



Book	Policy Manual
Section	5000 Students
Title	ACADEMIC HONESTY
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5451.03 - **ACADEMIC HONESTY**

Academic honesty is the cornerstone of academic integrity and an essential element of each student's academic credibility. Students and faculty are jointly responsible for maintaining the academic integrity of the McFarland schools by being totally honest in all their academic dealings and by refusing to tolerate any scholastic dishonesty.

Students acknowledge, by turning in work for a grade, that they have observed all principles of academic honesty. Faculty and building administrators are responsible for helping students comply with the district's academic honesty policy and for administering the appropriate academic sanction(s).

Staff and Administrative Responsibilities

District faculty are responsible for helping students comply with the academic honesty policy and minimizing the temptation for students to violate the policy through means such as the following:

- A. Including the text of the academic honesty policy in any appropriate course documents (e.g., syllabi) and for reviewing it and discussing it with students no later than the end of the first week of school;
- B. Enacting adequate security precautions in the preparation, handling, and administration of graded work;
- C. Discussing incidents of alleged academic honesty violations with the student(s) involved, notifying the parents/guardians (if appropriate), as well as the building administrator, and administering sanctions for violations of the policy.

Building administrators are responsible for including the Academic Honesty Policy in parent/student handbooks. In the case of an alleged violation of the Academic Honesty Policy that is contested and cannot be resolved between the student(s) and the teacher, the building administrator is the final arbiter.

Academic Honesty Policy Violations

Any conduct or activity by a student intended to earn or improve a grade or receive any kind of credit by fraudulent means is considered a violation of the Academic Honesty Policy. In addition, engaging in any conduct (including but not limited to the following examples) which a reasonable person in the same or similar circumstances would recognize as academic dishonesty is considered a violation.

Example Violations:

A. Acquiring information:

1. Acquiring information for any assigned work or exam from any source not authorized by the teacher;
2. Working with another person or persons on any assignment or exam when not specifically permitted by the teacher;
3. Observing the work of other students during an exam;
4. Using, buying, selling, stealing, copying, or possessing, in whole or part, the contents of an unadministered exam;
5. Purchasing or otherwise acquiring and submitting as one's own work any research paper or other assignment prepared by others;
6. Attempting to gain an unfair academic advantage for oneself or another by bribery or by any act of offering, giving, receiving, or soliciting anything of value to another for such purpose.

B. Providing information:

1. Providing answers for any assigned work or exam when not specifically authorized by the teacher to do so;
2. Informing any person or persons of the content of any exam prior to the exam the exam is given;
3. Submitting the same work for more than one class without disclosure and approval.

Plagiarism:

A. Incorporating the work or idea of another person into one's own work without acknowledging the source of that work or idea;

1. *Direct plagiarism*: verbatim copying of an original source without acknowledging the source;
2. *Paraphrased plagiarism*: paraphrasing, without acknowledgment, ideas from another that the reader might mistake for the writer's own;
3. *Plagiarism mosaic*: borrowing words, ideas, or data from an original source and blending this original material with one's own without acknowledging the source;
4. *Insufficient acknowledgment*: partial or incomplete attribution of words, ideas, or data from an original source;

B. Attempting to receive credit for work performed by another person, including papers obtained in whole or part from individuals or other sources;

- C. Copying copyrighted computer programs or data files belonging to someone else.

Conspiracy: Agreeing with one or more persons to commit any act of academic dishonesty, including claiming equal credit on group assignments when equal work was not done.

Fabrication of information:

- A. Presenting results of research or lab experiments without the research or experiments having been performed;
- B. Citing a source that does not exist;
- C. Citing a bibliography source when it was neither consulted nor cited in the body of the paper;
- D. Substituting for another student to take an exam or do any academic work for which academic credit is received;
- E. Changing answers or grades after an academic work has been returned to the student and claiming teacher error.

Abuse of technology resource materials:

- A. Copying any data files or copyrighted computer programs for one's personal use or the use of others without authorization;
- B. Using printed materials without authorization to develop one's own Software.

Failure to report: Failing to report to the teacher any incident in which a student witnesses and/or has knowledge of an alleged violation of the Academic Honesty Policy.

Procedures for Handling Violations of the Academic Honesty Policy

The teacher has primary authority in the classroom and is responsible for investigating any alleged violation of the Academic Honesty Policy, determining the circumstances, and, in most cases, for taking appropriate action, as follows.

First Violation: When a teacher has evidenced that a violation of the Academic Honesty Policy may have occurred (either through his or her personal witness or through a report made by another person), he or she shall immediately investigate the situation to determine the facts, including conferencing privately with the individual student.

- A. If the violation is not verified, the teacher shall review the policy with the student.
- B. If the violation is verified:

- 1. The teacher shall inform the student of the consequence of the violation:

- a. Homework – The student will lose credit for the assignment;
 - b. Test/quiz – The student will lose credit for the test/quiz;

- c. Marking period/semester exam – The student will lose credit for the exam.
- 2. The teacher shall send a copy of the disciplinary report to the parent/guardian and the building administrator.
- 3. At the discretion of the building administrator, the student also may be subject to disciplinary action.

Second and Subsequent Violations: If a second or subsequent violation of the Academic Honesty Policy is verified, whether in the same course as the first violation or in another course, the student may receive an "F" in each course in which a subsequent violation occurs or be subject to other academic sanctions as judged appropriate by the teacher. At the discretion of the building administrator, the student also may be subject to disciplinary action.

Legal

Section 943.70 Wisconsin Statutes

Public Law 94-533, Title 17 of the U.S. Code



Book	Policy Manual
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5517 - **STUDENT ANTI-HARASSMENT**

Prohibited Harassment

It is the policy of the Board to maintain an educational environment that is free from all forms of harassment, including sexual harassment. This commitment applies to all 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 harassment. This policy applies to conduct occurring in any manner or setting over which the Board can exercise control, including on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will not tolerate any form of harassment and will take all necessary and appropriate actions to eliminate it, including suspension or expulsion of students and disciplinary action against any other individual in the School District community. Additionally, appropriate action will be taken to stop and otherwise deal with any third party who engages in harassment against our students.

The Board will vigorously enforce its prohibition against harassment based on the traits of sex (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or state civil rights laws (hereinafter referred to as "Protected Classes"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. Additionally, the Board prohibits harassing behavior directed at students for any reason, even if not based on one (1) of the Protected Classes, through its policies on bullying (See Policy 5517.01 – Bullying).

Harassment may occur student-to-student, student-to-staff, staff-to-student, male-to-female, female-to-male, male-to-male, or female-to-female. The Board will investigate all allegations of harassment and in those cases where harassment is substantiated, the Board will take immediate steps designed to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School District community" means individuals students, administrators, teachers, staff, and as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on District property (e.g., visiting speakers, participants on opposing athletic teams parent), 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).

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

Definitions

Bullying

Bullying is prohibited by Board Policy 5517.01 – Bullying. It is defined as deliberate or intentional behavior using words or actions, intended to cause fear, intimidation, or harm. Bullying may be a repeated behavior and involves an imbalance of power. Furthermore, it may be serious enough to negatively affect a student's educational, physical, or emotional well-being. Bullying need not be based on any Protected Characteristic. Bullying behavior rises to the level of harassment when the prohibited conduct is based upon the student's sex (including transgender status, change of sex, or gender identity), race color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation of physical, mental, emotional or learning disability, or any other characteristic protected by Federal or State civil rights. Complaints brought under this policy that are more appropriately handled under the Bullying policy shall be referred for investigation consistent with the procedures in that policy.

Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student based on one (1) or more of the student's Protected Classes that:

- A. places a student 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
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

"Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- A. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of access to educational opportunities or program;
- B. submission or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education;
- C. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education, or creating an intimidating, hostile, or offensive educational environment.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment 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 verbal harassment or abuse;
- B. unwelcome pressure for sexual activity;
- C. unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact, other than necessary restraint of students by teachers, administrators, or other school personnel to avoid physical harm to persons or property;
- D. unwelcome sexual behavior or words including demands for sexual favors, accompanied by implied or overt threats concerning an individual's educational status;
- E. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's educational status;
- F. unwelcome behavior or words directed at an individual because of gender;

Examples are:

1. repeatedly asking a person for dates or sexual behavior after the person has indicated no interest;
 2. rating a person's sexuality or attractiveness;
 3. staring or leering at various parts of another person's body;
 4. spreading rumors about a person's sexuality;
 5. letters, notes, telephones calls, or materials of a sexual nature;
 6. displaying pictures, calendars, cartoons, or other materials with sexual content.
- G. Inappropriate boundary invasions by a District employee or other adult member of the District community into a student's personal space and personal life.

Boundary invasions may be appropriate or inappropriate. Appropriate boundary invasions make medical or educational sense. For example, a teacher or aide assisting a kindergartner after a toileting accident or a coach touching a student during wrestling or football can be appropriate. However other behaviors might be going too far, are inappropriate and may be signs of sexual grooming.

Inappropriate boundary invasions may include, but are not limited to the following:

1. hugging, kissing, or other physical contacts with a student;
2. telling sexual jokes to students;
3. engaging in talk containing sexual innuendo or banter with students;
4. talking about sexual topics that are not related to the curriculum;
5. showing pornography to a student;
6. taking an undue interest in a student (i.e. having a "special friend" or a "special relationship");
7. initiating or extending contact with students beyond the school day for personal purposes;
8. using e-mail, text messaging or websites to discuss personal topics or interests with students;
9. giving students rides in the staff member's personal vehicle or taking students on personal outings without administrative approval;
10. invading a student's privacy (e.g. walking in on the student in the bathroom, locker-room, asking about bra sizes or previous sexual experiences);
11. going to a student's home for non-educational purposes;
12. inviting students to the staff member's home without proper chaperones (i.e. another staff member or parent of a student);
13. giving gifts or money to a student for no legitimate educational purpose;
14. accepting gifts or money from a student for no legitimate educational purpose;
15. being overly "touchy" with students;
16. favoring certain students by inviting them to come to the classroom at non-class times;
17. getting a student out of class to visit with the staff member;
18. providing advice to or counseling a student regarding a personal problem (i.e. problems related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, etc.), unless properly licensed and authorized to do so;
19. talking to a student about problems that would normally be discussed with adults (i.e. marital issues);
20. being alone with a student behind closed doors without a legitimate educational purpose;
21. telling a student "secrets" and having "secrets" with a student;
22. other similar activities or behavior.

Inappropriate boundary invasions are prohibited and must be reported promptly to one of the District Compliance Officers, as designated in this policy, the Building Principal or the District Administrator.

H. remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history; and

I. verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

It is further the policy of the Board that a sexual relationship between staff and students is not permissible in any form or under any circumstances, in or out of the work place, in that it interferes with the educational process and may involve elements of coercion by reason of the relative status of a staff member to a student.

Not all behavior with sexual connotations constitutes 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 education, or such that it creates a hostile or abusive educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

In addition to investigating and taking appropriate corrective action in instances of harassment, or of sexual harassment or other sexual misconduct, the District shall make available to the victim of such harassment or misconduct resources to assist the student with coping with the effects of victimization. The school counseling services shall identify available resources in the community and provide assistance to students in contacting such resources, if desired by the student. The District will not directly provide or pay for assistance unless such services are available in the District program or the Board otherwise approves.

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 educational performance; of creating an intimidating, hostile, or offensive learning environment; or of 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; of creating an intimidating, hostile, or offensive learning environment; or of 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 Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of 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, 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 physical, mental, emotional or learning disability and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of 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 disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Reporting Procedures

Students and all other members of the School District community, as well as third parties, are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor, or District employee or official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first opportunity.

Students who believe they have been subjected to harassment are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint will not adversely affect the complaining individual's participation in educational or extra-curricular programs unless the complaining individual makes the complaint maliciously or with knowledge that it is false.

If, during an investigation of a reported act of bullying in accordance with Policy 5517.01 – Bullying, the principal determines that the reported misconduct may have created a hostile learning environment and may have constituted harassment based on sex (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or state civil rights laws, the principal will report the act of bullying to one (1) of the Compliance Officers who shall assume responsibility to investigate the allegation in accordance with this policy.

Reporting procedures are as follows:

- A. Any student who believes s/he has been the victim of harassment prohibited under this policy will be encouraged to report the alleged harassment to any District employee, such as a teacher, administrator or other employee.
- B. Any parent of a student who believes the student has been the victim of harassment prohibited under this policy is encouraged to report the alleged harassment to the student's teacher, building administrator or District Administrator.
- C. Teachers, administrators, and other school officials who have knowledge or received notice that a student has or may have been the victim of harassment prohibited under this policy shall immediately report the alleged harassment to the Compliance Officer.
- D. Any other person with knowledge or belief that a student has or may have been the victim of harassment prohibited by this policy shall be encouraged to immediately report the alleged acts to any District employee, such as a teacher, administrator or other employee.
- E. The reporting party or Complainant shall be encouraged to use a report form available from the principal of each building or available from the District office, but oral reports shall be considered complaints as well. Use of formal reporting forms shall not be mandated. However, all oral complaints shall be reduced to writing.
- F. To provide individuals with options for reporting harassment to an individual of the gender with which they feel most comfortable, each school's building principal shall be advised to designate both a male and a female Compliance Officer for receiving reports of harassment prohibited by this policy. At least one (1) Compliance Officer or other individual shall be available outside regular school hours to address complaints of harassment that may require immediate attention.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (hereinafter referred to as the "COs").

Lauren Arango
Director of Student Services
5101 Farwell Street
McFarland, WI
608-838-4514
ArangoL@mcfsd.org

Aaron Tarnutzer
Indian Mound Middle School Principal
6330 Exchange Street
McFarland, WI
608-838-8980
TarnutA@mcfsd.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site and in the School District's calendar.

A CO will be available during regular school/work hours to discuss concerns related to harassment, to assist students, other members of the School 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 student.

Any Board employee who directly observes harassment of a student is obligated, in accordance with this policy, to report such observations to one (1) of the COs within two (2) business days. Thereafter, the COs must contact the student, if over age eighteen (18) or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the compliance officer to conduct an investigation following all the procedures outlined in the complaint procedures.

The COs are assigned to accept complaints of harassment directly from any member of the School District community or a visitor to the District, or to receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin review and investigation or the CO will designate a specific individual to conduct such a process. The CO will prepare recommendations for the District Administrator or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer as soon as possible, but always within no more than two (2) calendar days of learning of the incident.

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to harassment may seek resolution of his/her complaint through the procedures described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of harassment was substantiated are set forth below.

Due to the sensitivity surrounding complaints of 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 complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) calendar days of the complaint being received).

If at any time during the investigation process the investigator determines that the complaint is properly defined as Bullying, under Policy 5517.01 - Bullying and not Harassment under this Policy, because the conduct at issue is not based on a student's Protected Classes, the investigator shall transfer the investigation to the appropriate building principal.

Complaint Procedure

A student who believes she/he has been subjected to harassment hereinafter referred to as the "Complainant", may file a complaint, either orally or in writing with a teacher, principal, or other District employee at the student's school, the CO, District Administrator, or other District employee who works at another school or at the District level. Due to the sensitivity surrounding complaints of 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. If a Complainant informs a teacher, principal, or other District employee at the student's school, the CO, District Administrator, or other District employee, either orally or in writing, about any complaint of harassment, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process as described herein, the CO should keep the parties informed of the status of the investigation and the decision making process.

All complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or to be actively engaging in, harassment; a detailed description of the facts upon which the complaint is based; and a list of potential witnesses.

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 CO 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 complaint, the CO 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 class schedule for the Complainant or the alleged harasser, or possibly a change of school for either or both of the parties. In making such a determination, the Compliance Officer should consult the District Administrator prior to any action being taken. The Complainant should be notified of any proposed action prior to such action being taken.

As soon as appropriate in the investigation process, the CO will inform the individual alleged to have engaged in the harassing conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and a copy of these administrative procedures and the Board's anti-harassment policy shall be provided to the Respondent at that time. The Respondent must also be provided an opportunity to respond to the complaint.

Within five (5) business days of receiving the complaint, the CO will initiate a formal investigation to determine whether the Complainant has been subject to offensive conduct/harassment. A principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Although certain cases may require additional time, the Compliance Officer will attempt to complete an investigation into the allegations of harassment within fifteen (15) calendar 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, as determined by the CO;
- D. consideration of any documentation or other evidence presented by the Complainant, Respondent, or any other witness which is reasonably believed to be relevant to the allegations, as determined by the CO.

At the conclusion of the investigation, the CO shall prepare and deliver a written report to the District Administrator which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subject to harassment. In determining if harassment occurred, a preponderance of evidence standard will be used. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. The CO may consult with the Board Attorney before finalizing the report to the District Administrator.

In cases where no District CO is able to investigate a complaint due to concerns regarding conflicts, bias or partiality, or for other reasons that impair the CO's ability to conduct an investigation the CO may in consultation with the District Administrator or Board President, engage outside legal counsel to conduct the investigation consistent with this policy.

Absent extenuating circumstances, within ten (10) business days of receiving the report of the CO, the District Administrator must either issue a final decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the District Administrator's final decision will be delivered to both the Complainant and the Respondent.

If the District Administrator requests additional investigation, the District Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) business days. At the conclusion of the additional investigation, the District Administrator must issue a final written decision as described above.

The decision of the District Administrator shall be final. If the Complainant feels that the decision does not adequately address the complaint s/he may appeal the decision to the State Superintendent of Public Instruction.

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

Additional School District Action

If the evidence suggests that the harassment at issue is a crime or requires mandatory reporting under the Children's Code (Sec. 48.981, Wis. Stat.), the CO or District Administrator shall report the harassment to the appropriate social service and/or law enforcement agency charged with responsibility for handling such investigations and crimes.

Any reports made to the local child protection service or to local law enforcement shall not terminate the CO's obligation and responsibility to continue to investigate a complaint of harassment. While the COs 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 District Administrator.

Confidentiality

The District will make all reasonable efforts to protect the rights of the Complainant and the Respondent. The District will respect the privacy of the Complainant, the Respondent, and all witnesses in a manner consistent with the District's legal obligations under State and Federal law. Confidentiality cannot be guaranteed, however. All Complainants proceeding through the investigation process should be advised that as a result of the investigation, the Respondent may become aware of the Complainant's identity.

During the course of an investigation, the CO 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 s/he learns or that s/he provides during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against harassment 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 law. When imposing discipline, the District Administrator shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

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 District Administrator shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Reprisal

Submission of a good faith complaint or report of harassment will not affect the Complainant's status or educational environment. However, the Board also recognizes that false or fraudulent claims of harassment or false or fraudulent information about such claims may be filed. The Board reserves the right to discipline any person filing a false or fraudulent claim of harassment or false or fraudulent information about such a claim.

The District will discipline or take appropriate action against any member of the School District community who retaliates against any person who reports an incident of harassment prohibited by this policy or participates in a proceeding, investigation, or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of discriminatory practices. The District Administrator will develop a method of discussing this policy with the School District community. Training on the requirements of non-discrimination and the appropriate responses to issues of harassment will be provided to the School District community at such times as the Board in consultation with the District Administrator determines is necessary or appropriate.

This policy shall be reviewed at least annually for compliance with local, State, and Federal law.

The District shall conspicuously post a notice including this policy against harassment in each school in a place accessible to the School District community and members of the public. This notice shall also include the name, mailing address and telephone number of the Compliance Officers, the name, mailing address and telephone number of the State agency responsible for investigating allegations of discrimination in educational opportunities, and the mailing address and telephone number of the United States Department of Education, Office for Civil Rights.

A summary of this policy shall appear in the student handbook and shall be made available upon request of parents, students, and other interested parties.

Retention of Public Records, Student Records, and Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation including but not limited to:

- A. all written reports/allegations/complaints/statements;
- B. narratives of all verbal reports, allegations, complaints, and statements collected;
- C. a narrative of all actions taken by District personnel;
- D. any written documentation of actions taken by District personnel;
- E. narratives of, notes from, or audio, video, or digital recordings of witness statements;
- F. all documentary evidence;
- G. e-mails, texts, or social media posts pertaining to the investigation;
- H. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;
- I. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;
- J. dated written determinations to the parties;
- K. dated written descriptions of verbal notifications to the parties;
- L. written documentation of any interim measures offered and/or provided to Complainants, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt; and

M. 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.

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).

The information, 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, Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 12/16/13

Revised 12/1/14

T.C. 11/3/16

Revised 4/2/18

Revised 4/1/19

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Legal

48.981, Wis. Stats.

118.13, Wis. Stats.

P.I. 9, Wis. Admin. Code

P.I. 41 Wis. Admin. Code

Fourteenth Amendment, U.S. Constitution

20 U.S.C. 1415

20 U.S.C. 1681 et seq., Title IX of Education Amendments Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

29 U.S.C. 794, Rehabilitation Act of 1973

42 U.S.C. 1983

42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964

42 U.S.C. 2000d et seq.

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

34 C.F.R. Sec. 300.600-300.662



Book	Policy Manual
Section	5000 Students
Title	BULLYING
Code	po5517.01
Status	Active
Adopted	April 16, 2012
Last Revised	December 1, 2014

5517.01 - **BULLYING**

The School Board is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community.

Definitions

"Bullying" is deliberate or intentional behavior using word or actions, intended to cause fear, intimidation, or harm. Bullying may be a repeated behavior and involves an imbalance of power. Furthermore, it may be serious enough to negatively impact a student's educational, physical, or emotional well-being. The behavior may be motivated by an actual or perceived distinguishing characteristic, such as, but not limited to: age; national origin; race; ethnicity; religion; gender; gender identity; sexual orientation; gender expression, physical attributes; physical or mental ability or disability; and social, economic, or family status; however this type of prohibited bullying behavior need not be based on any of those particular or other particular characteristics. It includes, but is not necessarily limited to such behaviors as stalking, cyberbullying, intimidating, menacing, coercing, name-calling, taunting, making threats, and hazing. Bullying is to be distinguished from peer conflict. Peer conflict involves a balance of power, may happen occasionally, may be accidental, and the behaviors of more than one of the individuals involved in the conflict may play a role in creating and/or maintaining the conflict.

The following definitions are provided for guidance only. If a student or other individual believes there has been bullying, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

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.
- D. "Cyberbullying" – the use of information and communication technologies such as e-mail, text messages, instant messaging (IM), defamatory personal web sites, and defamatory online personal polling web sites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others.

The Board recognizes that cyberbullying can be particularly devastating to young people because:

1. cyberbullies more easily hide behind the anonymity that the Internet provides;
2. cyberbullies spread their hurtful messages to a very wide audience with remarkable speed;
3. cyberbullies do not have to own their own actions, as it is usually very difficult to identify cyberbullies because of screen names, so they do not fear being punished for their actions; and
4. the reflection time that once existed between the planning of a prank – or a serious stunt – and its commission has all but been erased when it comes to cyberbullying activity.

Cyberbullying includes, but is not limited to the following:

1. posting slurs or rumors or other disparaging remarks about a student on a web site or on weblog;
2. sending e-mail or instant messages that are mean or threatening, or so numerous as to drive-up the victim's cell phone bill;
3. using a camera phone to take and send embarrassing photographs of students;
4. posting misleading or fake photographs of students on web sites.
5. hacking into or otherwise gaining access to another's electronic accounts (e-mails, social media, etc.) and posing as that individual with the intent to embarrass or harm the individual.

"Harassment" 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 on the basis of age, race, religion, color, national origin, marital status or disability, sexual orientation, gender expression, physical characteristic, cultural background, socioeconomic status, or geographic location.

"Intimidation" includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of age, race, religion, color, national origin, marital status or disability (sexual orientation, gender expression, physical characteristic, cultural background, socioeconomic status, or geographic location).

"Menacing" includes, but is not limited to, any act intended to place a school staff member, student, or third party in fear of imminent serious physical injury.

"Harassment, intimidation, or bullying" means any act that substantially interferes with a student's educational benefits, opportunities, or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:

- A. physically harming a student or damaging a student's property;

- B. knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
- C. creating a hostile educational environment.

"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.

For a definition of and instances that could possibly be construed as hazing, consult Policy 5516.

Prohibiting Bullying Behavior toward Students

Bullying toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property, including at any of the school buildings or other property used exclusively or in part, whether leased or owned by the District, for the purpose of school-related functions or events; or while traveling to or from school or to and from school- sponsored functions or events; in transporting vehicles arranged for by School District officials. The policy applies as well during activities that occur off school property if the student or staff member 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 supervision of school authorities, or where a staff member is engaged in school business.

Reporting Bullying Behavior toward Students

A. Reporting by Staff and School Officials:

All school staff members and school officials who observe or become aware of alleged acts of bullying are required to report these acts to the building principal or assistant principal, or the District Administrator. Unless impractical, reports made by staff members shall be in writing and should generally be provided on the same day the bullying behavior was observed or the staff member becomes aware of the bullying behavior. For all school-based personnel, the report required by this paragraph should be provided directly to the school's Principal or Assistant Principal unless the Principal has expressly identified another staff member to also be a recipient of such reports.

B. Reporting by Students, Parents/Guardians, and Other Persons:

Students, parents or guardians, and other persons are encouraged to make a verbal or written report regarding conduct they consider to be bullying to the building principal or assistant principal, or the District Administrator. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board President. Written reports may be made using the bullying and harassment reporting forms provided at each school building. Verbal reports of bullying will be documented by the staff member receiving the report using the bullying and harassment reporting forms used at each building or in the form of a behavior referral. To the extent possible, grades 6-12 students and parents will utilize an anonymous online bullying reporting system. A link to the system can be located at the middle and high school main web pages. Complaints against the building principal should be filed with the District Administrator. Complaints against the District Administrator should be filed with the Board President.

All such reports, whether verbal or in writing, will be taken seriously and a clear account of the incident is to be documented.

C. Confidentiality of Reports of Bullying:

A person making a report of bullying behavior may request that his/her identity remain confidential. If a victim/target of bullying behavior requests that his/her identity not be disclosed in connection with any investigation of the alleged bullying behavior, the staff member assigned to investigate the alleged bullying behavior shall discuss with the student and his/her parent/guardian how such a request may affect the District's ability to investigate and/or resolve a given situation.

D. Anonymous Reports:

Anonymous reports of bullying will be reviewed and reasonable action shall be taken to address such reports, consistent with the reliability of available information and taking into account the due process rights of the individual alleged to have committed the acts of bullying.

Investigating Bullying Behavior

- A. All complaints about behavior that may violate this policy shall be investigated promptly by the building principal or designee. The staff member who is investigating the report of bullying shall interview the victim(s) of the alleged bullying and collect whatever other information is necessary to determine the facts and the seriousness of the report, including whether the behavior falls within the scope of this policy.
- B. Parents and/or guardians of each student involved in the bullying report will be notified prior to the conclusion of the investigation. The District shall maintain the confidentiality of the report and any related student records to the extent required by law.
- C. The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.
- D. Upon the completion of this investigation, the staff member who conducted the investigation will document the findings and any sanctions that were imposed.
- E. This policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the school day and is protected by State or Federal law).

Retaliation and False Reports

The Board prohibits and will not tolerate retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally making a false report may result in disciplinary action.

Intervening When Bullying Has Occurred

Schools must create a culture in which bullying is not tolerated. Students must be supported and encouraged to report harassment and bullying and to assist peers who are bullied. Victims of bullying must be provided with tools to empower them to overcome the negative effects of bullying. If necessary, the victims of the bullying behavior may be provided with a safety plan.

A. For Students:

If the investigation finds that bullying has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. Student discipline may include, but is not limited to reprimand, repairing the harm that was caused through a restorative solution, suspension, or possible expulsion. A referral made also be made to law enforcement officials for possible legal action as appropriate. In addition, the school may provide supports to the student involved in the bullying behavior such as teaching new skills for communication and empathy or communicating with the student's parents to identify supports outside of school.

B. For Staff and Third Parties:

If the investigation finds that bullying has occurred involving staff members it may result in discharge for staff members. Board members and third parties such as parents, guests, volunteers, and contractors maybe be excluded from school grounds and activities, and/or removed from any official position. Individuals may also be referred to law enforcement officials.

Privacy/Confidentiality

The School District will respect as much as possible the privacy of the complainant, the individual(s) against who the complaint is filed, and the witnesses consistent with the Board's legal obligations to investigate, to inform parents, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

To the extent appropriate in conducting a thorough investigation and/or as legally permitted, confidentiality will be maintained during the investigation process.

Notification

Notice of this policy will be annually distributed to all students enrolled in the School District, their parents and/or guardians and staff members via the student and parent/guardian handbooks. The prohibition of bullying and the procedures described within this policy will be shared with students in an age appropriate manner. All staff members will be informed of this policy on an annual basis. The policy may, as appropriate, also be distributed to organizations in the community having cooperative agreements with the schools. The School District will also provide a copy of the policy to any person who requests it.

Records

Records will be maintained on the number and types of reports made, and sanctions imposed for incidents found to be in violation of the bullying policy.

Revised 04/08/2013

Revised 01/13/2014

Revised 05/05/2014

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Legal

Wis. Stat. 118.46



Book	Policy Manual
Section	5000 Students
Title	CARE OF DISTRICT PROPERTY
Code	po5513
Status	Active
Adopted	April 16, 2012

5513 - CARE OF DISTRICT PROPERTY

Basic to the philosophy of the School Board is a respect for the rights of others. Students are urged to exercise this respect in regard to the belongings of others, including District property. Each student should realize that vandalism to District property is costly to repair and is directly related to increased school taxes.

Attempts should be made to teach students respect for property which can be done in connection with the care of textbooks and the use of District materials and equipment.

In accordance with law, students who cause damage to District property shall be subject to disciplinary measures including suspension and expulsion. Also their parents/guardians shall be financially liable for such damage to the extent of the law except that students over eighteen (18) years of age shall also be liable for damage they cause.

The Board authorizes the imposition of fines for the loss, damage, or destruction of District owned, borrowed or leased equipment, school records, apparatus, musical instruments, library materials, textbooks, and for damage to District buildings.

The District Administrator or designee may report to the appropriate authorities any student whose damage of District property has been serious or chronic in nature.

The District Administrator shall develop administrative guidelines to implement this policy.

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Legal	120.13, Wis. Stats.
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Book	Policy Manual
Section	5000 Students
Title	STUDENT CODE OF CLASSROOM CONDUCT
Code	po5500
Status	Active
Adopted	April 16, 2012
Last Revised	September 16, 2019

5500 - **STUDENT CODE OF CLASSROOM CONDUCT**

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the schools of this District.

The District Administrator shall establish procedures to carry out Board policy and philosophy, and shall hold all school personnel, students, and parents responsible for the conduct of students in schools, on school vehicles, and at school-related events.

Student conduct on or adjacent to school premises, on school vehicles, and at school-related events and activities shall be governed by the rules and provisions of the Student Code of Classroom Conduct. In addition, student conduct on internet-based social media outlets, when such conduct forms a sufficient connection to school or staff, is governed by the Code of Conduct. This Code of Classroom Conduct shall include the following items:

- A. specification of what constitutes dangerous, disruptive, or unruly behavior that interferes with the ability of the teacher to teach effectively, which therefore permits the teacher to remove the student from class;
- B. other student conduct that may be used by a teacher as a basis to remove a student from class; and
- C. procedures for notifying the parent of a student's removal and procedures for placement of a student that has been removed from class.

Removal of a student from a class that is consistent with the Code of Conduct does not constitute a report under Policy 8462.01. If the staff member believes in good faith that the threat represents a serious and imminent threat to the health or safety of students, staff, or others, and the threat is a threat of violence made in or targeted at a school. Staff must still report such threats as described in Policy 8462.01 - Mandatory Reporting of Threats of Violence.

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Legal

- 175.32, Wis. Stats.
- 118.13, Wis. Stats.
- 118.164, Wis. Stats.
- 120.13, Wis. Stats.
- Wis. Admin. Code P.I. 9.03
- Wis. Admin. Code P.I. 41
- Fourteenth Amendment, U.S. Constitution
- 20 U.S.C. Section 1681, Title IX of Education Amendments Act
- 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
- 29 U.S.C. Section 794, Rehabilitation Act of 1973
- 42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964
- 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990
- Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, 1979



Book	Policy Manual
Section	5000 Students
Title	DRESS AND GROOMING
Code	po5511
Status	Active
Adopted	April 16, 2012

5511 - **DRESS AND GROOMING**

The School Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the schools.

Accordingly, the District Administrator shall establish such grooming guidelines as are necessary to promote discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. Such guidelines shall prohibit student dress or grooming practices which:

- A. present a hazard to the health or safety of the student himself/herself or to others in the school;
- B. interfere with school work, create disorder, or disrupt the educational program;
- C. cause excessive wear or damage to school property;
- D. prevent the student from achieving his/her own educational objectives because of blocked vision or restricted movement.

Such guidelines shall establish the dress requirements for members of the athletic teams, bands, and other school groups when representing the District at a public event.

The District Administrator shall develop administrative guidelines to implement this policy which:

- A. designates the Principal as the arbiter of student dress and grooming in his/her building;
- B. instruct staff members to demonstrate, by example and precept, personal neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.

Students violating this policy shall be dealt with in accordance with established procedures referenced in the student handbook.

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Legal

120.13(1), Wis. Stats.



Book	Policy Manual
Section	5000 Students
Title	DRUG PREVENTION
Code	po5530
Status	Active
Adopted	April 16, 2012
Last Revised	April 1, 2019

5530 - **DRUG PREVENTION**

The School Board recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community.

For purposes of this policy, "drugs" shall mean:

- A. all dangerous controlled substances as so designated and prohibited by Wisconsin statute;
- B. all chemicals which release toxic vapors;
- C. all alcoholic beverages;
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- E. "look-alikes";
- F. anabolic steroids;
- G. any other illegal substance so designated and prohibited by law.

The Board prohibits the use, possession, concealment, or distribution of any drug and any drug-paraphernalia at any time on District property or at any District-related event.

Revised 4/2/18

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Legal

118.01(2)(d), Wis. Stats.

118.24(2)(f), Wis. Stats.

118.257, Wis. Stats.

125.09(2), Wis. Stats.

Drug-Free Schools and Communities Act of 1986 as amended

20 U.S.C. 3171 et seq.

20 U.S.C. 3224A

Hearing Location and Opposing Attorney

Expulsion hearings will be held at McFarland High School, located at:

**5103 Farwell Street
McFarland, WI 53558**

The opposing attorney at expulsion hearings within the Waunakee Community School District is:

**Jon Anderson
Godfrey & Kahn
(608)257-3911**

**Shana Lewis
Strang, Patteson, Renning, Lewis & Lacy
(844) 626.0902**



Book	Policy Manual
Section	5000 Students
Title	THE SCHOOLS AND GOVERNMENTAL AGENCIES
Code	po5540
Status	Active
Adopted	April 16, 2012
Last Revised	April 2, 2018

5540 - **THE SCHOOLS AND GOVERNMENTAL AGENCIES**

The Board of Education is committed to maintaining the educational atmosphere of the schools and restricting access by individuals not part of the school system but also recognizes its responsibility to cooperate with law enforcement agencies and its need for assistance from law enforcement in certain circumstances.

When law enforcement requests permission to interview a student at school, the District Administrator or building administrator shall be contacted prior to any further action by law enforcement. The administrator shall determine whether it is appropriate to provide access to the student based on the officer's purpose, whether the officer has stated that there is an emergency involving imminent threat, or that the officer is in possession of a valid warrant. A warrant shall be deemed valid if executed by a judicial officer and describes the school premises.

If law enforcement is contacted by the administration for assistance, administration shall maintain the lead role in the investigation and shall be present or contact a parent to be present for any interview to the extent reasonable.

When an agency requests permission to remove a student, or does remove a student without prior permission, the building administrator shall notify the District Administrator.

Law enforcement investigations on school premises fall into two (2) primary categories. First, some investigations will occur at the request of school administration due to suspicion of a violation of school policy that may also be criminal. Second, law enforcement investigations may occur without the initiation of school officials and may or may not involve activity on school grounds.

Different procedures are to be followed in each instance as outlined below:

A. By law enforcement personnel, on request of school authorities

1. An administrator may exercise his/her discretion in determining whether to request assistance of law enforcement in investigating a crime, or allegation of a crime, committed in his/her school building or school grounds during school hours. If assistance is so requested, it shall be directed to the local law enforcement agency and the administration shall remain the primary investigator with assistance from law enforcement. When determining whether to contact law enforcement, a school administrator shall consider the mandatory reporting requirements of Section 48.981 in the event the allegations involve suspected child abuse or neglect.
2. If the administrator requests assistance, a law enforcement officer may conduct an investigation within the school building and interview students as witnesses in school during the school day. Administrators shall take steps to assure that students are not removed from classes if at all possible. The administrator shall be present during the interview unless the law enforcement officer, student or his/her parent requests that the school official not be present. The student may request other representation such as legal counsel. If a student requests legal counsel, the administrator will make an effort to contact the parent(s) and the student will be put in custody of the law enforcement agency. The administrator shall attempt to contact the parent(s) of any student prior to questioning by law enforcement. A decision whether to take a student into custody is the decision of the law enforcement officer.
3. If the investigation focuses on a particular student as a prime suspect of crime, the administrator and the law enforcement officer shall abide by the guidelines with respect to any interrogation, search and arrest. Once law enforcement is involved in an investigation of possible criminal activity on school grounds, assuring that the constitutionally protected rights are respected during the investigation process is the law enforcement officers' responsibility.
4. School officials shall assist and cooperate in investigations as requested by law enforcement and consistent with District responsibility to maintain the confidentiality of student records under State and Federal law.

B. By law enforcement personnel without request of school authorities

1. Law enforcement officers will be asked to make every effort to interview students outside of the school hours and outside of the school setting in those cases where assistance has not been requested by school authorities. This procedure will not apply to circumstances where a serious crime may be involved, or where imminent threats to persons or property may be involved or where law enforcement states that it is not feasible to interview the student outside of school due to the nature of the investigation and that they are not able to provide specific information substantiating the need to immediately interview the student.
2. If law enforcement deems it absolutely necessary to interview a student at school, the law enforcement personnel shall first contact the administrator regarding the planned visit and inform the administrator of the circumstances that require him/her to investigate within the school and obtain his/her approval to interview a student during school hours. The police officer shall not commence his/her investigation until such approval is obtained. The law enforcement personnel may appeal to the District Administrator if it is deemed that approval was unreasonably withheld.

The administrator shall make every effort to maintain the privacy of the student.

3. If law enforcement officer is in possession of a **valid warrant**, school officials shall in no way interfere with the officer's execution of the warrant. A warrant shall be considered "valid" if it accurately describes the school facility and is executed by an authorized judicial official. District officials shall not attempt to evaluate the sufficiency of probable cause upon which the warrant is based.

In the event a law enforcement officer seeks to execute a warrant on school grounds, the officer is to be directed to building administration. The administration shall attempt to assist in executing the warrant by directing the student to report to the office. The school administration shall then (1) contact the student's parent if the student is a minor; and (2) contact the District Administrator. This process shall be followed unless the law enforcement official states that s/he has reason to believe that the subject of the warrant poses an immediate threat to the health and safety of others while in the school. In such a case, school officials shall grant access to the facility for execution of the warrant.

Legal
120.13(35), Wis. Stats.
118.257, Wis. Stats.



Book	Policy Manual
Section	5000 Students
Title	SEARCH AND SEIZURE
Code	po5771
Status	Active
Adopted	April 16, 2012
Last Revised	April 2, 2018

5771 - **SEARCH AND SEIZURE**

The Board of Education has charged school authorities with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search school property such as lockers used by students or the person or property, including vehicles, of a student, in accordance with the following policy.

School Property

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Desks and lockers are public property and school authorities may make reasonable regulations regarding their use. The District retains ownership and possessory control of student desks and lockers and the same may be searched at random by school personnel at any time. A showing of reasonable cause or suspicion is not a necessary precondition to a search under this paragraph. Students shall not have an expectation of privacy in lockers, desks, or other school property as to prevent examination by a school official. The Board directs the school principals to provide students with written notice of this policy at least annually and that routine inspections be done at least annually of all such storage places.

The Board directs that the searches may be conducted by the District Administrator, building principals, assistant principals, and School Resource Officer.

Student Person and Possessions

The Board recognizes that the privacy of students or his/her belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion that the search will turn up evidence that the student has violated or is violating either a particular law or a particular rule of the school. Any search under this paragraph must be reasonable in scope and reasonable in the manner in which it is conducted. The extent of the search will be governed by the seriousness of the suspected infraction, the student's age and gender, the student's disciplinary history, and any other relevant circumstances or information. The Principal may arrange for a breath test for blood-alcohol to be conducted on a student whenever s/he has individualized reasonable suspicion to believe the student has consumed or

is under the influence of an alcoholic beverage while on school premises or while participating in a school-sponsored activity. If the result indicates a violation of school rules as described in the student handbook, the disciplinary procedure described in the student handbook will be followed. If the student refuses to take the test, the Principal will inform the student that refusal to participate implies admission of guilt leading to disciplinary action consistent with the student handbook.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.

In a situation in which a search of a student's person or possessions is appropriate, school administrators should first attempt to contact the school resource officer to conduct the search under the administrator's direction. If the officer is not available, the administrator may proceed with the search, unless the information justifying the search suggests that the student is in possession of dangerous materials whereby the expertise of law enforcement is necessary. In such a case, the school official shall contact law enforcement and request their assistance.

Under no circumstances shall a school official ever conduct a strip search of a student.

Parking Permit Required (High School)

Permission for a student to bring a vehicle on school property shall be conditioned upon written consent of the search of the vehicle and all containers inside the vehicle by a school administrator with reasonable suspicion to believe the search will produce evidence of a violation of a particular law, a school rule, or a condition that endangers the safety or health of the student driver or others. If an administrator determines a search is necessary, he or she should request consent to search the vehicle and all containers inside the vehicle. If consent is not given, a school administrator may proceed with the search. An administrator may contact the police liaison officer or law enforcement agency for assistance in conducting a search.

Parking Permit Not Required

Where a student may bring a vehicle on school property without a permit, a school administrator with reasonable suspicion to believe the search will produce evidence of a violation of a particular law, a school rule, or a condition that endangers the safety or health of the student driver or others, should request written consent to search the vehicle and all containers inside the vehicle. If consent is not given, the administrator should contact law enforcement.

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal. S/He shall attempt to obtain the freely-offered, written consent of the student to the inspection; however, provided there is reasonable suspicion pursuant to the above paragraphs, s/he may conduct the search without such consent. Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member other than the principal. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and in a manner that is minimally intrusive to the student based on the reasonable suspicion justifying the search.

Use of Dogs

The Board authorizes the use of specially-trained dogs to detect the presence of drugs and devices such as bombs on school property under the following conditions:

- A. The presence of the dogs on school property is authorized in advance by the District Administrator, except in emergency situations, or is pursuant to a court order or warrant.
- B. The dog must be handled by a law enforcement officer or certified organization specially trained to safely and competently work with the dog.
- C. The dog is represented by the Sheriff or Chief of the law enforcement agency providing the service as capable of accurately detecting drugs and/or devices.

The District Administrator may request the assistance of a law enforcement agency in implementing any aspect of this policy. Where law enforcement officers participate in a search on school property or at a school activity pursuant to a request from the District Administrator, the search shall be conducted by the law enforcement officers at the direction of a District official. Law enforcement searches conducted independent of any District official request or direction shall be conducted based on standard applicable to law enforcement.

Anything found in the course of a search pursuant to this policy which constitutes evidence of a violation of a particular law or school rule or which endangers the safety or health of any person shall be seized and properly cataloged for use as evidence if appropriate. Seized items shall be returned to the owner if the items may be lawfully possessed by the owner. Seized items that may not lawfully be possessed by the owner shall be turned over to law enforcement.

Revised 5/5/14

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Legal

- 118.32, Wis. Stats.
- 118.325 Wis. Stats.
- 948.50, Wis. Stats.
- Wisconsin Const. Art. 1 Section 11
- U.S. Constitution, 4th Amendment



Book	Policy Manual
Section	5000 Students
Title	STUDENT/PARENT RIGHTS
Code	po5780
Status	Active
Adopted	April 16, 2012
Last Revised	April 2, 2018

5780 - **STUDENT/PARENT RIGHTS**

The School Board recognizes that students possess not only the right to an education but the rights of citizenship as well.

In providing students the opportunity for an education to which they are entitled, the District shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. At the same time the Board recognizes that no student may be deprived of the basic right to equal access to the educational program and his/her constitutional right to due process and free expression and association as appropriate for the school environment.

Attendant to the rights afforded to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the guidelines and rules of the District.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, s/he may authorize those school matters previously handled by his/her parents, but s/he also assumes the responsibility for his/her performance in school, attendance, and compliance with the guidelines and rules of the District.

Administrators, counselors, and teachers shall not provide a supporting affidavit for students who have petitioned the court to grant them the status of emancipated minors unless prior approval has been obtained from the District Administrator.

Parents also have rights in the school system to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

In addition, parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional materials means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments.

The District Administrator shall, in consultation with parents, develop a procedure addressing the rights of parents and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials. See AG 9130A and Form 9130 F3.

A student who is still a dependent for Federal tax purposes, but who has reached the age of majority may, by written request, restrict his/her parents access to personally identifiable information from his/her student records.

When a student with a disability reaches the age of eighteen (18), with the exception of a student with a disability who has been found incompetent in this State, the District must provide any required notices to both the student and the student's parents, and all other rights accorded to the student's parents under Subchapter 5 of Chapter 115, Wis. Stats., transfer to the student.

This policy shall be applied consistent with the Family Education Rights and Privacy Act and applicable State student records law.

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Wis. Stat. 115.807, 118.125(2)(k),
20 U.S.C. 1232g(b)(1)(H)



Book	Policy Manual
Section	5000 Students
Title	STUDENT ACTIVISM
Code	po5720
Status	Active
Adopted	April 16, 2012

5720 - **STUDENT ACTIVISM**

It is the policy of the School Board to encourage students to express opinions and ideas, take stands, and support policies, publicly or privately, orally and in writing. Students may be given this opportunity for expression through established school media. Such expression should not interfere with the educational program or present a health or safety hazard.

Students may not use obscenity, slanderous or libelous statements, or disruptive tactics, or advocate violation of the law or school regulations.

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Book	Policy Manual
Section	5000 Students
Title	STUDENT HAZING
Code	po5516
Status	Active
Adopted	April 16, 2012
Last Revised	April 1, 2019

5516 - **STUDENT HAZING**

The School Board believes that hazing activities of any type are inconsistent with the educational process and may in some circumstances be a violation of State law. It prohibits all such activities at any time in school facilities, on school property, and at any District-sponsored activity or event.

Hazing shall be defined for purposes of this policy as performing any act or coercing another, including the victim, to perform any act of initiation into any class, group, or organization that causes or creates a risk of causing mental, emotional, or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Administrators, faculty members, and other employees of the District shall be alert to possible situations, circumstances, or events that might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Principal or to the District Administrator. The individual informed of the situation shall immediately do the following:

- A. Write all information concerning the reported activity or planned activity received from the person reporting the incident to create a complete record of the initial contact with administration.
- B. Determine if any potential criminal activity has occurred, and if so contact law enforcement immediately.
- C. Determine whether the information received illustrates hazing behavior that is based on the student's or any group of students sex (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or State civil rights laws ("Protected Classes"). If the conduct reported appears to be based on

one (1) or more Protected Class, the Administrator shall inform the District Compliance Officer and refer to Policy 5517 – Student Anti-Harassment and proceed accordingly.

- D. If the hazing or planned hazing does not appear to be based on any Protected Classes, then the Administrator shall proceed to conduct an investigation consistent with the procedures found in Policy 5517.01 - Bullying. If at any point, information surfaces indicating that hazing activity was based on one (1) or more Protected Class, the Administrator or designee conducting the investigation shall contact the Compliance Officer and consult Policy 5517 – Student Anti-Harassment.

Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil or criminal penalties. Disciplinary action for students may include, but is not limited to, suspension and/or expulsion. Disciplinary action for staff members may be issued up to and including termination from employment. (See Policy 3139 – Staff Discipline or Policy 4139 – Staff Discipline).

Revised 8/17/15

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Legal

118.13 Wis. Stats.

120.13 Wis. Stats

948.51 Wis. Stats.

P.I. 9, Wis. Admin. Code

P.I. 41, Wis. Admin. Code

Fourteenth Amendment, U.S. Constitution

20 U.S.C. 1415

20 U.S.C. 1681 et seq., Title IX of Education Amendments Act

20 U.S.C. 1701 et seq., Equal Educational Opportunities Act of 1974

29 U.S.C. 794, Rehabilitation Act of 1973

42 U.S.C. 1983

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

42 U.S.C. 2000 et seq., Civil Rights Act of 1964

42 U.S.C. 2000d et seq.

34 C.F.R. Sec. 300.600-300.662

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, 1979



Book	Policy Manual
Section	5000 Students
Title	SUSPENSION AND EXPULSION
Code	po5610
Status	Active
Adopted	April 16, 2012
Last Revised	April 2, 2018

5610 - **SUSPENSION AND EXPULSION**

The Board of Education recognizes that exclusion from educational programs of the School District, by suspension or expulsion, is a substantial sanction and that such action must comply with the student's due process rights.

SUSPENSION

For purposes of this policy, "suspension" shall be the short-term exclusion of a student from a regular District program.

The District Administrator, the principal, or a teacher designated by the District Administrator may suspend a student for up to five (5) school days or, if a notice of expulsion hearing has been sent, for up to fifteen (15) consecutive school days, or ten (10) consecutive school days for each incident if the student is eligible for special education services under Chapter 115, Wis. Stats.

The suspension must be reasonably justified based upon the grounds authorized under Sec. 120.13, Wis. Stats., which include, but are not limited to: noncompliance with school rules or Board rules; knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives; conduct by the student while at school or while under the supervision of a school authority that endangers the property, health, or safety of others; conduct while not at school or while not under the supervision of a school authority that endangers the property, health, or safety of others at school or under the supervision of a school authority; or conduct while not at school or while not under the supervision of a school authority that endangers the property, health, or safety of any employee or School Board member of the District in which the student is enrolled.

In-school restrictions including, but not limited to, in-school suspensions, weekend school, and/or detentions do not represent such substantial sanctions, but are progressive discipline options that may be used to provide students with opportunities for reflection, restorative processes, and/or modification of student behavior.

The District Administrator, the principal, or a teacher designated by the School District Administrator shall suspend a student if the student possessed a firearm, as defined in 18 U.S.C. 921(a)(3), while at school or while under the supervision of a school authority.

The parent of a suspended minor must be given prompt notice of the suspension and the reason for the suspension. The student's suspension from school shall be entered in the student's record as required by the rules adopted by the Board concerning the content of the student records. The suspended student or the student's parent or guardian may, within five (5) school days following the commencement of the suspension, have a conference with the District Administrator, who shall be someone other than a principal, administrator or teacher in the suspended student's school, to discuss removing from the student's records reference to the suspension. Reference to the suspension on the student's school record shall be removed if the District Administrator finds that: the student was suspended unfairly or unjustly; the suspension was inappropriate, given the nature of the alleged offense; or the student suffered undue consequences or penalties as a result of the suspension.

A suspended student shall not be denied the opportunity to take any quarterly, semester, or grading period examinations or to complete course work missed during the suspension period. Such work shall be completed pursuant to the procedures established by the Board.

In the event a student is classified as Homeless, the building principal shall consult with the Homeless Coordinator to determine whether the conduct is a result of homelessness. The Homeless Coordinator will assist administration and the student's parents or guardian in correcting conduct subject to disciplinary action that is caused by homelessness.

EXPULSION

Under this policy, expulsion shall mean the Board will not permit a student to attend school at all, including any school-sponsored events or activities, for a specified period of time. If the student is expelled, the Board will determine the length of the expulsion period, which may extend at a maximum to the student's 21st birthday. The Board's expulsion order may include the opportunity for the student to return to school prior to expiration of the term of expulsion under a specified set of early reinstatement condition(s) which are related to the conduct for which the student was expelled. The condition(s), once set forth in an expulsion order, shall be administered at the discretion of the District Administrator who shall have the authority to deny early reinstatement if any early reinstatement condition is not met prior to reinstatement or to revoke it for the remainder of the expulsion period if any enrollment conditions applicable to the student's attendance during a period of expulsion under early reinstatement, or conditional enrollment, are deemed by the District Administrator to have been violated. The decision to revoke a student's conditional enrollment shall be explained in writing. The student or student's parent may request a conference with the District Administrator within five (5) school days of a decision to revoke early reinstatement. The District Administrator shall meet with the student and/or parents within five (5) school days of a request. The District Administrator's decision is final.

The District Administrator may designate another School District employee to perform the functions pertaining to a student's early reinstatement, but may not designate someone that is an administrator or teacher in the student's school.

The Board may expel a student only when it is satisfied that the interest of the school demands the student's expulsion and only when the student: repeatedly refused or neglected to obey the rules established by the School District; knowingly conveyed or caused to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives; engaged in conduct while at school while under the supervision of a school authority that endangered the property, health, or safety of others; engaged in conduct while not at school or while not under the supervision of a school authority that endangered the property, health, or safety of others at school or under the supervision of a school authority or endangered the property, health, or safety of any employee or Board member of the School District in which the student is enrolled; or was at least sixteen (16) years old and had repeatedly engaged in conduct while at school or while under the supervision of a school authority that disrupted the ability of school authorities to maintain order or an educational atmosphere at school or at an activity supervised by a school authority and that such conduct did not otherwise constitute grounds for expulsion. For purposes of this policy, conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

The School Board shall hold an expulsion hearing in the event a student is in possession of a firearm while at school or under the supervision of school authorities and shall expel a student from school for not less than one (1) year whenever it finds that the student brought a firearm to school or, while at school or while under the supervision of a school authority, possessed a firearm, as defined in 18 U.S.C. 921(a) (3), unless the Board finds that the punishment should be reduced based upon the circumstances of the incident. Any such finding by the Board shall be in writing. This does not include any circumstance in which a student possessed a firearm while lawfully hunting on school forest land.

The District shall refer any student who brings a firearm (as defined in 18 U.S.C. 921(a)(3)) or a weapon to school to law enforcement.

As required by 20 U.S.C. 7151, the District Administrator will ensure that the following information is sent to the Wisconsin Department of Public Instruction: a copy of this policy; a description of the circumstances surrounding any expulsion(s) for violating the above- stated firearms policy; the name of the school; the number of students expelled; and the types of firearms involved.

Prior to expelling a student, the Board shall provide the student with a hearing. Prior written notice of the hearing must be sent separately to both the student and if the student is a minor, to his/her parent(s) or guardian(s). The notice must be sent at least five (5) days prior to the date of hearing, not counting the date notice is sent. The notice must also satisfy the requirements of Sec. 120.13(1) (c)4, Wis. Stats.

An expelled student or, if the student is a minor, the student's parent(s) or guardian(s) may appeal the Board's expulsion decision to the Wisconsin Department of Public Instruction. An appeal from the decision of the Department may be taken within thirty (30) days to the circuit court for the county in which the school is located.

In the event a student is classified as Homeless, the building principal shall consult with the Homeless Coordinator to determine whether the conduct is a result of homelessness. The District will not expel a homeless student for conduct that is caused by the student's homelessness. The Homeless Coordinator will assist administration and the student's parents or guardians in correcting conduct subject to disciplinary action that is caused by homelessness. If the conduct in question is determined not to be caused by the student's homelessness, the District shall proceed with expulsion proceedings as outlined in this policy.

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Legal	119.25, Wis. Stats.
	120.13, Wis. Stats.
	18 U.S.C. 921(a)(3)
	20 U.S.C. 7151
	42 U.S.C. 11431 et seq.



Book	Policy Manual
Section	5000 Students
Title	USE OF TOBACCO BY STUDENTS
Code	po5512
Status	Active
Adopted	April 16, 2012
Last Revised	April 1, 2019

5512 - **USE OF TOBACCO AND NICOTINE BY STUDENTS**

The School Board is committed to providing students, staff, and visitors with a tobacco and smoke-free environment. The negative health effects of tobacco use for both users and non-users, particularly in connection with second hand smoke, are well-established. In addition, students less than eighteen (18) years of age are generally prohibited by law from purchasing or possessing cigarettes and other tobacco products.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute or simulated forms of cigarettes, clove cigarettes and any other lighted smoking devices for burning tobacco or any other substance. This policy also prohibits the use of other products containing nicotine, including but not limited to nicotine patches and nicotine gum, except when a student provides documentation from a licensed medical practitioner that the student's use of non-tobacco nicotine products is being medically supervised for the cessation of a nicotine addiction and the student complies with Policy 5330 - Administration of Medication. Accordingly, the Board prohibits students from using or possessing tobacco or nicotine in any form on District premises, in District vehicles, within any indoor facility owned or while leased or contracted for by the District and used to provide education or library services to children, and at all District-sponsored events.

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Legal	120.12(20), Wis. Stats. 254.92, Wis. Stats. 20 U.S.C. 6081 et seq.
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Book	Policy Manual
Section	5000 Students
Title	CORPORAL PUNISHMENT/USE OF PHYSICAL FORCE
Code	po5630
Status	Active
Adopted	April 16, 2012
Last Revised	April 20, 2020

5630 - **USE OF PHYSICAL FORCE**

While recognizing that students may require disciplinary action in various forms, the Board does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

No official, employee, or agent of the Board may subject a student enrolled in the School District to corporal punishment, including resorting to physical force or violence to compel obedience. If all other means fail, officials, employees, or agents of the Board may always resort to the removal of the student from the classroom or school through suspension, expulsion, or other disciplinary intervention.

Officials, employees, or agents of the Board may use:

- A. reasonable and necessary force to quell a disturbance or prevent an act that threatens physical injury to any person;
- B. reasonable and necessary force to obtain possession of a weapon or other dangerous object within a student's control;
- C. reasonable and necessary force for the purpose of self-defense or the defense of others under 939.48, Wis. Stats.;
- D. reasonable and necessary force for the protection of property under 939.49, Wis. Stats.;
- E. reasonable and necessary force to remove a disruptive student from a school premises or motor vehicle, as defined in 125.09(2)(a)1. and 4., Wis. Stats., or from school-related activities;



Book	Policy Manual
Section	5000 Students
Title	USE OF RESTRAINT AND SECLUSION WITH STUDENTS
Code	po5630.01
Status	Active
Adopted	December 17, 2012

5630.01 - USE OF RESTRAINT AND SECLUSION WITH STUDENTS

It is the policy of the Board of Education to permit reasonable measures to be used to restrain or seclude a student only when necessary to prevent the student from hurting himself/herself or any other person or property. All students, including students with disabilities, must be treated with dignity and respect. Behavior interventions and support practices must be implemented in such a way as to protect the health and safety of the students and others.

All employees and "covered individuals" shall comply with State and Federal law regarding the use of seclusion and restraint.

Seclusion is defined in the law as the involuntary confinement of a student, apart from other students, in a room or area from which the student is physically prevented from leaving.

Individuals covered by the law include employees of a public or charter school and student teachers. The law specifically includes individuals contracted with the school to provide services, such as CESA employees and student teachers.

The "covered individuals" (school employees and contracted individuals who provide services for a public or charter school) may use seclusion with a student only if all of the following apply:

- A. The student's behavior presents a clear, present, and immediate risk to the physical safety of the student or others and it is the least restrictive intervention available.
- B. The seclusion lasts only as long as necessary to resolve the risk to physical safety.
- C. A covered individual maintains constant supervision of the student.
- D. The seclusion room or area is free of objects or fixtures that may injure the student.

- E. The student has adequate access to bathroom facilities, drinking water, necessary medication, and meals.
- F. No door connecting the seclusion room or area to other rooms or areas is capable of being locked.

Physical Restraint is defined as a restriction that immobilizes or reduces the ability of a student to freely move his/her torso, arms, legs, or head. The "covered individuals" may only use physical restraint on or with a student only if all of the following apply:

- A. The student's behavior presents a clear, present, and immediate risk to the physical safety of the student or others and it is the least restrictive intervention available.
- B. The degree of force used and the duration of the physical restraint do not exceed the degree and duration that are reasonable and necessary to resolve the risk.
- C. There are no medical contraindications to the use of physical restraint.
- D. None of the following maneuvers or techniques are used:
 - 1. those that do not give adequate attention and care to protecting the student's head
 - 2. those that cause chest compression
 - 3. those that place pressure or weight on the student's neck or throat
 - 4. it does not constitute corporal punishment
 - 5. those that do not use mechanical or chemical restraints

Actions that are specifically excluded from the definitions of seclusion and physical restraint above include: 1) if a student is not confined to an area from which s/he is physically prevented from leaving; 2) directing a disruptive student to temporarily separate himself/herself from the general activity in the classroom to allow the student to regain control or for the teacher to maintain or regain classroom order; 3) directing a student to temporarily remain in the classroom to complete tasks; or 4) briefly touching or holding a student's hand, arm, shoulder, or back to calm, comfort or redirect the student.

Parental Notice and Written Report Requirements

Whenever seclusion or physical restraint is used with or on a student, the Principal or his/her designee shall notify the student's parent or guardian as soon as practicable but no later than one (1) business day after the incident. The notice shall advise the parent of the incident and of the availability of the written report.

The Principal shall prepare this written report, in consultation with the individuals involved, within two (2) business days of the incident. The written report shall include details of the student and staff involved in the incident, the description of the incident and the actions of the student before, during and after the incident. The written report shall be retained as a record by the school district and within three (3) business days of the incident, the report shall be made available to the parent for review.

In addition, the school principals will be required to prepare and present an annual report to the Board of the number of incidents involving seclusion or physical restraint, the total number of students involved and the number of students with disabilities involved in such incidents.

Individual Education Program (IEP) Requirements

The law requires that for students with identified disabilities under the Individuals with Disabilities in Education Act (IDEA), the first time that seclusion or physical restraint is used on a "child with a disability," the student's Individual Education Program (IEP) team must convene as soon as possible after the incident. The IEP team shall review the student's Individualized Education Plan to ensure that it contains appropriate positive behavioral interventions and supports to address behaviors that are of concern and to revise the IEP if necessary.

Mandatory Training for Staff

Staff who engage in the lawful use of physical restraint shall obtain training as to the methods of preventing the need for physical restraint, identification of dangerous behaviors that may indicate the need for physical restraint and the methods of evaluating risk of harm such that physical restraint is warranted, experience in administering and receiving various types of restraint, instruction on the effects of restraint, monitoring signs of distress during restraint, obtaining medical assistance and demonstrating proficiency in administering physical restraint.

Pursuant to State law, the District Administrator shall create and maintain a record of the training received by the employees and school staff covered by the State law governing Seclusion and Restraint (Act 125).

Limited Training Requirement Exception

Training for staff in the use of physical restraint is required unless the situation is an emergency and a trained individual is not immediately available due to the "unforeseen nature of the emergency." However, at a minimum the school in which physical restraint is used must ensure that at least one (1) employee has been trained in its use.

Disciplinary Action for a Violation of This Policy

In addition to any penalty prescribed by law, the District Administrator is directed by this policy to see that a Board employee who intentionally, knowingly or recklessly violates this policy is subject to disciplinary action up to and including dismissal. A Board employee engages in conduct "intentionally" if, when s/he engages in the conduct, it is his/her conscious objective to do so. A Board employee engages in conduct "knowingly" if, when s/he engages in the conduct, s/he is aware of a high probability of a violation of this policy. A Board employee engages in conduct "recklessly" if s/he engages in conduct in violation of this policy in a plain, conscious, and unjustifiable disregard of harm that might result to a student and the disregard involves a substantial deviation from acceptable standards of conduct established by this policy.

Retaliation for Fully Implementing or Reporting Violations

No Board employee shall be permitted to retaliate against a person for reporting or objecting to actions in violation of this policy or providing information regarding a violation of this policy.

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Legal
Individuals with Disabilities Education Act, as amended
Wis. Stats. Chapter 115 and 118 (115.787 and 118.305)



Book	Policy Manual
Section	5000 Students
Title	WEAPONS
Code	po5772
Status	Active
Adopted	April 16, 2012
Last Revised	April 1, 2019

5772 - **WEAPONS**

The Board prohibits students from possessing, storing, making, or using a weapon in any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District vehicle, to the extent permitted by law.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms (including, but not limited to, firearms as defined in 18 U.S.C. 921(a)(3)), guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), knives, (subject to the exceptions below) razors, with unguarded blades, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

The District Administrator is authorized to establish instructional programs on weapons and reporting and dealing with violations of this policy.

The District Administrator will refer any student who violates this policy to the student's parents and may also make a referral to law enforcement. The student may also be subject to disciplinary action, up to and including expulsion.

Policy exceptions include:

- A. weapons under the control of law enforcement personnel while on duty, or qualified former law enforcement officers, off duty law enforcement officers, or out-of-state law enforcement officers;
- B. items pre-approved by a principal as part of a class or individual presentation under adult supervision, including, but not limited to Hunters' Education courses, if used for the purpose and in the manner approved (working firearms and live ammunition will never be approved);

C. theatrical props used in appropriate settings; and

D. a knife lawfully used for food consumption or preparation, or a knife used for a lawful purpose within the scope of the student's class work.

Any student who has reason to believe that a person has or will violate this policy shall report to the District Administrator or the supervisor of the activity immediately. The report should include as much detail as possible concerning the person(s) involved, the weapon, the location of the person(s), and how this information was obtained.

No student is to confront the person possessing the weapon, but a staff member has the option of confronting the person if the staff member believes the risk of injury to self or others is minimal or if immediate action is necessary to prevent injury to any person.

This policy will be published annually in all District student and staff handbooks. Publication is not a precondition to enforcement of this policy.

Revised 1/21/13

Revised 4/18/16

Revised 8/20/18

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Legal	120.13(1), Wis. Stats.
	943.13, Wis. Stats.
	948.605, Wis. Stats.
	948.61, Wis. Stats.
	18 U.S.C. 921(a)(3)
	18 U.S.C. 922
	20 U.S.C. 7151