure that the Prohibited Conduct does not continue or recur within the District's education programs or activities.
- E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent.

- F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement based solely on the determination of whether Prohibited Conduct occurred.

**[DRAFTING NOTE: If the CO dismisses a complaint in the Evaluation stage (i.e., prior to commencing an investigation), the complainant may appeal as set forth above. Neola also recommends the Board include an appeal process related to the Determination.]**

**[  ] [OPTIONAL LANGUAGE - APPEAL OF DETERMINATION]**

**Appeal of Determinations:**

If a party disagrees with the decisionmaker's determination as to whether Prohibited Conduct occurred, the party may file an appeal. Appeals must be submitted, in writing, within **five**\_\_\_\_ (**5**) (**INSERT AMOUNT**) days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the investigation occurred and the Determination was made; and
- C. the CO, or the designated investigator/decisionmaker, had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome;

**[DRAFTING NOTE: The Board may insert additional grounds on which an appeal may be filed.]**

- D. ~~( ) the recommended remedies (including disciplinary sanctions/consequences) are unreasonable in light of the findings of fact (i.e., the nature and severity of the Prohibited Conduct).~~

- E. ~~( ) [OTHER] \_\_\_\_\_.~~

**[  ]** The complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed. **[END OF OPTION]**

**[DRAFTING NOTE: The following options are offered in case the Board wants the Superintendent to serve as the appeal decisionmaker or the Board wants to nominally be identified as the appeal decisionmaker but will be delegating the responsibility to a person who is properly trained. Neola does not recommend that the Board itself be named as the appeal decisionmaker because of the preference for the decisionmaker to be trained to render a decision. If the Board wants to serve as the appeal decisionmaker, it should discuss this issue with its Legal Counsel. Select OPTION 1 or OPTION 2 below.]**

**[ ] [OPTION 1]**

~~The CO will designate an appeal decisionmaker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained ( ), as set forth in AG 1422 [END OF INTERNAL OPTION].~~

~~The CO has authority ( ), in consultation with ( ) and approval of [END OF OPTION] the Superintendent or ( ) Board ( ) Board President (as appropriate), [END OF OPTIONS] to secure an independent Third Party to serve as the appeal decisionmaker.~~

~~[ ] In designating an appeal decisionmaker, the CO will work with the Board to identify and appoint an independent Third Party to serve as the appeal decisionmaker—this individual shall be considered to be the Board's designee and will submit the appeal decision to the Board who will promptly adopt it as written and forward it to the CO who will send it simultaneously to the parties. [END OF OPTIONAL SENTENCE]~~

~~[END OF OPTION 1]~~

**x ] [OPTION 2]**

The Superintendent shall serve as the appeal decisionmaker, provided the Superintendent has not been otherwise involved in the grievance procedures (i.e., did not serve as the investigator/decisionmaker or informal resolution process facilitator) and is appropriately trained. If the Superintendent is not eligible to serve as the appeal decisionmaker, the CO will designate an appeal decisionmaker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained ( ), as set forth in AG 1422 [END OF INTERNAL OPTION].

[END OF OPTION 2]

[END OF OPTIONS]

If a party appeals the Determination, the CO will:

- A. notify the parties of the appeal;
- B. implement appeal procedures equally for the parties;
- C. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the Determination;
- D. provide the appeal decisionmaker with the relevant and not otherwise impermissible evidence and the Determination; and
- E. notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale for the outcome.

**Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Dismissal ( x ) or Determination [END OF OPTION]**

When a party files an appeal, the party must set forth the reason(s)/basis/bases for the appeal, and the other party will have five ( 5 ) [INSERT AMOUNT] days to provide the appeal

decisionmaker with a statement in support of their position. Once the decisionmaker receives the statement (or the deadline for filing such a statement expires), the appeal decisionmaker will have ten (10) [INSERT AMOUNT] days to issue a decision on the appeal.

**[DRAFTING NOTE: Neola suggests any appeals should be filed within five (5) days of the parties receiving written notice of the Determination. Neola further suggests that the timeline for the other party submitting a statement be equivalent to the timeframe in which an appeal has to be filed. Finally, Neola suggests the appeal decisionmaker have ten (10) days from receipt of the statements to issue a decision.]**

While a party appealing a Determination may argue the reason/basis for the appeal is that new evidence has been discovered/obtained that would change the outcome and that said new evidence was not reasonably available when the Determination was originally made, the party may not submit the new or additional evidence during the appeal process. Rather, the party appealing should identify/describe in detail the evidence, including how and when it was discovered/obtained, and explain why it was not reasonably available during the Investigation (i.e., prior to the Determination). If the appeal decisionmaker accepts the proffered explanation, the appeal decisionmaker should remand the case back to the investigator/decisionmaker (i.e., reopen the investigation) so the new evidence may be submitted and considered by the other party and the investigator/decisionmaker.

The appeal decisionmaker shall determine the outcome of the appeal based on the appeal decisionmaker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence and the written determination) and the appeal decisionmaker's application of the law and Board policy to the facts in the record. The appeal decisionmaker must give due deference and due weight to the decisionmaker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record read in its entirety compels a contrary conclusion. Generally, the appeal decisionmaker is expected to uphold the original Determination unless the appeal decisionmaker concludes the original Determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the original Determination.

The appeal decisionmaker shall

**[DRAFTING NOTE: The Board must select either OPTION 1 or OPTION 2 unless the Board appointed an independent Third Party to serve as the Board's appeal decisionmaker, in which case the Board should select OPTION 3.]**

[OPTION 1]

simultaneously notify the parties, in writing, of the result of the appeal and the rationale for the outcome.

~~[END OF OPTION 1]~~

-

~~[OR]~~

[OPTION 2]

-

~~notify the CO, in writing, of the result of the appeal and the rationale for the outcome. The CO~~

~~will then simultaneously notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale for the outcome.~~

-

~~[END OF OPTION 2]~~

-

~~[OR]~~

~~( ) [OPTION 3]~~

-

~~submit the appeal decision to the Board who will promptly adopt it as written and forward it to the CO, who will send it simultaneously to the parties. The appeal decision shall set forth the result of the appeal and the appeal decisionmaker's rationale for the outcome.~~

-

~~[END OF OPTION 3]~~

The (x) appeal decisionmaker's ~~( ) Board's [END OF OPTION]~~ decision shall be final.

### **[END OF OPTIONAL LANGUAGE - APPEAL OF DETERMINATION]**

#### **Supportive Measures:**

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

The CO shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the CO deems to be reasonably available. Supportive measures may include, but are not limited to: modifications of work schedules, mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain work settings; training related to Prohibited Conduct; ~~( ) referral to Employee Assistance Program; [END OF OPTION]~~ and other similar measures.

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

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

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

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

The District will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the District's education programs or activities, or as otherwise permitted under existing law and/or policy.

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

### **Disciplinary Sanctions and Remedies:**

Following a determination that Prohibited Conduct occurred, the District may impose disciplinary sanctions, which may include:

- A.  oral or written warning;
- B.  written reprimands;
- C.  required counseling;
- D.  required training or education;
- E.  demotion;
- F.  suspension with pay;

#### **[END OF OPTIONS]**

- G. suspension without pay;
- H. termination; and
- I. any other sanction authorized by any applicable Board policy, Employee/Administrator Handbook, and/or collective bargaining agreement.

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

**[DRAFTING NOTE: The Board should review applicable policy(ies)/administrative guidelines/employee handbooks to determine whether changes are needed to establish timelines associated with imposition of discipline as a result of possible delays caused by the Board implementing the preceding grievance procedures; likewise, the Board may need to discuss with union representatives how implementation of the grievance procedures may impact any disciplinary provisions contained in applicable collective bargaining (e.g., timelines, permitted attendees at investigative interviews, etc.).]**

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

## **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging Prohibited Conduct or retaliation, or participates in an investigation, is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the U.S. Constitution, the Michigan Constitution, Federal or State law, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a code of conduct violation that does not involve Prohibited Conduct but arises out of the same facts and circumstances as a complaint or information reported about possible Prohibited Conduct, for the purpose of interfering with the exercise of any right or privilege secured by Federal or State law constitutes retaliation. Retaliation against a person for making a complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

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

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

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

## **Privacy/Confidentiality**

The District will employ all reasonable efforts to protect the rights of the complainant, the respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. The District will keep confidential the identity of any individual who has made a complaint of Prohibited Conduct, any complainant, any individual who has been reported to be the perpetrator of Prohibited Conduct, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of relevant Federal or State law or regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the complainant's and respondent's receipt of the information to which they are entitled related to the investigation and determination of whether Prohibited Conduct occurred). All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the respondent must be provided the complainant's identity.

During an investigation, the CO or designated investigator/decisionmaker will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual

who is interviewed as part of an investigation is expected not to disclose to other members of the School District Community or Third Parties any information that is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against Prohibited Conduct by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where Prohibited Conduct is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a respondent be found to have committed Prohibited Conduct based on expressive conduct that is protected by the First Amendment

### **Training**

All employees, investigators, decisionmakers, facilitators of informal resolution process, the District Compliance Officer(s), and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under applicable Federal and State laws and this policy. ~~[ ] The training shall be provided promptly upon hiring or a change of position that alters their duties under this policy, and annually thereafter. [END OF OPTIONAL SENTENCE]~~ The training shall not rely on stereotypes involving Protected Classes.

] Training materials will be made available for inspection upon request by members of the public. **[END OF OPTION]**

### **Recordkeeping (including retention of investigatory records and materials)**

The District Compliance Officer(s) is/are responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315) created and received as part of an investigation. Records and materials associated with the implementation of this policy shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for the period set forth below, unless required to be maintained for a longer period pursuant to the District's records retention schedule.

**[DRAFTING NOTE: For purposes of uniformity, Neola recommends that the Board use the same seven (7) year period for recordkeeping that is required by the 2020 Title IX regulations - see Board Policy 2266; if the Board selects a different timeframe for maintaining the below specified records, it should verify the time period selected is consistent with and/or reflected in its record retention schedule – see AG 8310.]**

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

- A. for each complaint of Prohibited Conduct, records documenting the informal resolution process and/or the grievance procedures followed and the resulting outcome;
- B. for each notification that the District Compliance Officer receives of information about conduct that reasonably may constitute Prohibited Conduct, records documenting the actions the District took to implement this policy; and
- C. all materials used to provide the training referenced above ~~( )~~ and in AG 1422 **[END OF OPTION]**.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records, medical records).

### **Outside Appointments, Dual Appointments, and Delegations**

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy including, but not limited to, District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, or facilitator of the informal resolution process.

The Board also retains discretion to appoint two (2) or more persons to jointly fulfill the role of District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, and facilitator of the informal resolution process.

The Superintendent may delegate functions assigned to a specific Board employee under this policy including, but not limited to, the functions assigned to the District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, and facilitator of the informal resolution process to any suitably qualified individual, and such delegation may be rescinded by the Superintendent at any time.

**[DRAFTING NOTE: The following option expressly sets forth authority that the Board has, regardless of whether it is included in this policy, but is offered for those boards of education that may want to affirmatively communicate to/address these issues for readers of this policy.]**

### **Discretion in Application**

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

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

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

**[END OF OPTION]**

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Legal

- M.C.L. 37.2101 et seq., 37.1101 et seq.
- 20 U.S.C. 1092(F)(6)(A)(v)
- 20 U.S.C. 1232g
- 20 U.S.C. Section 1681, Title IX of Education Amendment Act
- 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
- 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
- 29 C.F.R. Part 1635
- 29 U.S.C. 201 et seq., The Fair Labor Standards Act ("FLSA")
- 29 U.S.C. 218d, PUMP for Nursing Mothers Act ("PUMP Act")
- 29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
- 29 U.S.C. 701 et seq. (in particular 794), Rehabilitation Act of 1973, as amended
- 34 C.F.R. Part 110 (7/27/93)
- 38 U.S.C. Chapter 43 4301-4335 (see in particular 4311(a) [prohibits discrimination based on military service] and 4312 [reemployment rights]), Uniformed Services Employment and Reemployment Rights Act ("USERRA")
- 42 U.S.C. 1983
- 42 U.S.C. 2000d et seq.
- 42 U.S.C. 2000e et seq., Civil Rights Act of 1964 (e.g., Title VI and Title VII), as amended by the Pregnancy Discrimination Act
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 2000gg, Pregnant Workers Fairness Act ("PWFA")

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

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

Fourteenth Amendment, U.S. Constitution



Book Policy Manual

Section Vol. 40, No. 1 - Nondiscrimination - September 2025 ISD

Title Vol. 40, No. 1 - Nondiscrimination - September 2025 Rescind ANTI-HARASSMENT

Code po3362

Status From Neola

### **Rescind Policy - Vol. 40, No. 1**

#### **~~3362~~ ANTI-HARASSMENT**

##### **General Policy Statement**

~~It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.~~

~~The Board will vigorously enforce its prohibition against harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, Protected Classes) that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment) and encourages those within the School District community, as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.~~

~~[ ] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and where appropriate, the person(s) who committed the unlawful harassment.~~

## Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

## Definitions

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

**Complainant** is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

**School District community** means students and Board employees (i.e., administrators and professional and support staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Third Parties** include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

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

## Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior including any threatening, insulting, or dehumanizing gesture by an adult or student that is severe or pervasive enough to create an

intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

**Harassment** means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

### **Sexual Harassment**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, sexual harassment is defined as: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment that may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

- L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- M. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- N. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

**[DRAFTING NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of sexual battery. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.]**

### **Race/Color Harassment**

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working, and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

### **Religious (Creed) Harassment**

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### **National Origin/Ancstry Harassment**

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning

environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

### **Anti-Harassment Compliance Officers**

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

**[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The same individual(s) assigned to serve as Compliance Officer(s) may also be assigned to serve as the District's Section 504 Compliance Officer(s)/ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) Compliance Officers, there should also be a Compliance Officer available to investigate a claim of harassment that pertains to the other Compliance Officer.]**

\_\_\_\_\_  
\_\_\_\_\_  
(Name)

\_\_\_\_\_  
\_\_\_\_\_  
(School District Title)

\_\_\_\_\_  
\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
\_\_\_\_\_  
(Office Address)

\_\_\_\_\_  
\_\_\_\_\_  
(E-mail Address)

\_\_\_\_\_  
\_\_\_\_\_  
(Name)

(School District Title)

(Telephone Number)

(Office Address)

(E-mail Address)

The names, titles, and contact information of these individuals will be published annually on the School District's website ( ) and:

- A. ( ) in the parent and staff handbooks.
- B. ( ) in the School District Annual Report to the public.
- C. ( ) on each individual school's website.
- D. ( ) in the School District's calendar.
- E. ( ) \_\_\_\_\_.

The Compliance Officer(s) ( ) is ( ) are **[END OF OPTION]** responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment) or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to a Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to a Compliance Officer within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to

stop the harassment unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, a Compliance Officer or designee must contact the Complainant if age eighteen (18) or older, or the Complainant's parents/guardians if the Complainant is under the age of eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

### **Reports and Complaints of Harassing Conduct**

Members of the School District community along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor, or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with a Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior, and/or harassment in accordance with Policy 5517.01 — Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying, aggressive behavior, and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 3362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

### **Investigation and Complaint Procedure (See Form 3362-F1)**

Except for Sexual Harassment that is covered by Policy 2266 — Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

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

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is promptly to stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the allegedly harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A complainant may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one (1) of the Compliance Officers; and/or 3) to the Superintendent or other District level employee.

All informal complaints must be reported to one (1) of the Compliance Officers who will either facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Board's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one (1) or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, Compliance Officer, Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to a Compliance Officer/designee within two (2) business days.

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

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including the Board's Anti Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

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

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

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's written decision will be delivered to both the Complainant and the Respondent.

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

[ ] The decision of the Superintendent shall be final.

## **OR**

[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting. The decision of the Board will be final.

## **[END OF OPTIONS]**

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

[ ] The parties may be represented, at their own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

## **Privacy/Confidentiality**

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided with the Complainant's identity.

During the course of a formal investigation, the Compliance Officer/designee will instruct all members of the School District community and Third Parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.

## **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

## **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or the policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

-  
Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

-  
Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

## **Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct**

State law requires any school teacher or school employee who knows or suspects that a child under the age of eighteen (18) or that a person with a disability receiving services as a student from the school regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability, or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has

reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer's or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

### **Education and Training**

In support of this Anti Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

### **Retention of Investigatory Records and Materials**

The Compliance Officer(s) is responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information (ESI), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation which may include, but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including

~~transitory notes whose content is otherwise memorialized in other documents;~~

- ~~H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;~~
- ~~I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;~~
- ~~J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~
- ~~K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- ~~L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);~~
- ~~M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

~~**{DRAFTING NOTE: The following options should be selected if the district concludes that the following items are not adequately encompassed in the preceding paragraphs.}**~~

- ~~N.  documentation of any training provided to District personnel related to this policy including, but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; **{REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.}**~~
- ~~O.  documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- ~~P.  copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- ~~Q.  copies of any notices sent to the Complainant and the Respondent in advance of any interview, meeting, or hearing;~~

~~R. ( ) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law — e.g., student records and confidential medical records.~~

~~The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.~~

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Legal

- 29 C.F.R. Part 1635
- 20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
- 29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
- 29 U.S.C. 794, Rehabilitation Act of 1973, as amended
- 42 U.S.C. 1983
- 42 U.S.C. 2000e et seq.
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 6101, The Age Discrimination Act of 1975
- 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
- Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
- The Handicappers Civil Rights Act, M.C.L. 37.1101 et seq.
- The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
- Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
- Policies on Bullying, Michigan State Board of Education, 7-19-01
- Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
- National School Boards Association Inquiry and Analysis May 2008





Book	Policy Manual
Section	Vol. 40, No. 1 - Nondiscrimination - September 2025 ISD
Title	Vol. 40, No. 1 - Nondiscrimination - September 2025 Rescind NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE
Code	po4122.02
Status	From Neola
Adopted	November 17, 2010
Last Revised	February 15, 2012

### **Rescind Policy - Vol. 40, No. 1**

#### **4122.02 — NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE**

~~The Board of Education prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of his/her genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.~~

~~In accordance with the Genetic Information Nondiscrimination Act (GINA), the Board shall not request, require, or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with this Act, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the District's application process.~~

~~[ ] The District recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. The District prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information.~~

~~"Genetic information," as defined by GINA, means information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.~~

~~If the District either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider it shall be treated as a confidential medical record in accordance with law.~~

~~The Superintendent shall appoint a compliance officer who shall be responsible for overseeing the District's compliance with Federal regulations and promptly dealing with any inquiries or complaints. S/He shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all District requests for health related information (e.g., to support an employee's request for reasonable accommodation under the ADA or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:~~

~~The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II, including the Board of Education, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.~~

~~[ ] The District offers health services ( ), including a wellness program **[END OF OPTION]**. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to his/her health services providers, but only genetic information in aggregate form will be provided to the Board. **[END OF OPTIONAL PARAGRAPH]**~~

~~[NOTE: It should be noted that any sections of the District's collective bargaining agreements dealing with terms and conditions of employment should contain a statement of nondiscrimination similar to that in the Board's statement above.]~~

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Legal

29 C.F.R. Part 1635

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



Book	Policy Manual
Section	Board Review Non-Discrim Fall 2025
Title	Vol. 40, No. 1 - Nondiscrimination - September 2025 Replacement NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT
Code	po4122
Status	
Adopted	January 16, 2013
Last Revised	August 20, 2025

**Replacement Policy - Vol. 40, No. 1**

**4122 - NONDISCRIMINATION, EQUAL EMPLOYMENT OPPORTUNITY, AND ANTI-HARASSMENT**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including pregnancy, childbirth, and related medical conditions; sexual orientation; and gender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category (collectively, Protected Classes) in its programs and activities, including employment opportunities.

The Board is committed to providing a work environment that is free from Prohibited Conduct, responding promptly and effectively when it has knowledge of conduct that reasonably may constitute Prohibited Conduct, and addressing Prohibited Conduct in its education programs or activities. This commitment applies to all District operations and this policy applies to Prohibited Conduct occurring within or as a part of the District's education programs and activities, whether on school property or at another location during an activity sponsored by the Board.

Persons who commit Prohibited Conduct are subject to the full range of disciplinary sanctions set forth in this policy.

The Board will provide persons who have experienced Prohibited Conduct with ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs or activities.

All school employees share responsibility for avoiding, discouraging, and reporting any form of Prohibited Conduct.

The Board will take immediate action to address the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging Prohibited Conduct, or has participated in the below-described grievance procedures.
- B. Filing a malicious or knowingly false report or complaint of Prohibited Conduct.
- C. Disregarding, failing to appropriately address, or delaying action to appropriately address allegations of Prohibited Conduct when responsibility for reporting and/or investigating such charges comprises part of one's administrative/supervisory duties.

**Definitions:**

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

**Bullying** means: any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult, that is sufficiently severe or pervasive to create an intimidating, hostile, or offensive work environment; or unreasonably interfere with the individual's work performance or participation. It may involve: (a) threats; (b) intimidation; (c) stalking; (d) cyberstalking; (e) cyberbullying; (f) physical violence; (g) theft; (h) sexual, religious, or racial harassment; (i) public humiliation; or (j) destruction of property. Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more employees, and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal and/or State civil rights laws. Ordinary teasing, horseplay, arguments, and peer conflict do not constitute bullying for purposes of this policy.

**Complainant** means: an employee who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or a person, other than an employee, who is alleged to have been subjected to conduct that could constitute Prohibited Conduct and who was participating or attempting to participate in the District's education programs or activities at the time of the alleged Prohibited Conduct.

**Complaint** means: an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged Prohibited Conduct.

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

**Disciplinary sanctions** means: consequences imposed on a respondent following a determination that the respondent engaged in Prohibited Conduct.

**Education programs or activities** refer to: all the District's operations including, but not limited to, in-person and online/remote educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all programs and activities operated by the Board on school grounds or on other property owned or occupied by the Board. It also includes events and circumstances that take place off school property/grounds but over which the District asserts disciplinary authority (e.g., at off-campus activities sponsored by the Board).

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

**Genetic information** means: information about: (a) an individual's genetic tests; (b) the genetic tests of that individual's family members; (c) the manifestation of disease or disorder in family members of the individual (i.e., family medical history); (d) an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; or (e) the genetic information of a fetus carried by an individual or a pregnant woman who is a family member of the individual and the genetic information of an embryo legally held by an individual or family member using assistive reproductive technology.

**Harassment** means: any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against an employee that (a) places the employee in reasonable fear of harm to their person or damage to their property; (b) has the effect of substantially interfering with the employee's work performance; or (c) has the effect of substantially disrupting the orderly operation of a school. Each of the following types of harassment involves unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's protected characteristic(s) and has the purpose or effect of interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

**A. Age Harassment** means: harassment based on negative perceptions about older workers. It also includes harassment based on stereotypes about older workers, even if they are not motivated by animus, such as pressuring an older employee to transfer to a job that is less technology-focused because of the perception that older workers are not well-suited to such work or encouraging an older employee to retire.

**B. Disability Harassment** means: harassment based upon a person's disability and includes harassment based upon stereotypes about individuals with disabilities in general or about an individual's particular disability. It also includes harassment based on traits or characteristics linked to an individual's disability, such as how the person speaks, looks, or moves. For example, negative comments about an individual's speech patterns, movement, physical impairments, or defects/appearances, or the like. Disability-based harassment includes: (a) harassment because an individual requests or receives reasonable accommodation; (b) harassment because an individual is regarded as having an impairment, even if the individual does not have an actual disability, or a record of disability; (c) harassment because an individual has a record of a disability, even if the individual currently does not have a disability; and (d) harassment based on the disability of an individual with whom the employee is associated. Finally, disability-based harassment may occur where conduct is directed at or pertains to a person's genetic

information.

- C. **National Origin/Ancestry Harassment** means: harassment due to a person's (or their ancestor's) place of origin. Such harassing conduct can include ethnic slurs or epithets, derogatory comments about individuals of a particular nationality, and use of stereotypes about a person's national origin. Additionally, it can include harassment regarding traits or characteristics linked to an individual's national origin, such as physical characteristics, ethnic or cultural characteristics or customs (e.g., surnames, attire, or diet), or linguistic characteristics (e.g., a person's manner of speaking, non-English language accent, or a lack of fluency in English).
- D. **Race/Color Harassment** means: unwelcome physical, verbal, or nonverbal conduct that is based upon an individual's race or color and has the purpose or effect of interfering with the individual's work performance; or creating an intimidating, hostile, or offensive work environment. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.
- E. **Religious (Creed) Harassment** means: harassment based on a person's surname, religion (including atheism or lack of religious belief), religious traditions and practices, or religious dress/clothing, and includes making offensive comments about the same. It also includes religious slurs or epithets, harassing conduct based on religious stereotypes, and harassment associated with a person's request for and/or receipt of religious accommodation. Religious harassment also involves explicitly or implicitly coercing an employee to engage in religious practices at work.
- F. **Sexual Harassment** means (for purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment; (b) submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (c) such conduct has the purpose or effect of interfering with the individual's work performance; or creating an intimidating, hostile, or offensive working environment. Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.
1. Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.
  2. Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:
    - a. Conduct of a sexualized nature, such as unwanted conduct expressing sexual attraction or involving sexual activity (e.g., unwelcome sexual propositions, invitations, solicitations, and flirtations; unwanted physical and/or sexual contact, including unwelcome and inappropriate touching, patting, or pinching (x)); and obscene gestures [END OF OPTION].

- b. Sexual attention or sexual coercion, such as demands or pressure for sexual favors (e.g., threats or insinuations that a person's employment, wages, or other conditions of employment may be adversely affected by not submitting to sexual advances; giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship; leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin).
- c. Rape, sexual assault, or other acts of sexual violence.
- d. Discussing or displaying visual depictions of sex acts or sexual remarks (e.g., unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls, texts, etc.; sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature placed in the work environment; asking or telling about sexual fantasies, sexual preferences, or sexual activities; speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history).
- e. A consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- f. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.
- g. Non-sexual conduct based on sex, such as sex-based epithets; sexist comments (such as remarks that women do not belong in management or that men do not belong in the nursing profession); or facially sex-neutral offensive conduct motivated by sex (such as bullying directed toward employees of one sex).
- h. Harassment based on pregnancy, childbirth, or related medical condition, which may include issues pertaining to lactation, using or not using contraception, or deciding whether to have, or not to have, an abortion.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be objectively offensive (a reasonable person would find it hostile or abusive), subjectively offensive (the complainant actually perceived it as abusive), and either sufficiently severe (a single extremely serious incident) or pervasive (a pattern of behavior), such that it adversely affects, limits, or denies an individual's employment, or creates a hostile or abusive employment environment.

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

**Military status** means: a person's past, current, or future membership, service, or obligation in a uniformed service (e.g., Army, Marine Corps, Navy, Air Force, Space Force, Coast Guard, Public Health Service Commissioned Corps, and National Oceanic and Atmospheric Administration Commissioned Officer Corps). Service in the uniformed services also means the performance of duty, on a voluntary basis, or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, and full-time National Guard duty. It further includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

**Party** means: a complainant or respondent.

**Pregnancy, childbirth, or related medical conditions** means:

- A. "Pregnancy" and "childbirth" refer to the pregnancy or childbirth of a specific employee and include, but are not limited to, current pregnancy; past pregnancy; potential or intended pregnancy (which can include infertility, fertility treatment, and the use of contraception); labor; and childbirth (including vaginal and cesarean delivery).
- B. "Related medical conditions" are medical conditions relating to the pregnancy or childbirth of a specific employee, and may include termination of pregnancy, including via miscarriage, stillbirth, or abortion; ectopic pregnancy; preterm labor; pelvic prolapse; nerve injuries; cesarean or perineal wound infection; maternal cardiometabolic disease; gestational diabetes; preeclampsia; HELLP (hemolysis, elevated liver enzymes and low platelets) syndrome; hyperemesis gravidarum; anemia; endometriosis; sciatica; lumbar lordosis; carpal tunnel syndrome; chronic migraines; dehydration; hemorrhoids; nausea or vomiting; edema of the legs, ankles, feet, or fingers; high blood pressure; infection; antenatal (during pregnancy) anxiety, depression, or psychosis; postpartum depression, anxiety, or psychosis; frequent urination; incontinence; loss of balance; vision changes; varicose veins; changes in hormone levels; vaginal bleeding; menstruation; and lactation and conditions related to lactation, such as low milk supply, engorgement, plugged ducts, mastitis, or fungal infections. The preceding list of related medical conditions is not exhaustive.

**Prohibited Conduct** means: unlawful discrimination or harassment based on a person's Protected Class(es) or retaliation. Such misconduct involves a violation of Federal and/or State civil rights laws.

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

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

**Respondent** means: a person who is alleged to have engaged in Prohibited Conduct.

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

**School District community** means: students and Board employees (i.e., administrators and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Supportive measures** means: non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge to the complainant or the respondent before or after making a report or filing a complaint. Such measures are designed to restore or preserve that party's access to the District's education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment or deter Prohibited Conduct. Supportive measures may include modifications of work schedules, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain work settings; training related to Prohibited Conduct, ~~( ) referral to Employee Assistance Program, [END OF OPTION]~~ and other similar measures.

**Third Parties** means: guests and/or visitors on District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

### **Pregnancy, Childbirth, and Related Medical Conditions**

The Board will not discriminate against an employee based on the person's current pregnancy, potential or intent to become pregnant, past pregnancy, or medical condition related to pregnancy or childbirth, or because the person uses birth control, or has had or not had an abortion.

Additionally, the Board will provide a reasonable accommodation to an employee's known limitation related to pregnancy, childbirth, or a related medical condition, unless the accommodation will cause the District undue hardship.

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

The Board will provide reasonable break time for an employee to express breast milk while at work for the first year after the employee's child's birth. The Board will provide the employee with a space, other than a bathroom, that is clean, shielded from view, free from intrusion from coworkers and the public, and which the employee can use as needed to express breast milk. See Board Policy 6700 – Fair Labor Standards Act.

## **Nondiscrimination Based on Employee's Genetic Information**

The Board prohibits discrimination on the basis of genetic information in all aspects of employment, including hiring, firing, compensation, job assignments, promotions, layoffs, training, fringe benefits, or any other terms, conditions, or privileges of employment. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Harassment of a person because of the individual's genetic information is also prohibited. Likewise, retaliation against an applicant or employee for engaging in protected activity is prohibited.

In accordance with the Genetic Information Nondiscrimination Act ("GINA"), the Board shall not request, require, or purchase genetic information of employees, their family members, or applicants for employment. Further, in compliance with GINA, employees are directed not to provide any genetic information, including the individual's family medical history, in response to necessary requests for medical information, with the exception that family medical history may be acquired as part of the certification process for FMLA leave, when an employee is asking for leave to care for an immediate family member with a serious health condition. Applicants for employment are directed not to provide any genetic information, including the individual's family medical history, in response to requests for medical information as part of the District's application process.

[  ] The District recognizes that genetic information may be acquired through commercially and publicly available documents like newspapers, books, magazines, periodicals, television shows, or the Internet. The District prohibits, however, its employees from searching such sources with the intent of finding or obtaining genetic information or accessing sources from which they are likely to acquire genetic information. **[END OF OPTION]**

If the District either legally and/or inadvertently receives genetic information about an employee or applicant for employment from the employee, applicant for employment, or a medical provider, it shall be treated as a confidential medical record in accordance with law.

The District Compliance Officer (see below) shall be responsible for overseeing the District's compliance with applicable Federal regulations and promptly dealing with any inquiries or complaints. The District Compliance Officer or designee shall also verify that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members, and that all District requests for health-related information (e.g., to support an employee's request for reasonable accommodation under the Americans with Disabilities Act ("ADA") or a request for sick leave) is accompanied by a written warning that directs the employee or health care provider not to collect or provide genetic information. The warning shall read as follows:

The Genetic Information Nondiscrimination Act of 2008 ("GINA") prohibits employers and other entities covered by GINA Title II, including the Board of Education, from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by law. To comply with this law, do not provide any genetic information when responding to this request for medical information (unless the request pertains to a request for FMLA leave for purposes of caring for an immediate family member with a serious health condition). "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic test, the fact that an individual or an individual's family member sought or received genetic services or participated in clinical

research that includes genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

~~[ ] The District offers health services ( ), including a wellness program **[END OF INTERNAL OPTION]**. Participation in the services/program is voluntary. Genetic information (such as family medical history) may be obtained as part of an individual's participation in the service/program. If that occurs, individual genetic information may be provided to the individual receiving the services and to the person's health services providers, but only genetic information in aggregate form will be provided to the Board. **[END OF OPTION]**~~

## **District Compliance Officer(s)**

### **[DRAFTING NOTES:**

- 1. Neola suggests the Board appoint both a male and a female to serve as the District Compliance Officers. By appointing two (2) District Compliance Officers, there should always be a District Compliance Officer available to address a claim that pertains to the other District Compliance Officer. If, however, the Board appoints more than one (1) District Compliance Officer, Neola recommends that it designate one (1) of the District Compliance Officers to retain ultimate oversight over the assigned responsibilities and ensure the Board's consistent compliance with its responsibilities under applicable Federal and State laws that prohibit unlawful discrimination/harassment based on protected classes and retaliation. Alternatively, the Board could appoint a District Compliance Officer and one (1) or more persons to assist the District Compliance Officer with performance of the responsibilities identified in this policy and its accompanying administrative guidelines. Often the person(s) designated to assist a District Compliance Officer is/are called Deputy or Assistant Compliance Officer(s). If the Board elects this alternative approach, it would designate a District Compliance Officer for purposes of this policy, and then designate the other position(s) through its AG. The person(s) in the alternative support role(s) will need to be trained in the same manner as the District Compliance Officer (see AG 1422).**
- 2. The Board must list in this policy either the Name(s) or Title(s) of the District Compliance Officer(s); while the Board may list both the Name(s) and Title(s), Neola suggests that the Board only list the Title(s) in this policy (so the Board does not need to revise/amend the policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name(s) and Title(s) in the requisite notices/postings (e.g., website) and publications (e.g., handbooks). The District will also need to decide whether to list the Name(s) and Title(s), or just the Title(s), in Administrative Guideline 1422 if the District elects to identify the District Compliance Officer in the AG (see DRAFTING NOTE in the AG; again, if the District lists the Name(s) and Title(s), it will need to remember to update the AG whenever there is a change in the actual person(s) holding the designated position(s). No matter what, the Board will need to amend its policy and update its AG, requisite notices/postings, and publications, whenever it changes the Title of the position(s) designated to serve as the District Compliance Officer(s).**

- 3. Reminder: Whenever a new person begins to serve as the District Compliance Officer (or in a support role to the District Compliance Officer), the District needs to make sure the new person is appropriately trained, in a timely manner, to fulfill the responsibilities of the position to which the person is assigned.]**

**[END OF DRAFTING NOTES]**

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Federal and State laws that prohibit discrimination, including harassment, based on Protected Classes and retaliation (also known as "Civil Rights Coordinator(s)" or "Anti-Harassment Compliance Officer(s)") (hereinafter referred to as the "District Compliance Officer(s)" or "CO(s)"):

John VanHoesen  
Human Resource Coordinator  
1790 East Packard Highway  
Charlotte, MI 48813  
517.541.8722  
jvanhoesen@eatonresa.org

Kelly Hager  
Technical Assistance Provider & Maple Valley Special Ed Director  
1790 East Packard Highway  
Charlotte, MI 48813  
517.541.8723/517.852.9275  
khager@eatonresa.org

**[DRAFTING NOTE: The District may want to create a static (i.e., fixed) District Compliance Officer -specific email address and phone number that will not change when the person(s) and/or position(s) designated to be the CO(s) change(s) – e.g., CO4CivilRights@(insert District's domain) – which the Technology Director/Department can program to be forwarded to the actual individual(s) serving as the District Compliance Officer(s) at any given time. Likewise, the District may want to establish a static Telephone Number for the position of District Compliance Officer that can be forwarded to, and accessed by, the actual person(s) serving in the CO position(s) at any given time. These two (2) steps will help reduce the information that needs to be updated in policy, AG, and/or the requisite notices/postings and publications when changes occur to the specific person(s)/position(s) designated to serve as the CO(s).]**

**x ]** The Board designates the Superintendent **[DRAFTING NOTE: Insert Name and/or Title of the District Compliance Officer who is ultimately responsible for the District's compliance with its responsibilities under Federal and State laws that prohibit discrimination/harassment based on Protected Classes and retaliation as the individual who is ultimately responsible for oversight over the Board's compliance with applicable Federal and State laws and regulations that prohibit discrimination based on the basis of Protected Classes and retaliation. [END OF OPTION]**

] The District Compliance Officer may delegate specific duties to one (1) or more designees. **[END OF OPTION]**

The contact information concerning the District Compliance Officer(s) will be published on the School District's website. ~~( ) and annually [END OF OPTION].~~

- A. ~~( ) in parent/student and staff handbooks.~~
- B. ~~( ) in the School District Annual Report to the public.~~
- C. ~~( ) on each individual school's website.~~
- D. ~~( ) in the School District's calendar.~~
- E. ~~( ) \_\_\_\_\_.~~

**[DRAFTING NOTE: The Board may want to select the following option when the Superintendent is not the CO. While Neola recognizes that this may not always be possible, it may be preferable to have the CO be someone other than the Superintendent because then – if the CO serves as the investigator and decisionmaker – the Superintendent can serve as the appeal decisionmaker or the facilitator for the informal resolution process.]**

] The District Compliance Officer(s) shall report directly to the Superintendent except when the Superintendent is a party to a complaint (i.e., either the complainant or the respondent). Under such circumstances, the CO(s) shall report directly to **[SELECT ONE OF THE FOLLOWING]**  the Board President ~~( ) the Board's Legal Counsel ( ) \_\_\_\_\_~~ ~~[OTHER] [END OF INTERNAL OPTIONS]~~ until the matter in which the Superintendent is a party is concluded. **[END OF OPTION]**

Questions about this policy ~~( ) and AG 1422 [END OF OPTION]~~ should be directed to the District Compliance Officer(s).

The CO(s) is/are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, harassment, retaliation, or denial of equal opportunity/access. The CO(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), Genetic Information Nondiscrimination Act (GINA), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. ~~[ ] Any sections of the District's collective bargaining agreements dealing with hiring, promotion, demotion, discipline, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement set forth above. [END OF OPTION] [ ] In addition, as practical, gender-specific terms should be eliminated from such contracts. [END OF OPTION]~~ Copies of the laws and regulations listed above are available upon request from the CO(s).

The CO(s) will be available during regular work hours to discuss concerns related to Prohibited Conduct, to assist employees, other members of the District community, and third parties who seek support or advice when informing another individual about Prohibited Conduct, including

unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The CO(s) shall monitor the District's education programs and activities for barriers to reporting information about conduct that reasonably may constitute Prohibited Conduct pursuant to Federal and/or State laws that prohibit discrimination/harassment based on the basis of a Protected Class/Category and retaliation, and take steps reasonably calculated to address such barriers.

### **Notice of Nondiscrimination**

The Superintendent shall provide a notice of nondiscrimination to students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the Superintendent shall post the notice of nondiscrimination on the District's website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to the persons listed above, or which are otherwise used in connection with the recruitment of employees. (↔) ~~See AG 1422 and Form 1422F1 — Notice and Statement of Nondiscrimination. [END OF OPTION]~~

### **NOTIFICATION/REPORTS OF PROHIBITED CONDUCT**

Any person may provide information to the CO(s) concerning conduct that reasonably may constitute Prohibited Conduct. Such information may be submitted in person, by mail, by telephone, or by electronic mail using the CO's(s') published contact information, or by any other means (oral or written) that results in the CO(s) receiving the information. Information may be provided at any time (including during non-work hours). ~~[ ] Anonymous reports may be submitted using ( ) the online reporting form posted at \_\_\_\_\_ [insert the web address for the reporting form, or insert a hyperlink tied to the phrase "online reporting form"] [or] ( ) the hotline reporting number ( \_\_\_\_\_ [insert phone number]). [END OF OPTION]~~

All Board employees are required to notify the CO(s) of conduct that reasonably may constitute Prohibited Conduct. For the Board to fulfill its responsibilities under applicable Federal and/or State laws, if a Board employee has knowledge of conduct that reasonably may constitute Prohibited Conduct, the Board employee must notify the/a CO within two (2) days of learning the information or receiving the report. **[DRAFTING NOTE: The applicable statutes and regulations do not specify within how many days the Board employee must notify the CO of receiving notification/a report of Prohibited Conduct; Neola suggests "two (2) days". Alternatively, the Board could make this language more open-ended – e.g., "\*\* \* \* must immediately/promptly notify the/a CO of such information or report."]** The Board employee must also comply with mandatory reporting responsibilities pursuant to Policy 8462 – Student Abuse and Neglect, if applicable. If the Board employee's knowledge about the alleged Prohibited Conduct is based on another individual bringing the information to the Board employee's attention, and the reporting individual submitted a written notification/report or complaint to the Board employee, the Board employee must provide the written notification/report or complaint to the CO.

Notification can be provided orally or in writing and should be as specific as possible. The person making the notification/report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a notification/report or complaint involves allegations of Prohibited Conduct by or involving the CO, the person making the report (i.e., providing the notification or filing the complaint) should submit it to the Superintendent or another Board employee who, in turn, will notify the Superintendent of the report/complaint. The Superintendent will then serve in place of the CO for purposes of addressing that report of Prohibited Conduct. **[DRAFTING NOTE: If the Superintendent is the CO, substitute "Board President" in place of "Superintendent."]**

When a Board employee notifies the CO of suspected Prohibited Conduct, the employee is required to report all known details about the alleged Prohibited Conduct including: (1) the name of the alleged respondent(s); (2) the person who experienced the alleged Prohibited Conduct (i.e., the complainant); (3) other persons involved in the alleged Prohibited Conduct (e.g., witnesses); and (4) any other relevant facts, such as date, time, and location. Failure to provide such notification may result in discipline, up to and including suspension or termination of employment.

Any allegations of misconduct not involving Prohibited Conduct as defined in this policy will be addressed through the procedures outlined in other Board policies ~~( ) and/or administrative guidelines~~ **[END OF OPTION]**, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

When a notification/report or complaint of Prohibited Conduct is made, the CO shall promptly (i.e., within two (2) days **[DRAFTING NOTE: The applicable laws and/or regulations do not define "promptly" or otherwise specify within how many days the contact has to be made; Neola suggests "two (2) days."]** of the CO's receipt of the notification/report or complaint of Prohibited Conduct) contact the purported 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 complaint, and explain to the complainant the process for filing a complaint. The CO is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the complainant or respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures.

## **GRIEVANCE PROCEDURES**

### **Overview:**

The Board adopts the following grievance procedures to provide for the prompt, effective, and equitable resolution of complaints made by employees, applicants, or other individuals who are participating or attempting to participate in the District's education programs or activities (i.e., members of the School District community and Third Parties), or by the CO alleging any act of Prohibited Conduct.

These grievance procedures shall be used for all complaints of Prohibited Conduct unless it involves conduct involving a student, in which case the grievance procedures set forth in Policy 2260 or Policy 5517.01 shall apply. These grievance procedures set forth the means for

investigating and resolving claims involving such Prohibited Conduct; in particular, the procedures provide a method for assessing – in a prompt, effective, and equitable manner – whether an applicable Federal or State law was violated and, if it was, how best to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.

Due to the sensitivity surrounding complaints of Prohibited Conduct, timelines are flexible for initiating the grievance procedures; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner.

**[DRAFTING NOTE: Title VII of the Civil Rights Act of 1964 (“Title VII”) prohibits discrimination in employment. Specifically, it prohibits employment discrimination based on race, color, religion, sex, or national origin, and applies to employers with fifteen (15) or more employees. Title IX, on the other hand, specifically prohibits discrimination based on sex in education programs and activities that receive Federal financial assistance, including employment within those institutions. Title IX is addressed by Board Policy 2266 and AG 2266. While both laws aim to prevent sex-based discrimination in the workplace, Title VII applies more broadly to various types of employers, whereas Title IX is limited to educational institutions receiving Federal funds. Ultimately, both laws aim to ensure equal employment opportunities and protect individuals from discrimination. When a District Compliance Officer receives a complaint or notification of alleged misconduct involving sex discrimination (in particular, sexual harassment) that involves an employee complainant and an employee respondent, the District Compliance Officer should consult with the Title IX Coordinator and/or the Board’s Legal Counsel concerning which law – it may be both – the District will need to comply with when investigating the allegations.]**

Under all circumstances, the CO shall offer and coordinate supportive measures, as appropriate, in accordance with this policy ~~( ) and AG 1422~~ **[END OF OPTION]**.

### **Complaints:**

The following people may make a complaint of Prohibited Conduct – i.e., request that the District investigate and determine whether Prohibited Conduct occurred:

A. a “complainant,” which includes:

1. an employee of the District who is alleged to have been subjected to conduct that could constitute Prohibited Conduct; or
2. a person other than an employee of the District who is alleged to have been subjected to conduct that could constitute Prohibited Conduct at a time when that individual was participating or attempting to participate in the District’s education programs or activities;

B. an authorized legal representative with the legal right to act on behalf of a complainant;

C. the District Compliance Officer.

A person is entitled to make a complaint of unlawful harassment only if they themselves are alleged to have been subjected to the unlawful harassment, or if the CO initiates a complaint.

**[DRAFTING NOTE: This paragraph emphasizes that in order for a person to file a complaint of unlawful harassment, the person has to have been subjected to the alleged misconduct directly or be a person who has a legal right to act on behalf of the person who was subjected to the alleged misconduct. This is consistent with the prior paragraph, where the complainant is identified as an employee who was “subjected to conduct that could constitute Prohibited Conduct.” The following paragraph, on the other hand, expands who can file a complaint – when the alleged Prohibited Conduct does not involve unlawful harassment, or the complaint involves allegations of retaliation – to persons who are aware of the alleged Prohibited Conduct, even if that person was not directly affected by or subject to the alleged Prohibited Conduct.]**

With respect to complaints of Prohibited Conduct other than unlawful harassment, or complaints involving allegations of retaliation, in addition to the people listed above, the following persons have a right to make a complaint:

- A. any employee of the District; or
- B. any person other than an employee who was participating or attempting to participate in the District’s education programs or activities at the time of the alleged Prohibited Conduct.

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

A person may file criminal charges simultaneously with filing a complaint. A person does not need to wait until the District’s internal grievance procedures are completed before filing a criminal complaint. Likewise, questions or complaints relating to alleged violations of applicable Federal or State laws may be filed with the U.S. Department of Education’s Office for Civil Rights, the U.S. Department of Justice’s Civil Rights Division, the U.S. Equal Employment Opportunity Commission, or the Michigan Department of Civil Rights, at any time based on the underlying statutory basis for the complaint.

### **Basic Requirements:**

The District will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects of this Policy, including the District Compliance Officer, the investigator, the decisionmaker, and the appeal decisionmaker, (x) and the facilitator of the informal resolution process, **[END OF OPTION]** shall be free from any conflicts of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

[  The CO may serve simultaneously as an investigator and/or a decisionmaker. **[END OF OPTION] [DRAFTING NOTE: Neola recommends the Board select this OPTION; note it is “may” (i.e., optional) so the CO can decide when to serve in both roles and when to designate one or more persons to perform these responsibilities in a given case.]**

If the CO does not intend to serve as the investigator/decisionmaker in a specific case, the CO shall designate one (1) or more administrators who are appropriately trained to serve in the role.

In circumstances when the CO and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons impair the CO and other trained administrators from serving as an investigator/decisionmaker in a specific case, the CO shall in consultation with (  ) and approval of **[END OF OPTION]** the Superintendent or ~~( ) Board~~ (  ) Board President (as appropriate), **[END OF OPTION]** secure one (1) or more independent third parties to serve as the investigator and/or decisionmaker.

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

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

A. **Evaluation** – The District Compliance Officer will determine whether to dismiss a complaint or investigate it within ten ( 10 ) **[INSERT AMOUNT]** days of receiving the complaint. **[DRAFTING NOTE: Neola recommends that the evaluation stage be completed within ten (10) days of the CO receiving notice of the complaint.]**

B. **Investigation** – The CO, or designated investigator/decisionmaker, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) and issue a Determination (i.e., consider the relevant and not otherwise impermissible evidence and decide whether Prohibited Conduct occurred) within twenty ( 20 ) **[INSERT AMOUNT]** days of the CO determining the charges require investigation. **[DRAFTING NOTE: Recognizing that it is important for investigations to be completed and Determinations issued in a prompt and equitable manner, Neola recommends that a school district typically complete an investigation and issue a Determination within twenty (20) days.]**

**[DRAFTING NOTE: If the investigator/decisionmaker is someone other than the CO, upon written request from the investigator/decisionmaker, the CO should be permitted to approve a reasonable extension of time for the investigation to be completed and the Determination issued. If the CO is the investigator/decisionmaker: upon written request from the CO, the Superintendent should be permitted to approve a reasonable extension of time for the investigation to be completed and the Determination issued. In either situation, the administrator granting the extension should communicate to the parties the new deadline along with a rationale for the extension.]**

If, however, the CO, or designated investigator/decisionmaker, determines that the investigation is going to take longer, the CO will so notify the parties (  ) and the Superintendent **[END OF OPTION]** and will thereafter keep the parties (  ) and the Superintendent **[END OF OPTION]** informed of the status of the matter on a regular

basis\_\_\_\_\_ [INSERT TIME PERIOD – E.G., BIWEEKLY OR REGULAR] basis.

- C. **Appeal** – A party filing an appeal of the CO’s decision to dismiss a complaint (  ), or the Determination, [END OF OPTION] must do so within five\_\_\_\_ ( 5 ) [INSERT AMOUNT] days of receiving the Dismissal (  ) or Determination [END OF OPTION]. [DRAFTING NOTE: Neola recommends the Board allow limited appeals based on the Determination. See DRAFTING NOTE below in the appeal section.]

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

The District will take reasonable steps to protect the privacy of the parties and witnesses.  ] These steps will not restrict the ability of the parties to present evidence or otherwise participate in the grievance procedures. [END OF OPTION] The parties shall not engage in retaliation, including against witnesses.

The CO, or designated investigator/decisionmaker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible — including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person’s status as a complainant, respondent, or witness.

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

- A. evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed voluntarily waived the privilege or confidentiality; and
- B. a party’s or witness’s records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party’s or witness’s voluntary, written consent for use in its grievance procedures.

#### **Notice of Allegations:**

Upon initiation of the Board’s grievance procedures, the District Compliance Officer shall notify the parties of the following:

- A. the Board’s grievance procedures (  ) and informal resolution process [END OF OPTION] associated with claims involving Prohibited Conduct; [DRAFTING NOTE: Neola encourages the Board to include an informal resolution process.]
- B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s); and
- C. retaliation is prohibited.

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

### **Dismissal of a Complaint:**

The CO may dismiss a complaint of Prohibited Conduct if:

- A. the District is unable to identify the respondent after taking reasonable steps to do so;
- B. the respondent is not participating in the District's education program or activity and is not employed by the Board;
- C. the complainant voluntarily withdraws any or all the allegations in the complaint, the CO declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute Prohibited Conduct even if proven; or
- D. the District determines the conduct alleged in the complaint, even if proven, would not constitute Prohibited Conduct. Before dismissing the complaint, the CO will make reasonable efforts to clarify the allegations with the complainant.

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

The CO will further notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of the complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the CO will also notify the respondent that the dismissal may be appealed.

Dismissals may be appealed on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- C. the CO had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that would change the outcome.

If the dismissal is appealed, the CO will:

- A. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- B. implement appeal procedures equally for the parties;

- C. ensure that the appeal decisionmaker did not take part in the original dismissal of the complaint;
- D. ensure that the appeal decisionmaker has been trained consistent with this Policy  and AG 1422 ~~[END OF OPTION]~~;
- E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- F. notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the CO will, at a minimum:

- A. offer supportive measures to the complainant as appropriate;
- B. if the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- C. take other prompt and effective steps, as appropriate, to ensure that Prohibited Conduct does not continue or recur within the District's education programs or activities.

**[DRAFTING NOTE: Neola encourages the Board to select the following option so the CO can choose, in appropriate circumstances, to offer the parties the opportunity to participate in an informal resolution process, or to honor the parties' request to use an informal resolution process, to end the Prohibited Conduct, prevent its recurrence, and remedy its effects.]**

**[OPTIONAL LANGUAGE: INFORMAL RESOLUTION PROCESS]**

#### **Informal Resolution Process:**

In lieu of resolving a complaint through the Board's formal grievance procedures, the parties may instead elect to participate in an informal resolution process. The District will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law.

**[END OF OPTIONAL LANGUAGE: INFORMAL RESOLUTION PROCESS]**

#### **Adding Allegations and/or Consolidating Complaints:**

If, in the course of an investigation, the District decides to investigate additional allegations of Prohibited Conduct by the respondent toward the complainant that are not included in the original Notice of Allegations or to consolidate charges raised in a different complaint involving the same respondent, the CO will notify the parties of the additional allegations.

#### **Investigation:**

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

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

The CO, or the designated investigator/decisionmaker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The CO, or the designated investigator/decisionmaker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible, regardless of relevance.

### **Determination of Whether Prohibited Conduct Occurred:**

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the CO or designated investigator/decisionmaker will:

- A. Use the preponderance of the evidence standard of proof to determine whether Prohibited Conduct occurred. This standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that Prohibited Conduct occurred, regardless of the quantity of the evidence, the decisionmaker will not determine that Prohibited Conduct occurred. **[DRAFTING NOTE: While a board of education could elect to use the "clear and convincing" evidence standard of proof, Neola does not recommend it. If a board does select the "clear and convincing" standard, it should use it in all other comparable proceedings. Neola expects it will be a rare situation when a board chooses to use a clear and convincing standard of proof.]**
- B. Notify the parties, in writing, of the determination whether Prohibited Conduct occurred, including the rationale for such determination ~~(-), and the procedures and permissible bases for the complainant and respondent to appeal~~ **[END OF OPTION]**.
- C. Not impose discipline on a respondent for Prohibited Conduct unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in Prohibited Conduct.
- D. If there is a determination that Prohibited Conduct occurred, the CO will, as appropriate:
  1. coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education programs or activities limited or denied by the Prohibited Conduct;
  2. coordinate the imposition of any disciplinary sanctions on a respondent ~~(-), including notification to the complainant of any such disciplinary sanctions~~ **[END OF OPTION]**; and
  3. take other appropriate prompt and effective steps to ensure that the Prohibited Conduct does not continue or recur within the District's education programs or activities.
- E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent.

- F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement based solely on the determination of whether Prohibited Conduct occurred.

**[DRAFTING NOTE: If the CO dismisses a complaint in the Evaluation stage (i.e., prior to commencing an investigation), the complainant may appeal as set forth above. Neola also recommends the Board include an appeal process related to the Determination.]**

**[  ] [OPTIONAL LANGUAGE - APPEAL OF DETERMINATION]**

**Appeal of Determinations:**

If a party disagrees with the decisionmaker's determination as to whether Prohibited Conduct occurred, the party may file an appeal. Appeals must be submitted, in writing, within **five**\_\_\_\_ (**5**) (**INSERT AMOUNT**) days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

- A. procedural irregularity that would change the outcome;
- B. new evidence that would change the outcome and that was not reasonably available when the investigation occurred and the Determination was made; and
- C. the CO, or the designated investigator/decisionmaker, had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome;

**[DRAFTING NOTE: The Board may insert additional grounds on which an appeal may be filed.]**

- D. ~~( ) the recommended remedies (including disciplinary sanctions/consequences) are unreasonable in light of the findings of fact (i.e., the nature and severity of the Prohibited Conduct).~~

- E. ~~( ) [OTHER] \_\_\_\_\_.~~

**[  ]** The complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed. **[END OF OPTION]**

**[DRAFTING NOTE: The following options are offered in case the Board wants the Superintendent to serve as the appeal decisionmaker or the Board wants to nominally be identified as the appeal decisionmaker but will be delegating the responsibility to a person who is properly trained. Neola does not recommend that the Board itself be named as the appeal decisionmaker because of the preference for the decisionmaker to be trained to render a decision. If the Board wants to serve as the appeal decisionmaker, it should discuss this issue with its Legal Counsel. Select OPTION 1 or OPTION 2 below.]**

**[ ] [OPTION 1]**

~~The CO will designate an appeal decisionmaker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained ( ), as set forth in AG 1422 [END OF INTERNAL OPTION].~~

~~The CO has authority ( ), in consultation with ( ) and approval of [END OF OPTION] the Superintendent or ( ) Board ( ) Board President (as appropriate), [END OF OPTIONS] to secure an independent Third Party to serve as the appeal decisionmaker.~~

~~[ ] In designating an appeal decisionmaker, the CO will work with the Board to identify and appoint an independent Third Party to serve as the appeal decisionmaker—this individual shall be considered to be the Board's designee and will submit the appeal decision to the Board who will promptly adopt it as written and forward it to the CO who will send it simultaneously to the parties. [END OF OPTIONAL SENTENCE]~~

~~[END OF OPTION 1]~~

**x ] [OPTION 2]**

The Superintendent shall serve as the appeal decisionmaker, provided the Superintendent has not been otherwise involved in the grievance procedures (i.e., did not serve as the investigator/decisionmaker or informal resolution process facilitator) and is appropriately trained. If the Superintendent is not eligible to serve as the appeal decisionmaker, the CO will designate an appeal decisionmaker, who will be a person who did not conduct the Investigation and render the Determination, and is appropriately trained ( ), as set forth in AG 1422 [END OF INTERNAL OPTION].

**[END OF OPTION 2]**

**[END OF OPTIONS]**

If a party appeals the Determination, the CO will:

- A. notify the parties of the appeal;
- B. implement appeal procedures equally for the parties;
- C. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the Determination;
- D. provide the appeal decisionmaker with the relevant and not otherwise impermissible evidence and the Determination; and
- E. notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale for the outcome.

**Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Dismissal ( **x** ) or Determination [END OF OPTION]**

When a party files an appeal, the party must set forth the reason(s)/basis/bases for the appeal, and the other party will have five ( 5 ) **[INSERT AMOUNT]** days to provide the appeal

decisionmaker with a statement in support of their position. Once the decisionmaker receives the statement (or the deadline for filing such a statement expires), the appeal decisionmaker will have ten (10) [INSERT AMOUNT] days to issue a decision on the appeal.

**[DRAFTING NOTE: Neola suggests any appeals should be filed within five (5) days of the parties receiving written notice of the Determination. Neola further suggests that the timeline for the other party submitting a statement be equivalent to the timeframe in which an appeal has to be filed. Finally, Neola suggests the appeal decisionmaker have ten (10) days from receipt of the statements to issue a decision.]**

While a party appealing a Determination may argue the reason/basis for the appeal is that new evidence has been discovered/obtained that would change the outcome and that said new evidence was not reasonably available when the Determination was originally made, the party may not submit the new or additional evidence during the appeal process. Rather, the party appealing should identify/describe in detail the evidence, including how and when it was discovered/obtained, and explain why it was not reasonably available during the Investigation (i.e., prior to the Determination). If the appeal decisionmaker accepts the proffered explanation, the appeal decisionmaker should remand the case back to the investigator/decisionmaker (i.e., reopen the investigation) so the new evidence may be submitted and considered by the other party and the investigator/decisionmaker.

The appeal decisionmaker shall determine the outcome of the appeal based on the appeal decisionmaker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence and the written determination) and the appeal decisionmaker's application of the law and Board policy to the facts in the record. The appeal decisionmaker must give due deference and due weight to the decisionmaker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record read in its entirety compels a contrary conclusion. Generally, the appeal decisionmaker is expected to uphold the original Determination unless the appeal decisionmaker concludes the original Determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the original Determination.

The appeal decisionmaker shall

**[DRAFTING NOTE: The Board must select either OPTION 1 or OPTION 2 unless the Board appointed an independent Third Party to serve as the Board's appeal decisionmaker, in which case the Board should select OPTION 3.]**

[OPTION 1]

simultaneously notify the parties, in writing, of the result of the appeal and the rationale for the outcome.

~~[END OF OPTION 1]~~

-

~~[OR]~~

[OPTION 2]

-

~~notify the CO, in writing, of the result of the appeal and the rationale for the outcome. The CO~~

~~will then simultaneously notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale for the outcome.~~

-

~~[END OF OPTION 2]~~

-

~~[OR]~~

~~( ) [OPTION 3]~~

-

~~submit the appeal decision to the Board who will promptly adopt it as written and forward it to the CO, who will send it simultaneously to the parties. The appeal decision shall set forth the result of the appeal and the appeal decisionmaker's rationale for the outcome.~~

-

~~[END OF OPTION 3]~~

The  appeal decisionmaker's ~~( ) Board's [END OF OPTION]~~ decision shall be final.

### **[END OF OPTIONAL LANGUAGE - APPEAL OF DETERMINATION]**

#### **Supportive Measures:**

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

The CO shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the CO deems to be reasonably available. Supportive measures may include, but are not limited to: modifications of work schedules, mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain work settings; training related to Prohibited Conduct; ~~( ) referral to Employee Assistance Program; [END OF OPTION]~~ and other similar measures.

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

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

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

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

The District will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the District's education programs or activities, or as otherwise permitted under existing law and/or policy.

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

### **Disciplinary Sanctions and Remedies:**

Following a determination that Prohibited Conduct occurred, the District may impose disciplinary sanctions, which may include:

- A.  oral or written warning;
- B.  written reprimands;
- C.  required counseling;
- D.  required training or education;
- E.  demotion;
- F.  suspension with pay;

#### **[END OF OPTIONS]**

- G. suspension without pay;
- H. termination; and
- I. any other sanction authorized by any applicable Board policy, Employee/Administrator Handbook, and/or collective bargaining agreement.

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

**[DRAFTING NOTE: The Board should review applicable policy(ies)/administrative guidelines/employee handbooks to determine whether changes are needed to establish timelines associated with imposition of discipline as a result of possible delays caused by the Board implementing the preceding grievance procedures; likewise, the Board may need to discuss with union representatives how implementation of the grievance procedures may impact any disciplinary provisions contained in applicable collective bargaining (e.g., timelines, permitted attendees at investigative interviews, etc.).]**

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

## **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging Prohibited Conduct or retaliation, or participates in an investigation, is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the U.S. Constitution, the Michigan Constitution, Federal or State law, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a code of conduct violation that does not involve Prohibited Conduct but arises out of the same facts and circumstances as a complaint or information reported about possible Prohibited Conduct, for the purpose of interfering with the exercise of any right or privilege secured by Federal or State law constitutes retaliation. Retaliation against a person for making a complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

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

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

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

## **Privacy/Confidentiality**

The District will employ all reasonable efforts to protect the rights of the complainant, the respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. The District will keep confidential the identity of any individual who has made a complaint of Prohibited Conduct, any complainant, any individual who has been reported to be the perpetrator of Prohibited Conduct, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of relevant Federal or State law or regulations, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the complainant's and respondent's receipt of the information to which they are entitled related to the investigation and determination of whether Prohibited Conduct occurred). All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the respondent must be provided the complainant's identity.

During an investigation, the CO or designated investigator/decisionmaker will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual

who is interviewed as part of an investigation is expected not to disclose to other members of the School District Community or Third Parties any information that is learned or provided during the course of the investigation.

### **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against Prohibited Conduct by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where Prohibited Conduct is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution. In no case will a respondent be found to have committed Prohibited Conduct based on expressive conduct that is protected by the First Amendment

### **Training**

All employees, investigators, decisionmakers, facilitators of informal resolution process, the District Compliance Officer(s), and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under applicable Federal and State laws and this policy. ~~[ ] The training shall be provided promptly upon hiring or a change of position that alters their duties under this policy, and annually thereafter. [END OF OPTIONAL SENTENCE]~~ The training shall not rely on stereotypes involving Protected Classes.

] Training materials will be made available for inspection upon request by members of the public. **[END OF OPTION]**

### **Recordkeeping (including retention of investigatory records and materials)**

The District Compliance Officer(s) is/are responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315) created and received as part of an investigation. Records and materials associated with the implementation of this policy shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for the period set forth below, unless required to be maintained for a longer period pursuant to the District's records retention schedule.

**[DRAFTING NOTE: For purposes of uniformity, Neola recommends that the Board use the same seven (7) year period for recordkeeping that is required by the 2020 Title IX regulations - see Board Policy 2266; if the Board selects a different timeframe for maintaining the below specified records, it should verify the time period selected is consistent with and/or reflected in its record retention schedule – see AG 8310.]**

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

- A. for each complaint of Prohibited Conduct, records documenting the informal resolution process and/or the grievance procedures followed and the resulting outcome;
- B. for each notification that the District Compliance Officer receives of information about conduct that reasonably may constitute Prohibited Conduct, records documenting the actions the District took to implement this policy; and
- C. all materials used to provide the training referenced above ~~( )~~ and in AG 1422 **[END OF OPTION]**.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records, medical records).

### **Outside Appointments, Dual Appointments, and Delegations**

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy including, but not limited to, District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, or facilitator of the informal resolution process.

The Board also retains discretion to appoint two (2) or more persons to jointly fulfill the role of District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, and facilitator of the informal resolution process.

The Superintendent may delegate functions assigned to a specific Board employee under this policy including, but not limited to, the functions assigned to the District Compliance Officer, investigator, decisionmaker, appeal decisionmaker, and facilitator of the informal resolution process to any suitably qualified individual, and such delegation may be rescinded by the Superintendent at any time.

**[DRAFTING NOTE: The following option expressly sets forth authority that the Board has, regardless of whether it is included in this policy, but is offered for those boards of education that may want to affirmatively communicate to/address these issues for readers of this policy.]**

### **Discretion in Application**

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

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

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

**[END OF OPTION]**

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Legal

- M.C.L. 37.2101 et seq., 37.1101 et seq.
- 20 U.S.C. 1092(F)(6)(A)(v)
- 20 U.S.C. 1232g
- 20 U.S.C. Section 1681, Title IX of Education Amendment Act
- 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
- 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
- 29 C.F.R. Part 1635
- 29 U.S.C. 201 et seq., The Fair Labor Standards Act ("FLSA")
- 29 U.S.C. 218d, PUMP for Nursing Mothers Act ("PUMP Act")
- 29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967
- 29 U.S.C. 701 et seq. (in particular 794), Rehabilitation Act of 1973, as amended
- 34 C.F.R. Part 110 (7/27/93)
- 38 U.S.C. Chapter 43 4301-4335 (see in particular 4311(a) [prohibits discrimination based on military service] and 4312 [reemployment rights]), Uniformed Services Employment and Reemployment Rights Act ("USERRA")
- 42 U.S.C. 1983
- 42 U.S.C. 2000d et seq.
- 42 U.S.C. 2000e et seq., Civil Rights Act of 1964 (e.g., Title VI and Title VII), as amended by the Pregnancy Discrimination Act
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 2000gg, Pregnant Workers Fairness Act ("PWFA")

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

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

Fourteenth Amendment, U.S. Constitution



Book	Policy Manual
Section	Vol. 40, No. 1 - Nondiscrimination - September 2025 ISD
Title	Vol. 40, No. 1 - Nondiscrimination - September 2025 Rescind ANTI-HARASSMENT
Code	po4362
Status	From Neola

### **Rescind Policy - Vol. 40, No. 1**

#### **~~4362~~ ~~ANTI-HARASSMENT~~**

#### **~~General Policy Statement~~**

~~It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.~~

~~The Board will vigorously enforce its prohibition against harassment based on race, color, national origin, sex (including sexual orientation and gender identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, Protected Classes) that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment) and encourages those within the School District community, as well as Third Parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.~~

~~[ ] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

## **Other Violations of the Anti-Harassment Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

## **Definitions**

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

**Complainant** is the individual who alleges or is alleged to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

**Respondent** is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

**School District community** means students and Board employees (i.e., administrators and professional and support staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

**Third Parties** include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with or seeking to do business with the Board, and other individuals who come in contact with members of the School District community at school related events/activities (whether on or off District property).

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

## **Bullying**

Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student that is severe or pervasive enough to create an

intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

**Harassment** means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal, or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

### **Sexual Harassment**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, sexual harassment is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of any gender against a person of the same or another gender.

Sexual Harassment covered by Policy 2266—Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes, or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings, or literature placed in the work or educational environment that may reasonably embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

- L. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- M. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- N. Verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

**[DRAFTING NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of sexual battery. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.]**

### **Race/Color Harassment**

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working, and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

### **Religious (Creed) Harassment**

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### **National Origin/Ancestry Harassment**

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning

environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

### **Anti-Harassment Compliance Officers**

The following individual(s) shall serve as the District's Anti Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

**[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The same individual(s) assigned to serve as Compliance Officer(s) may also be assigned to serve as the District's Section 504 Compliance Officer(s)/ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) Compliance Officers, there should also be a Compliance Officer available to investigate a claim of harassment that pertains to the other Compliance Officer.]**

\_\_\_\_\_  
\_\_\_\_\_  
(Name)

\_\_\_\_\_  
\_\_\_\_\_  
(School District Title)

\_\_\_\_\_  
\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
\_\_\_\_\_  
(Office Address)

\_\_\_\_\_  
\_\_\_\_\_  
(E-mail Address)

\_\_\_\_\_  
\_\_\_\_\_  
(Name)

(School District Title)

(Telephone Number)

(Office Address)

(E-mail Address)

The names, titles, and contact information of these individuals will be published annually on the School District's website ( ) and:

- A. ( ) in the parent and staff handbooks.
- B. ( ) in the School District Annual Report to the public.
- C. ( ) on each individual school's website.
- D. ( ) in the School District's calendar.
- E. ( ) \_\_\_\_\_.

The Compliance Officer(s) ( ) is ( ) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about unwelcome conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

The Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment) or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to a Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to a Compliance Officer within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment unless circumstances make such an intervention dangerous, in which case

the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant if age eighteen (18) or older, or the Complainant's parents/guardians if the Complainant is under the age of eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

### **Reports and Complaints of Harassing Conduct**

Members of the School District community, along with Third Parties, are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor, or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a report shall file it with a Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a Third Party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior, and/or harassment in accordance with Policy 5517.01 — Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying, aggressive behavior, and/or harassment to the Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 4362 investigation and provide the Principal with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

### **Investigation and Complaint Procedure (See Form 4362-F1)**

Except for Sexual Harassment that is covered by Policy 2266 — Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment may seek resolution of the complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

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

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the allegedly harassing conduct is unwelcome and must stop. The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A complainant may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one (1) of the Compliance Officers; and/or 3) to the Superintendent or other District level employee.

All informal complaints must be reported to one (1) of the Compliance Officers, who will either facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The Board's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant, informal resolution may involve, but not be limited to, one (1) or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, Compliance Officer, the Superintendent, or other District official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to a Compliance Officer/designee within two (2) business days.

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

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

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

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including the Board's Anti Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

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

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

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

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's written decision will be delivered to both the Complainant and the Respondent.

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

~~[ ] The decision of the Superintendent shall be final.~~

### **{OR}**

~~[ ] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's receipt of the Superintendent's decision.~~

~~In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each party within ten (10) business days of this meeting. The decision of the Board will be final.~~

### **{END OF OPTIONS}**

~~The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.~~

~~[ ] The parties may be represented, at their own cost, at any of the above described meetings/hearings.~~

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.~~

### **Privacy/Confidentiality**

~~The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, take appropriate action, and conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided with the Complainant's identity.~~

~~During the course of a formal investigation, the Compliance Officer/designee will instruct all members of the School District community and Third Parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided during the course of the investigation.~~

## **Sanctions and Monitoring**

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

## **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce, or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report or formal complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or the policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

- Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

- Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

## **Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct**

State law requires any school teacher or school employee who knows or suspects that a child under the age of eighteen (18) or that a person with a disability receiving services as a student from the school regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has

reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer's or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

### **Education and Training**

In support of this Anti Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

### **Retention of Investigatory Records and Materials**

The Compliance Officer(s) is responsible for overseeing the retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information (ESI), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation which may include, but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after the fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including

~~transitory notes whose content is otherwise memorialized in other documents;~~

- ~~H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;~~
- ~~I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;~~
- ~~J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;~~
- ~~K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;~~
- ~~L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);~~
- ~~M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;~~

**~~{DRAFTING NOTE: The following options should be selected if the district concludes that the following items are not adequately encompassed in the preceding paragraphs.}~~**

- ~~N. ( ) documentation of any training provided to District personnel related to this policy including, but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; **~~{REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.}~~**~~
- ~~O. ( ) documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- ~~P. ( ) copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- ~~Q. ( ) copies of any notices sent to the Complainant and the Respondent in advance of any interview, meeting, or hearing;~~

**R. ( )** copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law — e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

29 C.F.R. Part 1635

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973, as amended

42 U.S.C. 1983

42 U.S.C. 2000e et seq.

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

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

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

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.

Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.

The Handicappers Civil Rights Act, M.C.L. 37.1101 et seq.

The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.

Policies on Bullying, Michigan State Board of Education, 7-19-01

Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006

National School Boards Association Inquiry and Analysis May 2008





Book	Policy Manual
Section	Board Review Fall 2025 (40.1)
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## **2210 - CURRICULUM DEVELOPMENT - APPROVED COURSES**

The Board of Education recognizes its responsibility for the quality of the educational program of the schools. To this end, the curriculum shall be developed, evaluated, and adopted on a continuing basis and in accordance with a plan for curriculum growth established by the Superintendent.

For purposes of this policy and consistent communication throughout the District, the curriculum shall be defined as all the planned activities of the schools, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the District.

The Board directs that the curriculum of this District:

- A. provides grade-appropriate instruction on career development in each grade level from kindergarten through 12th;
- B. provides instruction in courses required by statute and State Department of Education regulations;
- C. ensures, to the extent feasible, that special learning needs of students are provided for in the context of the regular program or classroom and provides for effective coordination with programs or agencies that are needed to meet those needs that cannot be dealt with in the regular program or classroom;

- D. provides a strategy for continuous and cumulative learning through effective articulation at all levels, particularly of those skills identified as essential and life-role skills;
- E. utilizes a variety of learning resources to accomplish the educational goals;
- F. encourages students to utilize guidance and counseling services in their academic and career planning.
- G. provides for multi-cultural education by including, at each level, courses or units which help students understand the culture and contributions of various ethnic groups comprising American society, including, but not limited to Euro-Americans, African-Americans, Asian-Americans, Hispanic-Americans, and Native-Americans.

As educational leader of the District, the Superintendent shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study.

The Superintendent shall make progress reports to the Board periodically.

The Superintendent may conduct such innovative programs as are deemed to be necessary to the continuing growth of the instructional program and to better ensure accomplishment of the District's educational goals.

The Superintendent shall report each such innovative program to the Board along with its objectives, evaluative criteria, and costs before it is initiated.

### **Approved Courses**

The Board shall adopt a list of the individual courses that have been approved. The list shall include courses offered by the District for credit or grade promotion and shall be used when determining which courses may be included in membership for State aid purposes and for auditing purposes when examining the membership counted for State school aid on the count days. The list of approved courses shall include traditional offerings and courses offered through other means, such as experiential learning courses, online courses, and all courses offered in shared time programs under appropriate provisions of the State School Aid Act (M.C.L. 388.1766b). The list of approved courses shall include all extended learning opportunities associated with each course and a description of each such opportunity. The list shall also include a description of the content of each approved course, ~~and~~ documentation related to course approval (including the list of approved courses for membership purposes), and documentation related to the calculation of instructional time for each approved course

Unless the Board disapproves, the Superintendent may proceed to conduct the program.

The Board encourages, where it is feasible and in the best interests of the District, participation in programs of educational research.

The Board directs the Superintendent to pursue actively State and Federal aid in support of the District's innovative activities.

M.C.L. 380.1282, 380.1166a

Reference: Pupil Accounting Manual 2024-2025 ~~2019-2020~~, Michigan Department of Education

Revised 5/15/19  
Revised 6/17/20

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M.C.L. 380.1282, 380.1166a

Reference: Pupil Accounting Manual 2019-2020, Michigan  
Department of Education



Book	Policy Manual
Section	Board Review Fall 2025 (40.1)
Title	Vol. 40, No. 1 - September 2025 Revised HOMEBOUND INSTRUCTION PROGRAM
Code	po2412
Status	
Adopted	April 21, 1993
Last Revised	June 17, 2020

### **Revised Policy - Vol. 40, No. 1**

#### **2412 - HOMEBOUND INSTRUCTION PROGRAM**

The Board of Education shall provide, pursuant to requirements of the State Board of Education, individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability.

A physician, psychiatrist, hospital (e.g. psychiatric hospitals), or licensed treatment facility (e.g. substance abuse centers) must certify the student as homebound or hospitalized. Psychologists, chiropractors, or other professionals may not certify a student as eligible. The certification must state ~~Applications for individual instruction shall be made by a physician or physician's assistant (licensed to practice in this State), parent, student, or other care giver. A physician or physician's assistant must:~~

- A. ~~the medical condition requires the student to be confined to home or hospitalized during regular school hours~~ ~~( )~~ ~~certify the nature and existence of a medical condition;~~
- B. ~~the home or hospital confinement will last for a period longer than five (5) consecutive school days; and~~ ~~( )~~ ~~state the probable duration of the confinement;~~
- C. ~~must bear the signature of an M.D. or a D.O. if the student was seen by a physician's assistant or nurse practitioner.~~ ~~( )~~ ~~request such instruction;~~
- D. ~~( )~~ ~~present evidence of the student's ability to participate in an educational program.~~

Applications must be approved by the appropriate supervisor.

~~[ ] The District will provide homebound instruction only for those confinements expected to last  
(-) at least five (5) days.~~

The District shall recommend that the instruction begin within three (3) days from the date of notification for nonspecial-education students. In the case of students under an IEP, the instruction is to begin within fifteen (15) days after notification in order to arrange for a meeting of an I.E.P.C., if necessary.

The program of homebound or hospitalized instruction given each student shall be in accordance with regulations of the State Board of Education with such exceptions as may be recommended by the physician. Teachers of homebound special education students shall hold a Michigan teaching certificate appropriate for the level of instruction for which the assignment is made or for the type of instruction called for by an I.E.P.C. The amount of instructional time shall not exceed five (5) hours per week. Teachers of nondisabled students must hold a valid teaching certificate.

The District reserves the right to withhold homebound instruction when:

- A. the instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher;
- B. a parent or other adult in authority is not at home with the student during the hours of instruction;
- C. the condition of the student is such as to preclude the student's/his/her benefit from such instruction.

The Superintendent shall develop administrative guidelines for implementing the policy.

M.C.L. 388.1606, 388.1709

Reference: Pupil Accounting Manual 2024-2025~~2019-2020~~, Michigan Department of Education

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Legal

M.C.L. 388.1606, 388.1709

Reference: Pupil Accounting Manual 2024-2025, Michigan Department of Education



Book	Policy Manual
Section	Board Review Fall 2025 (40.1)
Title	Vol. 40, No. 1 - September 2025 Revised BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS
Code	po5517.01
Status	
Adopted	January 19, 2005
Last Revised	July 19, 2017

### **Revised Policy - Vol. 40, No. 1**

#### **5517.01 - BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS**

It is the policy of the District to provide a safe and nurturing educational environment for all of its students.

The Board of Education recognizes that a school that is physically and emotionally safe and secure for all students and staff will be better able to promote good citizenship, increase attendance and engagement, and support academic achievement. The Board expects students and staff to conduct themselves in a manner that promotes positive relationships and school climate, with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

This policy protects all students from bullying/aggressive behavior regardless of the subject matter or motivation for such impermissible behavior.

Bullying or other aggressive behavior toward a student, whether by other students, staff, or third parties, including Board members, parents, guests, contractors, vendors, and volunteers, is strictly prohibited. This prohibition includes written, physical, verbal, and psychological abuse, including hazing, gestures, comments, threats, or actions, including electronically transmitted acts, to a student, which cause or threaten to cause bodily harm, reasonable fear for personal safety, or personal degradation.

Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

This policy applies to all "at school" activities in the District, including activities on school property, in a school vehicle, or at any time or place where a child's imminent safety or overall well-being may be at issue, and those occurring off school property, if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

### **Notification**

Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedure.

Parents or legal guardians of the alleged victim(s), as well as of the alleged aggressor(s), shall be promptly notified of any complaint or investigation, as well as the results of the investigation, to the extent consistent with student confidentiality requirements. A record of the time and form of notice or attempts at notice shall be kept in the investigation file.

To the extent appropriate and/or legally permitted, confidentiality will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified, depending on the nature of the complaint and/or the results of the investigation.

### **Reporting**

~~The No later than May 30, 2015, the~~ District shall submit to the Department of Education a copy of this Policy.

The District shall report incidents of bullying to the Department of Education on an annual basis according to the form and procedures established by the Department of Education.

Should this Policy be amended or otherwise modified, the District shall submit a copy of the amended or modified Policy to the Department of Education no later than thirty (30) days after adopting the modification.

### **Implementation**

The Superintendent is responsible to implement this policy, and may develop further guidelines not inconsistent with this policy.

This policy is not intended to and should not be interpreted to interfere with legitimate free speech rights of any individual. However, the District reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program.

## Procedure

Any student who believes ~~they have been or are~~/he has been or is the victim of bullying, hazing, or other aggressive behavior should immediately report the situation to the Principal or assistant principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

A student may also submit a report or complaint to any of the above designated individuals through email, voicemail, regular mail, or by leaving a sealed note addressed to the individual at that person's office or desk. The student may submit a report or complaint anonymously, but this may affect the ability to fully investigate the matter when the complaining student is not available to provide additional information during the course of the investigation.

The identity of a student who reports bullying, hazing, or aggressive behavior, as well as those students who provide information during an investigation, will remain confidential to the extent possible and to the extent allowable by law. Only school personnel directly involved in the investigation of the complaint or responsible for remedying any violations will be provided access to the identity of the complaining student(s) and student witnesses, and then only to the extent necessary to effectively deal with the situation.

The identity of the student who files the report or complaint will not be voluntarily shared with the alleged perpetrator(s) or the witnesses unless the student (and ~~the student's~~his/her parent/guardian) gives written permission to do so. Any investigation report will likewise not be voluntarily produced with the names of the reporting student(s) or witnesses. However, under certain circumstances, the District may be required by law to disclose the report and/or the student(s) name(s). Also, under certain circumstances, the identity of the reporting student may become obvious even without disclosure by school personnel.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports shall be made to those identified above. While reports may be made anonymously, formal disciplinary action may not be taken solely on the basis of an anonymous report without other corroborating evidence.

The Principal (or other designated administrator) shall promptly investigate and document all complaints about bullying, aggressive, or other behavior that may violate this policy. The investigation must be completed as promptly as the circumstances permit ~~( ) and should be completed within three (3) school days~~ **[END OF OPTION]** after a report or complaint is made.

If the investigation finds an instance of bullying or aggressive behavior has occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement or other appropriate officials.

If, during an investigation of a reported act of harassment, intimidation, and/or bullying/cyberbullying, the Principal or appropriate administrator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of

bullying and/or harassment to one (1) of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

The individual responsible for conducting the investigation shall document all reported incidents and report all verified incidents of bullying, aggressive, or other prohibited behavior, as well as any remedial action taken, including disciplinary actions and referrals, to the Superintendent. The Superintendent shall submit a compiled report to the Board on an annual basis.

### **Non-Retaliation/False Reports**

Retaliation or false allegations against any person who reports, is thought to have reported, files a complaint, participates in an investigation or inquiry concerning allegations of bullying or aggressive behavior (as a witness or otherwise), or is the target of the bullying or aggressive behavior being investigated, is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint of bullying is substantiated. Suspected retaliation should be reported in the same manner as bullying/aggressive behavior.

Making intentionally false reports about bullying/aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

### **Prevention/Training/(x) Restorative Practices ~~OPTIONAL~~ END OF OPTION**

The District shall provide a minimum of annual training for school employees and volunteers who have significant contact with students on school policies and procedures regarding bullying and harassment to help promote a positive school climate. Training will provide school employees with a clear understanding of their roles and responsibilities and the necessary skills to fulfill them. (Examples of appropriate trainings include, but are not limited to, age-appropriate strategies to prevent bullying; age-appropriate strategies for immediate, effective interventions to stop incidents; internet safety issues as they relate to cyberbullying; and fostering an understanding of and respect for diversity and difference).

~~[ ] The Superintendent shall establish~~

~~( ) a Bullying Prevention Task Force.~~

~~( ) a program or other initiatives involving school staff, students, clubs or other student groups, administrators, volunteers, parents, law enforcement, community members, and other stakeholders, aimed at the prevention of bullying or other aggressive behavior.~~

~~[END OF OPTION]~~

~~[ ] The District shall implement a comprehensive health education curriculum, within the Whole School, Whole Community, Whole Child framework, to help students attain skills and knowledge vital to school success, a productive and healthy workforce, and good citizenship. Critical skills include anticipating consequences of choices, making informed decisions, communicating effectively, resolving conflicts, and developing cultural competency. [END OF OPTION] The District shall provide, and all administrators, school employees, contracted employees and volunteers who have significant contact with students shall undertake~~

~~( ) annual~~

~~OR~~

~~( ) \_\_\_\_\_ [insert frequency]~~

~~training on preventing, identifying, responding to, and reporting incidents of bullying and other aggressive behavior.~~

~~[ ] The District shall provide, and all students shall undertake, annual training on preventing, identifying, responding to, and reporting incidents of bullying, cyberbullying, and other aggressive behavior. [END OF OPTION]~~

~~[ ] The District shall provide and all parents or legal guardians~~

~~( ) shall~~

~~[OR]~~

~~( ) shall be offered the opportunity to~~

~~undertake annual training on preventing, identifying, responding to, and reporting incidents of bullying, cyberbullying, and other aggressive behavior. [END OF OPTION]~~

~~[ ] The District will utilize restorative practices that emphasize repairing the harm to the victim and school community in the correction of bullying behavior, which may include victim offender conferences that:~~

- ~~A. are initiated by the victim;~~
- ~~B. are approved by the victim's parent or legal guardian or, if the victim is at least fifteen (15), by the victim;~~
- ~~C. are attended voluntarily by the victim, a victim advocate, the offender, members of the school community, and supporters of the victim and the offender (the "restorative practices team");~~
- ~~D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected, and to participate in setting consequences to repair the harm, such as requiring the student to apologize; participate in community service, restoration of emotional or material losses, or counseling; pay restitution; or any combination of these. The selected consequences and time limits for their completion will be incorporated into an agreement to be signed by all participants.~~

~~[END OF OPTION]~~

~~[ ] The best discipline for aggressive behavior is designed to (1) support students in taking responsibility for their actions, (2) develop empathy, and (3) teach alternative ways to achieve the goals and solve problems that motivated the aggressive behavior. Staff members and volunteers who interact with students shall role model respectful behavior and apply best~~

practices designed to prevent discipline problems and encourage students' abilities to develop self discipline and make better choices in the future. School employees will also be held accountable for bullying or harassing behavior that is directed toward school employees, volunteers, parents, or students in accordance with law and local collective bargaining agreements.

Consequences and appropriate remedial actions for a student or staff member who engages in one (1) or more acts of bullying or harassment may range from positive behavioral interventions, up to and including suspension or expulsion, in the case of a student, or suspension or termination in the case of an employee, as set forth in the Board's approved Code of Student Conduct or Employee Handbook. School employees will also be held accountable for bullying or harassing behavior directed toward school employees, volunteers, parents, or students.

Consequences for a student who commits an act of bullying and harassment shall vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the Board's approved Code of Student Conduct. Remedial measures shall be designed to:

- A. correct the problem behavior;
- B. prevent another occurrence of the behavior; and
- C. protect the victim of the act.

Effective discipline should employ a school wide approach to adopt a rubric of bullying offenses and the associated consequences.

**[END OF OPTION]**

**[END OF OPTIONS]**

## Definitions

The following definitions are provided for guidance only. If a student or other individual believes there has been bullying, hazing, harassment, or other aggressive behavior, regardless of whether it fits a particular definition, the student or other individuals, he should report it immediately and allow the administration to determine the appropriate course of action.

**"Aggressive behavior"** is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. Such behavior includes, for example, bullying, hazing, stalking, intimidation, menacing, coercion, name-calling, taunting, making threats, and hitting/pushing/shoving.

**"At School"** is defined as in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle, or at a school-sponsored activity or event, whether or not it is held on school premises. It also includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if either owned by or under the control of the District.

**"Bullying"** is defined as any written, verbal, or physical acts, including cyberbullying (i.e. any electronic communication including, but not limited to, electronically transmitted acts, such as internet, telephone or cell phone, computer, or wireless handheld device, currently in use or later developed and used by students) that is perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress and may be motivated either by bias or prejudice based upon any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic, or is based upon association with another person who has or is perceived to have any distinguishing characteristic. Bullying or harassment also includes forms of retaliation against individuals who report or cooperate in an investigation under this policy. ~~personal digital assistant (PDA), or wireless hand held device) that, without regard to its subject matter or motivating animus, is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:~~

Bullying is conduct that meets all of the following criteria:

- A. is perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- B. is directed at one (1) or more students;
- C. is conveyed through physical, verbal, technological, or emotional means;
- D. substantially ~~interferes~~interfering with educational opportunities, benefits, or programs of one (1) or more students;
- E. adversely ~~affects~~affecting the ability of a student to participate in or benefit from the School District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;
- F. is based on a student's actual or perceived distinguishing characteristic (see above) or is based on an association with another person who has or is perceived to have any of these characteristics. ~~having an actual and substantial detrimental effect on a student's physical or mental health; and/or~~
- G. ~~causing substantial disruption in, or substantial interference with, the orderly operation of the school.~~

Bullying can be physical, verbal, psychological, or a combination of all three (3). Some examples of bullying are:

- A. Physical – hitting, kicking, spitting, pushing, pulling, taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact.
- B. Verbal – taunting, malicious teasing, insulting, name-calling, making threats.

- C. Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation. This may occur in a number of different ways including, but not limited to, notes, emails, social media postings, and graffiti.

**"Harassment"** is conduct that meets all of the following criteria:

- A. repeated or continuing unwanted contact perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- B. is directed at one (1) or more students or staff;
- C. is conveyed through physical, verbal, technological, or emotional means;
- D. substantially interferes with educational opportunities, benefits, or programs of one (1) or more students or staff;
- E. adversely affects the ability of a student to participate in or benefit from the School District's or public school's educational programs or activities because the conduct, as perceived by the student, is so severe, pervasive, and objectively offensive as to have this effect; and
- F. is based on a student's or staff member's actual or perceived distinguishing characteristic (see above) or is based on an association with another person who has or is perceived to have any of these characteristics. ~~includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status or disability, but may also include sexual orientation, physical characteristics (e.g., height, weight, complexion), cultural background, socioeconomic status, or geographic location (e.g., from rival school, different state, rural area, city, etc.).~~

**"Intimidation/Menacing"** includes, but is not limited to, any threat or act intended to: place a person in fear of physical injury or offensive physical contact; to substantially damage or interfere with person's property; or to intentionally interfere with or block a person's movement without good reason.

**"Staff"** includes all school employees and Board members.

**"Third parties"** include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in District business, and others not directly subject to school control at inter-district or intra-district athletic competitions or other school events.

The scope of this policy includes the prohibition of every form of bullying, harassment, and cyberbullying/harassment, whether in the classroom, on school premises, immediately adjacent to school premises, when a student is traveling to or from school (portal to portal), or at a school-sponsored event, whether or not held on school premises. Bullying or harassment, including cyberbullying/harassment, that is not initiated at a location defined above, is covered

by this policy if the incident results in a potentially material or substantial disruption of the school learning environment for one (1) or more students or staff and/or the orderly day-to-day operations of any school or school program.

For further definition and instances that could possibly be construed as:

Harassment, see Policy 5517.

Hazing, see Policy 5516.

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Legal

M.C.L. 380.1310b (Matt's Safe School Law, PA 241 of 2011), PA 478 of 2014

Policies on Bullying, Michigan State Board of Education

Model Anti-Bullying Policy, Michigan State Board of Education



Book Policy Manual

Section Board Review Fall 2025 (40.1)

Title Vol. 40, No. 1 - September 2025 Revised DIGITAL CONTENT AND ACCESSIBILITY

Code po7540.02

Status

Adopted February 18, 2015

Last Revised May 17, 2023

### **Revised Policy - Vol. 40, No. 1**

#### **7540.02 - ~~DIGITAL CONTENT AND ACCESSIBILITY~~WEB ACCESSIBILITY, CONTENT, APPS, AND SERVICES**

##### **A. ~~Creating Digital Content~~Creation of Content for Web Pages/Websites, Apps, and Services**

The Board of Education authorizes staff members and students to create ~~content for the District's website and District-approved/affiliated apps and services~~content, apps, and services (see Bylaw 0100 Definitions) ("digital content") that are hosted by the Board on its servers or District-affiliated servers (i.e., servers the Board pays to use or otherwise sanctions the use of) and/or published on the Internet.

~~District-generated and school-related digital content~~The content, apps, and services must comply with applicable State and Federal laws (e.g., copyright laws, Children's Internet Protection Act ("CIPA"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), Americans with Disabilities Act ("ADA"), Student Online Personal Protection Act ("SOPPA"), and Children's Online Privacy Protection Act ("COPPA")) and reflect the professional image/brand of the District, its employees, and students. ~~District-generated digital content~~Content, apps, and services must be consistent with the Board's Mission Statement and ~~is~~staff created web content, services, and apps are subject to prior review and approval of the Superintendent before being published on the ~~District's website or District-approved/affiliated apps/services~~Internet and/or used with students.

**[NOTE: CHOOSE ONE (1), BOTH, OR NONE OF THE FOLLOWING OPTIONS.]**

School-related student-created content for the Board's website or District-approved/affiliated apps/services are subject to ~~Student created content, apps, and services are subject to~~ Policy 5722 - School-Sponsored Publications and Productions.

Creation of school-related content by students for the Board's website or District-approved/affiliated apps/services ~~The creation of content, apps, and services by students~~ must be done under the supervision of a ~~District professional~~ staff member.

**B. Purpose of Digital Content of District Web Pages/Sites, Apps, and Services**

The purpose of digital content, ~~apps, and services~~ covered by this policy is to educate, inform, and communicate. The following criteria shall ~~be used to~~ guide the development of ~~District-generated digital contents~~ such content, apps, and services:

**1. Educate**

Digital content ~~Content~~ should be suitable for and usable by students and teachers to support the curriculum and the Board's Objectives as listed in the Board's Strategic Plan.

**2. Inform**

Digital content ~~Content~~ may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

**3. Communicate**

Digital content ~~Content~~ may communicate information about the plans, policies, and operations of the District to members of the public and other persons who may be interested in and/or affected by District matters.

The information ~~published on the Board's website and District-approved/affiliated apps/services contained on the Board's website(s)~~ should reflect and support the Board's Mission Statement, Educational Philosophy, and School Improvement Process.

When the digital content includes a photograph or personally identifiable information relating to a student, the Board will abide by the provisions of Policy 8330 - Student Records.

Under no circumstances are ~~District-generated digital content~~ ~~District created content, apps, and services~~ to be used for commercial purposes, advertising, political lobbying, or to provide financial gains for any individual. Included in this prohibition is the fact no ~~digital content published~~ ~~web content contained~~ on the District's website may:

1. include statements or other items that support or oppose a candidate for public office, the investigation, prosecution, or recall of a public official, or passage of a tax levy or bond issue;

2. link to a website of another organization if the other website includes such a message; or
3. communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

Under no circumstances shall a staff member post on their personal web pages/websites or private digital accounts (i.e., non-District-approved/affiliated apps/services) ~~is staff member created content, apps, and services, including personal web pages/websites, to be used to post~~ student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Board's website or District-approved/affiliated apps/services ~~Board-specified website, app, or service~~ for the purpose of conveying information to students and/or parents. **[END OF OPTION]**

Staff members are prohibited from requiring students to go to the staff member's personal web pages/websites and/or private digital accounts (i.e., non-District-approved/affiliated apps/services) (including, but not limited to, the staff member's personal accounts on Facebook, Instagram, Pinterest, ~~(including, but not limited to, their Facebook, Instagram, Pinterest pages,~~ YouTube Channel(s), or TikTok sites) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments.

If a staff member creates digital content, ~~apps, and services,~~ related to their class, it must be hosted on the Board's website or a District-approved app/service ~~server or a District-affiliated server.~~

The Board's website, including school-specific websites, shall be generally open/available to the public unless specific digital content is unique to a specific child and/or includes student personally identifiable information, in which case the information must be password-protected or access to it must be otherwise restricted. When digital content involving student personally identification information or information concerning coursework particular a specific student's classes/assignments is password-protected/access is otherwise restricted, the student's parent(s)/guardian(s) will continue to have access to that digital content ~~Unless the content, apps, and services contain student personally identifiable information, Board websites, apps, and web services that are created by students and/or staff members that are posted on the Internet should not be password protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users will generally be given full access to the Board's website(s), apps, and services.~~

Digital content published on the Board's website ~~Web content, apps, and web services~~ should reflect an understanding that both internal and external audiences will be viewing the information.

~~The District's website(s) and web pages, apps, and services must be hosted on Board owned or District-affiliated servers.~~

The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to **staff and students [END OF OPTION] who publish digital content on the Board's website and District-approved/affiliated apps/services**~~the use of the Board's website and the creation of web content, apps, and web services by staff (-) and students [END OF OPTION].~~

The Board retains all proprietary rights related to the design of and content for its website(s) **and any apps/services it operates and/or is affiliated with,** ~~apps, and web services,~~ absent written agreement to the contrary.

In order for a student's school work (i.e., work that is created in **or for a class** ~~a class, at school,~~ or as part of a school-sponsored extracurricular activity) to be displayed on the Board's website, the student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) must provide written permission and expressly license its display without cost to the Board.

Likewise, prior written permission from a student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) is necessary for a student to be identified by name on the Board's website.

### C. **Accessibility of Web Content and Mobile Apps**~~Website Accessibility~~

The District is committed to providing persons with disabilities an opportunity equal to that of persons without disabilities to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The District is further committed to ensuring persons with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online **through the web or a mobile app**, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the District's programs, services, and activities delivered **in-person or** online.

This policy reflects the Board's commitment and intention to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794, 34 C.F.R. Part 104, Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. Section 12131, and 28 C.F.R. Part 35 in all respects. **For purposes of this policy, "web content" means "information and sensory experience to be communicated to the user by means of a user agent, including code or markup that defines the content's structure, presentation, and interactions." Examples of web content include text, images, sounds, videos, controls, animations, and conventional electronic documents (e.g., content in the following electronic file formats: portable document formats ("PDF"), word processor file formats, presentation file formats, and spreadsheet file formats). Additionally, "mobile applications" ("mobile apps") means "software applications that are downloaded and designed to run on mobile devices, such as smartphones and tablets."**

#### 1. **Technical Standards**

Web content and mobile apps that the District provides and/or makes available, directly or through contractual, licensing or other arrangements, shall comply with the World Wide Web Consortium's Web Content Accessibility Guidelines ("WCAG") 2.1, Level AA standards, unless the Board can demonstrate that such compliance would result in a fundamental alteration in the nature of its programs, services, or activities, or an undue financial and administrative burden. The District will adhere to the technical standards of compliance identified at \_\_\_\_\_ **[insert link to District website]**. The District measures the accessibility of online content and functionality according to the World Wide Web Consortium's (W3C's) Web Content Accessibility Guidelines (WCAG) 2.0 Level \_\_\_\_\_, and the Web Accessibility Initiative - Accessible Rich Internet Applications Suite (WAI-ARIA 1.1) for web content. ( ) \_\_\_\_\_ **[insert another acceptable standard selected by the District - e.g., the Section 508 Information and Communication Technology Accessibility Standards published by the U.S. Access Board, which serves as the standards the Federal government uses for its own websites]**.

**[DRAFTING NOTES:**

**(1) Districts with a population of 50,000 or more residents must fully comply with WCAG 2.1, Level AA standards by April 24, 2026; Districts with fewer than 50,000 residents must fully comply with WCAG 2.1, Level AA standards by April 26, 2027.**

**(2) While the Department of Justice's Final Rule allows public entities to employ alternative designs, methods, or techniques if they provide equivalent or greater accessibility and usability, Neola does not recommend that approach. If a board wants to consider an alternative technical standard, it should consult with its legal counsel. While OCR currently (as of December 2022) recommends WCAG 2.0 Level AA, WCAG 2.1 is gradually becoming the standard courts cite as the ADA accessibility standard that public entities should use for websites, mobile applications, and digital content compliance. Further, W3C published a working draft of WCAG 2.2 in August 2020 and a Candidate Recommendation draft of WCAG 2.2 in September 2022; a final version of WCAG 2.2 is expected to be released in early 2023. The W3C states that WCAG 2.0 and 2.1 remain its recommendation, but version 2.2 should be used to maximize future applicability of accessibility efforts. The W3C also encourages the use of the most current version of WCAG when developing or updating Web accessibility policies.] **[END OF DRAFTING NOTES]****

Notwithstanding the preceding, Federal regulations provide for the following content types to have limited exemption from the WCAG 2.1, Level AA requirements:

- a. Archived web content (provided all four (4) Federal criteria are met).
- b. Preexisting conventional electronic documents (with specific restrictions).
- c. Third-party content that is not created pursuant to a contract between the Board and a third-party.

- d. Password-protected documents pertaining to a specific student or account.
- e. Preexisting social media posts.

Even when the preceding exceptions apply, the District, however, will still provide effective communication and reasonable modifications in accordance with the ADA.

In addition, documents currently used for accessing District programs, services, programs, or activities do not qualify for the above exceptions, regardless of creation date.

When a person with a disability cannot access District-generated or affiliated web content or mobile apps that meet WCAG 2.1, Level AA standards, the District will: (1) provide alternate means of access to the same information and functionality; (2) make reasonable modifications to policies, practices, or procedures; (3) ensure effective communication through appropriate auxiliary aids and services; and (4) respond to accommodation requests within five (5) **[insert timeframe]** business days. Such accommodations may include: (a) alternative document formats (large print, Braille, audio); (b) telephone or in-person assistance for online services; and/or (c) email or mail delivery of information typically accessed online.

## 2. **DigitalWeb Accessibility Coordinator**

The Board designates its Communication Specialist as the District's Web Accessibility Coordinator(s). That individual(s) is/are responsible for coordinating and implementing this policy.

The District's Web Accessibility Coordinator(s) can be reached at:

Communication Specialist

Eaton RESA

1790 East Packard Highway

Charlotte, MI 48813

517.543.5500

## 3. **Third Party Content**

Links included on the Board's website(s) and District-approved/affiliated mobile apps that pertain to its programs, activities, ~~or web services and apps that pertain to its programs, benefits,~~ and/or services must also meet the above criteria and comply with State and Federal law (e.g. copyright laws, CIPA, Section 504, ADA, SOPPA, and COPPA). The District's Digital Accessibility Coordinator(s) or designee(s) will vet online content available on the Board's website and through District-approved/affiliated mobile apps that are related to the District's

programs, activities, and/or services for compliance with this criteria for all new content published on the District's website and mobile apps after adoption of this policy. While the District strives to provide access through its website to online content provided or developed by third parties (including vendors, video sharing websites, and other sources of online/digital content) that is in an accessible format, that is not always feasible. The District's administrators and staff, however, are aware of this requirement with respect to the selection of online content provided to students. The District's Web Accessibility Coordinator(s) or designee will vet online content available on its website(s), apps, and services that are related to the District's programs, benefits, and/or services for compliance with this criteria for all new content published on the District's website(s), apps, and services after adoption of this policy.

Content posted by third parties (e.g., members of the public) on District platforms is exempt from the WCAG 2.1, Level AA requirements. Those platforms, however, along with content posted by the District staff or contractors, must be fully compliant.

Additionally, nothing herein Nothing in the preceding paragraph, however, shall prevent the District from including links on its website(s) and apps/services to the Board's website(s), apps, and services to:

- a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites); or
- b. websites, services, and/or apps that are developed and hosted by outside vendors or organizations that are not part of the District's program, benefits, or services.

The Board recognizes that such third party websites may contain advertisements that are not age-appropriate or consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

#### 4. Regular Audits

The District will, under the direction of the Digital Web Accessibility Coordinator(s) or designee(s), at regular intervals, audit the District's digital content to ensure it meets the required technical standards online content and measure this content against the technical standards adopted above.

**[ ] [OPTION]**

**[ ]** This audit will occur ( ) quarterly ( ) semi-annually ( ) at least annually ( ), with quarterly monitoring of high priority content and newly published materials ( ) annually ( ), with quarterly monitoring of high priority content and newly published materials **[END OF INTERNAL OPTIONS]** no less than once every two (2) years. **[END OF OPTION]**

**[SELECT OPTION 1 OR OPTION 2]** If problems are identified through the audit, such problems will be documented, evaluated, and, if necessary, remediated within a reasonable period of time.

[OPTION 1]

~~The audit must be documented ( ) and include compliance assessment reports, identified accessibility barriers, remediation plans with specific timelines, vendor compliance status, and user complaint tracking and resolution. [END OF INTERNAL OPTION]~~

~~[END OF OPTION 1]~~

[OPTION 2]

If problems are identified through the audit, such problems will be documented, evaluated, and if necessary, remediated within a reasonable period.

[END OF OPTION 2]

[END OF OPTIONS]

## 5. Reporting Concerns or Possible Violations

If a person accessing the District's web content and/or District-approved/affiliated mobile apps website(s), apps, or services (e.g., a student, prospective student, employee, guest, or visitor) ("user") believes that specific web content and/or a mobile app has violated the WCAG 2.1, Level AA standards, the user may contact the Digital the District has violated the technical standards identified above in its online content, the user may contact a/the Web Accessibility Coordinator with any accessibility concerns. The user may also file a formal complaint utilizing the procedures set out in Board Policy 2260.01 relating to Section 504 and Title II.

### D. Instructional Use of Apps/Services and Web Services

The Board authorizes the use of apps and web services to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

A teacher who elects to supplement and enhance student learning through the use of apps/services and/or web services is responsible for verifying/certifying to the Technology Director that the app/service and/or web service has a FERPA-compliant privacy policy, and it complies with all requirements of the COPPA, CIPA, and Section 504/ADA, including the WCAG 2.1, Level AA accessibility standards Children's Online Privacy Protection Act (COPPA), Student Online Personal Protection Act (SOPPA), and the Children's Internet Protection Act (CIPA) ( ) and Section 504 and the ADA.

The Board further requires the use of a Board-issued e-mail address in the login process for District-approved/affiliated apps/services .

### E. Training

The District will provide periodic training for its employees who 1) create web content, documents, or multimedia materials, 2) manage the Board's website and digital services,

3) select and contract with technology vendors, and 4) work on online communications are responsible for creating web content or distributing information online so that these employees are aware of this policy and understand their roles and responsibilities with respect to web design and creation and/or uploading of documents and multimedia content.

The training should cover:

~~{SELECT OPTION 1 OR OPTION 2}~~

~~{ } [OPTION 1]~~

- ~~1. WCAG 2.1, Level AA guidelines and success criteria,~~
- ~~2. accessible document creation (PDFs, Word, PowerPoint),~~
- ~~3. alternative text requirements for images and media,~~
- ~~4. video captioning and audio description requirements,~~
- ~~5. accessible form and navigation design,~~
- ~~6. color contrast and visual design standards,~~
- ~~7. vendor accessibility evaluation criteria, and~~
- ~~8. the District's responsibilities under Title II of the ADA, including its grievance procedures.~~

~~{END OF OPTION 1}~~

[OPTION 2]

this Policy and responsibilities associated with the specified staff members' roles related to the implementation of this policy and ensuring the District's digital content is appropriate and accessible.

~~{END OF OPTION 2}~~

~~{END OF OPTIONS}~~

~~{ } Such training shall be facilitated by qualified individuals with demonstrated knowledge, skill, and experience concerning the accessibility standards and ADA compliance. [END OF OPTION]~~

~~{ } New employees in covered positions must complete accessibility training within \_\_\_\_\_ [insert timeframe] of hire. [END OF OPTION]~~

F. **One-Way Communication Using the District Website and/or District-Approved/Affiliated Apps/Services**~~District Website(s), Apps, and Services~~

The Board approves the use of its ~~website and District-approved/affiliated apps/services~~ website(s)/web pages, apps, and services to promote school activities and inform stakeholders and the general public about District news and operations.

Such communications constitute public records that will be archived.

When the Board or Superintendent designates communications distributed via ~~the District's website and/or District-approved/affiliated apps/services~~ District web pages/websites, apps, and web services to be one-way communication, public comments are not solicited or desired, and the ~~website or app/service is~~ website(s), apps, or services are to be considered a nonpublic forum.

If the District uses an app/~~service and/or service~~ that does not allow the District to block or deactivate public comments, the District's use of that app/~~service and/or service~~ will be subject to Policy 7544 – Use of Social Media unless the District is able to automatically withhold all public comments.

If unsolicited public comments can be automatically withheld, the District will retain the comments in accordance with its adopted record retention schedule (see AG 8310A – Public Records, and AG 8310E – Record Retention and Disposal), but it will not review or consider those comments.

**[DRAFTING NOTE: Districts are advised to adopt a new category of records that covers such “hidden public comments” on social media. Unless dictated by State law, retention periods established by the district for such unsolicited communications should be limited.]**

**28 C.F.R. Part 35, Subpart H (Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities – Effective 6/24/2024)**

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Legal                      28 C.F.R. Part 35, Subpart H (Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities - Effective 6/24/2024)



Book Policy Manual

Section Board Review Fall 2025 (40.1)

Title Vol. 40, No. 1 - September 2025 Rescind ELECTRONIC DATA PROCESSING DISASTER RECOVERY PLAN

Code po7541

Status

**Rescind Policy - Vol. 40, No. 1**

**7541 — ELECTRONIC DATA PROCESSING DISASTER RECOVERY PLAN**

~~The Board of Education is committed to maintaining and protecting the District's Information System. The Board believes that a complete and accurate Information System which includes educational, student, fiscal and personnel information is vital to the Board's ability to deliver uninterrupted educational service to the community it represents. To that end, the Superintendent is directed to develop, test and maintain an *Electronic Data Processing Disaster Recovery Plan* for use in the event a disaster should disable the District's electronic data processing equipment.~~

~~The Plan may include:~~

- ~~A. ( ) a reciprocal agreement with a neighboring school district or data acquisition site, which outlines the scope of reciprocal services such as access to the computer facility of the alternative, computer time and personnel assistance, and costs;~~
- ~~B. ( ) adequate equipment insurance;~~
- ~~C. ( ) a list of the applications that are used by the District;~~
- ~~D. ( ) procedures used to backup all programs and data on a daily, monthly, quarterly and year end basis;~~
- ~~E. ( ) backup storage off site;~~
- ~~F. ( ) maintenance agreements for hardware and software (including, but not limited to the operating system);~~

- G. ~~( ) a list of vendor contacts to be called for the immediate replacement of disabled equipment or corrupted software;~~  
\_\_\_\_\_
- H. ~~( ) as a last resort, the procedure to create payroll checks and budgetary checks, and perform other necessary accounting functions, manually;~~  
\_\_\_\_\_
- I. ~~( ) \_\_\_\_\_ [other].~~



Book Policy Manual

Section Board Review Fall 2025 (40.1)

Title Vol. 40, No. 1 - September 2025 Revised CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN

Code po8300

Status

Adopted September 20, 2017

Last Revised May 17, 2023

**Revised Policy - Vol. 40, No. 1**

**8300 - CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN**

The Board of Education shall develop and implement a Continuity of Organizational Operations Plan ("COOP") to enable it to conduct, if necessary, essential functions and critical services and operations (e.g., teaching and learning, transportation, business services, communication, computer/network systems support, facilities, maintenance, and safety and security) under all hazards/conditions. The District's COOP shall be (x) consistent with ~~( ) a component of [END OF OPTIONS]~~ the District's School Safety Emergency Management Plan (see Policy 8400 - School Safety Information and Policy 8402 - Emergency Operations Plan). Having a plan to recover from any type of crisis/emergency/disaster, regardless of its severity or the consequences of the incident/event, strengthens the District's resilience so it can operate with minimal impact on its primary mission/responsibility to educate the students enrolled in the District, involves teaching and learning, personnel, facilities, technology, transportation, food service, and other functional resources. ~~The Continuity of Organizational Operations Plan (COOP) provides the District with the capability of conducting its essential operations under all threats and conditions, with or without warning. Having a plan to recover from any type of disaster regardless of the severity and consequences of the emergency is critical to the recovery of operations and minimizing the impact on the District's teaching and learning, personnel, facilities, technology, transportation, food service, and other functional resources.~~

**Scope of the Continuity Plan**

The primary objective of the COOP is to restore the District's critical operational/business functions and the learning environment as quickly as possible after a crisis/emergency/disaster or threat event occurs. ~~[ ] The COOP shall include strategies aimed at resuming instruction and crucial business functions within \_\_\_\_\_ ( ) [ENTER AMOUNT] ( ) days ( ) hours [END OF INTERNAL OPTIONS] [DRAFTING NOTE: Select a time period in which to restart district essential operations — e.g., two (2) school days, five (5) business days, forty-eight (48) hours.]~~ of the disruption, along with procedures to implement secure remote work and instruction in a crisis/emergency/disaster, identify alternative sites and technology redundancy, and provide incident response integration with the District's cybersecurity incident management protocols. ~~[END OF OPTIONAL SENTENCE]~~

The District will use the following process to achieve essential function resilience (i.e., business and learning continuity):

- A. identify essential functions;
- B. determine planning factors needed to accomplish the essential functions (e.g., staff and organization, equipment and systems, information and data, sites);
- C. conduct risk assessments for each planning factor; and
- D. identify and implement continuity options.

Because the COOP contains sensitive information, by law, it ~~functions and the learning environment as quickly as possible after a crisis or threat event occurs. A COOP contains critical and sensitive information that is confidential and exempt from public disclosure.~~

Planning for the continuity of operations of a school system in the aftermath of a disaster is a complex task. The current threat environment and recent emergencies, including acts of nature, accidents, technological emergencies, cybersecurity incidents (including data breaches, ransomware, and denial of service attacks), and terrorist threats and attacks, ~~cyberattacks, and terrorist attacks and threats,~~ have increased the need for viable continuity capabilities and plans that enable the District to resume and continue the essential functions in an all-hazards environment across a full spectrum of ~~crises/emergencies/disasters. emergencies.~~ Such conditions have increased the importance of having continuity plans in place that provide stability of essential functions across the various levels of public government and private enterprises.

The planning and development of continuity of an organizational operations plan, as well as the ongoing review, testing, and revision of such a plan, is important for the overall District. ~~( ) as well as and also for each school ( ) and department in the District [END OF OPTIONS]. [DRAFTING NOTE: While the preceding optional language is true, they do not need to be included if a district wants to simply state that its COOP is important to the district as a whole. The following sentence, however, is not optional and emphasizes the necessity for individual schools and departments to have individualized continuity of operation plans in place to address their unique needs and circumstances.]~~ Each school and operational department (e.g., transportation, information technology ("IT"), food service, and student services) shall maintain a site/department specific COOP aligned with the District wide COOP. The site/department specific COOPs are subject to annual submission to, and review by, the Superintendent.

The District-wide plan describes how the District will respond as a total organization to a given emergency and describes the centralized resources and how they will be organized to implement the command and control necessary to function during the life cycle of the event. Individual school and department plans shall contain the details related to the continuity plan for those specific sites and functional areas to prepare for an incident/event, communicate throughout the duration of the incident/event, assess the impact of the incident/event on essential functions in the school/department, respond to the incident/event, and detail what will be done to recover from the incident/event. ~~contain the details related to the continuity plan for those specific sites and functional areas to prepare for an event, communicate throughout the duration of an event, assess the impact of an event on essential functions in the unit, respond to the event, and detail what will be done to recover from the event.~~

The COOP shall account for the needs of all students and staff, including individuals with disabilities, English learners, and students requiring health and/or behavioral supports in compliance with the Individuals with Disabilities Education Improvement Act ("IDEA"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), and the Americans with Disabilities Act ("ADA").

Preparation for, response to, and recovery from a disaster affecting administrative, educational, and support functions of the District's operations requires the cooperative efforts of external organizations, in partnership with the functional areas supporting the business of the District. This includes local government agencies, law enforcement, emergency management, medical services, and vendors necessary to District operations. The COOP outlines and coordinates all efforts by the District, in cooperation with other local and State agencies and businesses, to restore the essential functions of the District ~~post-incident/event.~~ ~~post-disaster.~~

The Superintendent shall provide that all relevant staff receive ( ) annual ( ) periodic **[END OF OPTIONS]** training on their roles in the COOP.

Key components of the COOP shall be communicated to employees, students, and families as appropriate.

The Superintendent shall develop and recommend the COOP for Board review and approval; however, the COOP shall be considered a confidential document not subject to release under State public records laws, and accordingly, no copies shall be provided for public review.

The Superintendent shall conduct an annual review of and update to, as necessary, the COOP. Additionally, the Superintendent shall conduct annual table-top exercises to assess the expected effectiveness of the COOP and after-action reviews post-incident/event. See Policy 8400 – School Safety Information and Policy 8402 - Emergency Operations Plan (which discusses the conduct of annual emergency management tests). ~~The Superintendent shall conduct ( ) an annual ( ) a periodic [END OF OPTION] review of the COOP.~~

FEMA's Continuity Guidance Circular (2024 Update)  
Guide for Developing High-Quality School Emergency Operation Plans  
The Role of Districts in Developing High-Quality School Emergency Operation Plans: A Companion to the School Guide  
Readiness and Emergency Management for Schools (REMS): Technical Assistance Center  
National Incident Management System (NIMS)

## Legal

FEMA's Continuity Guidance Circular (2024 Update)

Guide for Developing High-Quality School Emergency Operation Plans

The Role of Districts in Developing High-Quality School Emergency Operation Plans: A Companion to the School Guide

Readiness and Emergency Management for Schools (REMS): Technical Assistance Center

National Incident Management System (NIMS)



Book	Policy Manual
Section	Board Review Fall 2025 (40.1)
Title	Vol. 40, No. 1 - September 2025 Revised INFORMATION SECURITY
Code	po8305
Status	
Adopted	September 20, 2017
Last Revised	January 17, 2024

### **Revised Policy - Vol. 40, No. 1**

#### **8305 - INFORMATION SECURITY**

The District collects, classifies, and retains data/information from and about students, staff, vendors/contractors, and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the District. This data/information may be in hard copy or digital format and may be stored in the District or off-site with a third party provider.

Data/Information collected by the District shall be classified as Confidential, Controlled, or Published. **The Superintendent shall define "Confidential," "Controlled," and "Published" in administrative guidelines and provide examples of data/information in each classification.** Data/Information will be considered Controlled until identified otherwise.

Protecting District Information Resources (as defined in Bylaw 0100) is of paramount importance. Information security requires everyone's active participation to keep the District's data/information secure. This includes Board of Education members, staff members/employees, students, parents, contractors/vendors, and visitors who use District Information & Technology Resources (as defined in Bylaw 0100). **If an employee suspects, discovers, and/or determines that a security breach has occurred, the employee shall promptly notify the employee's immediate supervisor and the Superintendent. The employee should follow up their oral notification in writing. The Superintendent will determine and implement the steps necessary to correct the unauthorized access and, as applicable, provide notification to those individuals whose personal information may have been compromised.**

Staff members, and individuals associated with the District through their affiliation with a District contractor/vendor, ~~Individuals~~ who are granted access to data/information collected and retained by the District must follow established procedures so that the data/information is protected and preserved. Board members, administrators, and all District staff members, as well as contractors, vendors, and their employees, granted access to data/information retained by the District are required to certify annually that they shall comply with the established information security protocols pertaining to District data/information. Further, all ~~persons granted access by the District~~ ~~individuals granted access~~ to Confidential Data/Information retained by the District must certify annually that they will comply with the information security protocols pertaining to Confidential Data/Information. ~~For staff members, completing~~ ~~Completing~~ the appropriate section of the Staff Technology Acceptable Use and Safety form (Form 7540.04 F1) shall provide this certification.

All Board members, staff members/employees, students, contractors/vendors, and visitors who have access to Board-owned or managed data/information must maintain the security of that data/information and the District Technology Resources on which it is stored. ~~The Superintendent shall conduct an annual risk assessment related to the access and security of the District's Data/Information. Further, the District will maintain audit logs for access to Confidential Data/Information and regularly review such logs to detect unauthorized activity.~~

~~District information security procedures shall comply with applicable Federal and State law including, but not limited to, the Family Educational Rights and Privacy Act ("FERPA"), Protection of Pupil Rights Amendment ("PPRA"), and Children's Online Privacy Protection Act ("COPPA") regarding data breaches.~~

If an individual has any questions concerning whether this Policy and/or its related administrative guidelines apply to them or how they apply to them, the individual should contact the District's Technology Director or Information Technology Department/Office.

The Superintendent shall develop administrative guidelines that set forth the internal controls necessary to provide for the collection, classification, retention, access, and security of District Data/Information.

~~Further, the Superintendent is charged with developing a program and/or procedures that can be implemented in the event of a cybersecurity incident, whether it involves an inadvertent or intentional unauthorized release or breach of data/information. The program/procedures shall comply with the District's legal requirements as delineated below. In particular, in the event of a breach involving personally identifiable information, the District shall notify affected individuals and/or government officials in accordance with State and Federal law. Further, the Superintendent is charged with developing procedures that can be implemented in the event of an unauthorized release or breach of data/information. These procedures shall comply with the District's legal requirements if such a breach of personally identifiable information occurs.~~

**Cybersecurity incident" means any of the following:**

- A. **A substantial loss of confidentiality, integrity, or availability of a covered entity's information system or network;**
- B. **A serious impact on the safety and resiliency of a covered entity's operational systems and processes;**

- C. A disruption of a covered entity's ability to engage in business or industrial operations, or deliver goods or services; or
- D. Unauthorized access to an entity's information system or network, or nonpublic information contained therein, that is facilitated through or is caused by:
  - 1. a compromise of a cloud service provider, managed service provider, or other third party data hosting provider; or
  - 2. a supply chain compromise.

"Cybersecurity incident" does not include mere threats of disruption as extortion; events perpetrated in good faith in response to a request by the system owner or operator; or lawfully authorized activity of a United States, State, local, tribal, or territorial government entity.

"Ransomware incident" means a malicious cybersecurity incident in which a person or entity introduces software that gains unauthorized access to or encrypts, modifies, or otherwise renders unavailable a political subdivision's information technology systems or data and thereafter, the person or entity demands a ransom to prevent the publication of the data, restore access to the data, or otherwise remediate the impact of the software.

### **Cybersecurity Program**

The District's cybersecurity program shall be designed to safeguard the District's data, information technology, and information technology resources to ensure availability, confidentiality, and integrity. The program shall be consistent with generally accepted best practices for cybersecurity, such as the National Institute of Standards and Technology's cybersecurity framework and the Center for Internet Security's cybersecurity best practices, and may include, but is not limited to, the following:

- A. Identify and address the critical functions and cybersecurity risks facing the District.
- B. Identify the potential impacts of a cybersecurity breach.
- C. Specify mechanisms to detect potential threats and cybersecurity events.
- D. Specify procedures for the District to establish communication channels, analyze incidents, and take actions to contain cybersecurity incidents.
- E. Establish procedures for the repair of infrastructure impacted by a cybersecurity incident and the maintenance of security after the incident.
- F. Establish cybersecurity training requirements for all Board employees; the frequency, duration, and detail of which shall correspond to the duties of each employee.

**[DRAFTING NOTE: Annual cybersecurity training provided by the State, and training provided by \_\_\_\_\_ will satisfy this requirement.]**

**[x ]** It is the policy of the Board – if the District is experiencing a ransomware incident - not to pay or otherwise comply with a ransom demand unless the Board formally adopts a resolution to approve such a payment or compliance with the ransom demand. If that occurs, the

resolution will specifically state why the payment or compliance with the ransom demand is in the District's best interest. **[END OF OPTION]**

**[DRAFTING NOTE: The Board need not include this option in its policy, but action consistent with this statement is required by law.]**

Following a cybersecurity incident or ransomware incident, the Superintendent shall notify:

- A. The Executive Director of the Division of Homeland Security within the Department of Public Safety, as soon as possible, but not later than seven (7) days after the District discovers the incident.
- B. The Auditor of State, as soon as possible, but not later than thirty (30) days after the District discovers the incident.

Any records, documents, or reports related to the District's cybersecurity program and framework, along with the reports of a cybersecurity incident or ransomware incident addressed in the preceding paragraph, are not public records. Similarly, a record identifying cybersecurity-related software, hardware, goods, and services that are being considered for procurement, have been procured, or are being used by the District, including the vendor name, product name, project name, or project description, is a security record.

All staff members (x ) and contractors **[END OF OPTION]** with access to Controlled and/or Confidential Data/Information must complete ~~( )~~ annual **[END OF OPTION]** training on data privacy, information security practices (e.g., internal controls applicable to the data/information that they collect and have access to and for which they are responsible for the security protocols), and breach response protocols. ~~The Superintendent shall require staff members to participate in training related to the internal controls applicable to the data/information that they collect and have access to and for which they are responsible for the security protocols.~~

Third party contractors/vendors who require access to Confidential Data/Information collected and retained by the District will be informed of relevant Board policies that govern access to and use of Information Resources, including the duty to safeguard the confidentiality of such data/information. Additionally, all contracts with third party contractors/vendors (e.g., technology providers) who access District Data/Information shall include provisions addressing data security, breach notification, data ownership, confidentiality, and destruction upon termination. Further, a contract between a technology provider and the District shall ensure appropriate security safeguards for education records and includes the following:

- A. a restriction on unauthorized access by the technology provider's employees or contractors;
- B. a requirement that the technology provider's employees or contractors may be authorized to access education records only as necessary to fulfill the official duties of the employee or contractor; and
- C. a stipulation that the District owns the data/information.

Failure to adhere to this Policy and its related administrative guidelines may put data/information collected and retained by the District at risk. Employees who violate this policy and/or its related administrative guidelines may be disciplined, up to and including termination

of employment and/or referral to law enforcement. Students who violate this Policy and/or its related administrative guidelines will be disciplined, up to and including expulsion and/or referral to law enforcement. Contractors/Vendors who violate this Policy and/or its related administrative guidelines may face termination of their business relationships with and/or legal action by the District. Parents and visitors who violate this Policy and/or its related administrative guidelines may be denied access to the District's Information & Technology Resources.

At least annually, the Superintendent shall conduct ~~an~~ ~~( ) an annual ( ) a periodic~~ **[END OF OPTION]** assessment of risk related to the access to and security of the data/information collected and retained by the District.

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References

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<b>POSITION:</b>	District Accountant
<b>AFFILIATION:</b>	NONA
<b>REPORTS TO:</b>	Executive Director for Finance & Operations

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### **SUMMARY**

Under the direct supervision of the Executive Director for Finance & Operations, and in accordance with established policies and procedures, the District Accountant performs a variety of tasks necessary to support financial and business operations for the District.

The District Accountant is responsible for maintaining the county special program budgets, reports, and monitors all related expenditures. Additionally, this position will perform accounting, budgeting and data analysis.

### **PRINCIPAL DUTIES AND RESPONSIBILITIES**

- Reconcile Fringe Benefits monthly and prepare benefit payments.
- Assist with open enrollment.
- Assist with preparation of various district finance reports; ensure all reports meet Local, State, and Federal requirements.
- Assist with annual financial audit workpapers.
- Perform banking activities as assigned, including, but not limited to, daily monitoring and reconciliation of ACH deposits and bank reconciliations.
- Participate in districtwide budget process.
- Perform accounting support for business services districts
- Assist in the maintenance of current chart of accounts.
- Process payroll for business service district, including payroll file maintenance, quarterly 941s and state/local returns.
- Other duties as assigned.

**The listed tasks are intended to describe the nature and level of work being performed by a person in this position. This is not an exhaustive list of all job duties performed nor is it expected that all positions will be assigned every duty.**

### **QUALIFICATIONS**

#### **CERTIFICATES, LICENSES, REGISTRATIONS (If Applicable):**

##### **Required**

- None

##### **Desired**

- Certified Public Accountant (CPA)
- Michigan School Business Officials CFO or other business related certification

#### **EDUCATION, TRAINING & EXPERIENCE:**

##### **Required**

- One of the following:

- o Possession of a bachelor's degree in accounting, business administration or a related field with at least 27 hours in accounting.
- o Possession of an associate's degree in accounting AND not less than three (3) years of experience in a public school finance, including payroll.

**Desired**

- Possession of a master's degree in accounting, business administration or a related field.
- Four (4) or more years of progressively more responsible accounting experience in a public school.

**KNOWLEDGE, SKILLS & ABILITIES**

- Considerable knowledge of the methods and processes of public finance and accounting.
- Considerable knowledge of payroll taxes and fringe benefits, including the Michigan Public School Employees' Retirement system
- Knowledge of statutes, rules regulations, policies and procedures governing Michigan public school financing.
- Knowledge of economic and accounting principles and practices, the financial markets, banking and the analysis and reporting of financial data.
- Considerable skill in the use of technology to create complex spreadsheets and databases, enter and manipulate data and generate reports/documents.
- Skill working with financial data and complex financial calculations and formulas.
- Skill in preparing and presenting financial information to a variety of audiences.
- Skill in process development and improvement.
- Ability to make decisions based upon data gathered, interpreted and integrated from multiple sources.
- Ability to maintain close attention to detail with a high degree of accuracy.
- Ability to identify and resolve discrepancies in data reports.
- Ability to develop and maintain positive working relationships with staff and external stakeholders.
- Ability to communicate effectively with a variety of audiences both orally and in writing.
- Ability to exercise discretion and confidentiality in dealing with all stakeholders.
- Ability to work independently and within teams to accomplish identified goals and strategies.

**PHYSICAL EFFORT & WORKING CONDITIONS:**

- Sitting – possibility of long periods of time
- Standing/Walking/Bending/Stooping – infrequent, consistent with typical office environment.
- Lifting – minimal

**SPECIAL CONSIDERATIONS**

- Position may require pre-employment skills testing.
- Position may require occasional work evenings and weekends.
- Position requires the employee to provide his/her own transportation for job related travel.
- Position requires regular and predictable attendance at the workplace.

Revised: December 2025

**Eaton RESA does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identify), disability, age, religion, height, weight, marital or family status, military status, genetic information, or any other legally protected category (collectively “Protected Classes”), in its programs and activities, including employment opportunities. In addition, arrangements can be made to ensure that the lack of English language proficiency is not a barrier to admission or participation. Civil Rights Coordinators are located at 1790 E. Packard Hwy, Charlotte, Michigan to handle inquiries regarding the nondiscrimination policies and grievance procedures. Telephone (517) 543-5500.**