

ACT 55 PUBLIC NOTICE

Act 55 requires:

1. Annually, School District of Tomahawk must provide to the parent or guardian of each pupil enrolled in or attending the school the following:

- a) A copy of the school's most recent accountability report.
- b) A list of the educational options available to children who reside in the Tomahawk School District.
- c) Notify all families of students with disabilities of the Special Needs Voucher Program which begins in the 2017-18 School Year.

All the above information and full accountability reports are available on the District website and can be accessed through the Wisconsin Department of publication website using the following links: Accountability Reports:

<http://dpi.wi.gov/accountability/report-cards>

Educational Options: <http://dpi.wi.gov/ed-options>

Pupil Academic Standards: <http://dpi.wi.gov/standards>

ASBESTOS HAZARD EMERGENCY RESPONSE ACT NOTICE

As a result of recent federal legislation (Asbestos Hazard Emergency Response Act – (AHERA), each primary and secondary school in the nation is required to complete a stringent inspection for asbestos and to develop a plan of management for all asbestos-containing building materials. The School District of Tomahawk has a goal to be in full compliance with this law and is following the spirit, as well as, the letter of the law. As a matter of policy, the district shall continue to maintain a safe and healthful environment for our community's youth and employees.

In keeping with this legislation, all buildings (including portables and support buildings) owned or leased by the School District of Tomahawk were inspected by EPA accredited inspectors and samples were analyzed by an independent laboratory. Based on the inspection, the school prepared and the state approved a comprehensive management plan for handling the asbestos located within its buildings safely and responsibly.

Furthermore, the School District of Tomahawk has completed their 3-Year Re-inspection required by AHERA. Our district buildings, where asbestos containing materials were found, are under repair or removal.

Federal law requires a periodic walk-through (called "surveillance") every six months of each area containing asbestos. In addition, the law requires all buildings to be inspected three years after a management plan is in effect. MacNeil Environmental, Inc. will accomplish this under contract.

Short-term workers (outside contractors – i.e., telephone repair workers, electricians and exterminators) must be provided information regarding the location of asbestos in which they may come into contact. All short term workers shall contact the lead maintenance person before commencing work to be given this information.

The School District of Tomahawk has a list of the location(s), type(s) of asbestos containing materials found in the school building and a description and time-table for their proper management. A copy of the Asbestos Management Plan is available for review in the high school office. Copies are available at 25 cents per page. Questions related to the plan should be directed to MacNeil Environmental, Inc., Burnsville, Minnesota, at 800/232-5209, or by contacting Arland Wingate at the School District of Tomahawk at 715-453-2106.

CHILD FIND

CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE INFORMATION OBTAINED THROUGH CHILD FIND ACTIVITIES

The School District of Tomahawk is required to locate, identify, and evaluate all children with disabilities, including children with disabilities attending private schools in the school district, and homeless children. The process of locating, identifying, and evaluating children with disabilities is known as child find. Annually the School District of Tomahawk conducts developmental screening for preschool children. This notice informs parents of the records the school district will develop and maintain as part of its child find activities. This notice also informs parents of their rights regarding any records developed. The school district gathers personally identifiable information on any child who participates in child find activities. Parents, teachers, and other professionals provide information to the school related to the child's academic performance, behavior, and health. This information is used to determine whether the child needs special education services. Personally identifiable information directly related to a child and maintained by the school is a pupil record. Pupil records include records maintained in any way including, but not limited to, computer storage media, video and audiotape, film, microfilm, and microfiche. Records maintained for personal use by a teacher and not available to others and records available only to persons involved in the psychological treatment of a child are not pupil records. The school district maintains several classes of pupil records. • "Progress records" include grades, courses the child has taken, the child's attendance record, immunization records, required lead screening records, and records of school extra-curricular activities. Progress records must be maintained for at least five years after the child ceases to be enrolled.

• "Behavioral records" include such records as psychological tests, personality evaluations, records of conversations, written statements relating specifically to the pupil's behavior, tests relating specifically to achievement or measurement of ability, physical health records other than immunization and lead screening records, law enforcement officers' records, and other pupil records that are not "progress records." Law enforcement officers' records are maintained separately from other pupil records. Behavioral records may be maintained for no longer than one year after the child graduates or otherwise ceases to be enrolled, unless the parent specifies in writing that the records may be maintained for a longer period of time. The school district informs parents when pupil records are no longer needed to provide special education. At the request of the child's parents, the school district destroys the information that is no longer needed.

• "Directory data" includes the student's name, address, email address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, photographs, degrees and awards received, and the name of the school most recently previously attended by the student.

• "Pupil physical health records" include basic health information about a pupil, including the pupil's immunization records, an emergency medical card, a log of first aid and medicine administered to the pupil, an athletic permit card, a record concerning the pupil's ability to participate in an education program, any required lead screening records, the results of any routine screening test, such as for hearing, vision or scoliosis, and any follow-up to the test, and any other basic health information, as determined by the state superintendent. Any pupil record relating to a pupil's physical health that is not a pupil physical health record is treated as a patient health care record under sections 146.81 to 146.84, Wisconsin Statutes. Any pupil record concerning HIV testing is treated as provided under section 252.15, Wisconsin Statutes.

The Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), and section 118.125, Wisconsin Statutes, afford parents and students over 18 years of age ("eligible students") rights with respect to education records.

CHILD NUTRITION PROGRAM

The district is required to provide an annual notice to each household in the district informing parents/guardians of the child nutrition programs offered in the district and eligibility requirements for free or reduced price meals/milk. An application form must also be included with the notice. This information should be provided at the beginning of the school year. If your child qualifies for free or reduced-price meals this school year, they are also eligible to receive Summer EBT benefits for this upcoming summer. Summer EBT provides funds for each eligible child to help with the costs of food during the summer months. To learn more about this program, visit the Summer EBT page. To update your contact information or to opt out of receiving these benefits, visit the Summer EBT Benefit Management Page - <https://dpi.wi.gov/school-nutrition/programs/SummerEBT>.

CIVIL & LEGAL RIGHTS & RESPONSIBILITIES

The School District is committed and dedicated to the task of providing the best education possible for every child in the District for as long as the student can benefit from attendance and the student's conduct is compatible with the welfare of the entire student body.

The right of the student to be admitted to school and to participate fully in curricular, extracurricular, student services, recreational, or other programs or activities shall not be abridged or impaired because of a student's sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap. Complaints regarding the interpretation or application of this policy shall be referred to the District Administrator and processed in accordance with established procedures. Notice of this policy and its accompanying complaint procedures shall be published at the beginning of each school year and posted in each school building in the District. In addition, a student nondiscrimination statement shall be included on student and staff handbooks, course selection handbooks, and other published materials distributed to the public describing school activities and opportunities.

Complaint Procedures

Any complaint regarding the interpretation or application of the District's student nondiscrimination policy shall be processed in accordance with the following grievance procedures:

- 1) Any student, parent, or resident of the District complaining of discrimination on the basis of sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability in school programs or activities shall report the complaint in writing to the District Administrator.
- 2) The District Administrator, upon receiving such a written complaint, shall immediately undertake an investigation of the alleged infraction. The District Administrator will review with the Building Principal, or other appropriate persons, the facts compromising the alleged discrimination. Within fifteen (15) days after receiving the complaint, the District Administrator shall decide the merits of the case, determine the action to be taken, if any, and report in writing the findings and the resolution of the case to the grievant.
- 3) If the grievant is dissatisfied with the decision of the District Administrator, he/she may appeal the decision in writing to the Board. The Board shall hear the appeal at its next regular meeting, or a special meeting may be called for the purpose of hearing the appeal. The Board shall make its decision in writing within fifteen (15) days after the hearing. Copies of the written decision shall be mailed or delivered to the grievant and the District Administrator.
- 4) If the grievant is dissatisfied with the Board's decision, he/she may within thirty (30) days appeal the decision in writing to the State Superintendent of Public Instruction.
- 5) Discrimination complaints relating to the identification, evaluation, educational placement, or provision of free appropriate public education of a child with exceptional educational needs shall be processed in accordance with established appeal procedures outlined in the District's Special Education Handbook.
- 6) Discrimination complaints relating to programs specifically governed by federal law or regulation shall be referred directly to the State Superintendent of Public Instruction.

EDUCATIONAL OPTIONS FOR CHILDREN WHO RESIDE IN THE SCHOOL DISTRICT

The School District of Tomahawk offers students a variety of educational options to children who reside in the District. The District's primary educational pathway and instructional program for students involves a progression from 4-year-old Kindergarten through 12th grade, leading to a high school diploma.

Some of the specific education programs offered to eligible students who are enrolled in and attending the District's schools include the following:

- Early Childhood special education
- Special education for students with disabilities
- Alternative education program with an option for a GEDO2 program
- Summer school programming
- Career and Technical Education (CTE) programs
- Start College Now (SCN)
- The Early College Credit Program (ECCP)
- Enrollment in a private school of the family's choosing (at the family's own cost, as applicable).
- Enrollment in a home-based private educational program as provided under state law. Educational options for children who reside in the School District of Tomahawk but who are enrolled in and attending a private school or home-based private educational program include the following:
 - Such students have the opportunity to attend summer school classes/programs offered.
 - Students who are enrolled in a home-based private educational program have the opportunity to apply for approval to take up to two courses per semester in public schools as provided under section 118.53
- The Youth Apprenticeship Program under section 106.13

The full school-by-school and school district accountability report is available on the school board's website.

ENGLISH LANGUAGE LEARNERS

The School District of Tomahawk has established a Bilingual/English as a Second Language (ESL) program to assist children who are English language learners with learning English and succeeding academically within the school district. Children who are eligible typically come from families where a language other than English is spoken at home or from other countries via adoption or immigration.

The Bilingual/ESL program provides:

- a. Instruction in reading, writing, and speaking the English Language.
- b. Through the use of the native language of the limited-English proficient pupil, instruction in the subjects necessary to permit the pupil to progress effectively through the educational system.

Students are identified for participation in the ESL program through the student's registration card, a Home Language Survey that indicates a language other than English is spoken at home, or a referral to ESL by school staff, parent, or guardian. Students referred for ESL are assessed by ESL certified teachers to determine if the student needs entrance criteria for the program. Written parent permission is required for admission into the ESL program. Referrals for ESL services may be made by contacting the ESL Director at 715-453-2106.

EDUCATION OF HOMELESS CHILDREN AND YOUTH

The school district's designated liaison for homeless children and youth is expected to ensure that public notice of educational rights of homeless children and youths is disseminated where such children and youths receive services such as the schools and family shelters. Basically, homeless children and youth must have equal access to the same free, appropriate public education as provided to other children residing in the district and be provided with comparable services. Homeless children and youth cannot be required to attend a separate school or program for homeless children and must not be stigmatized by school personnel.

FOOD SERVICE FEES POLICY

Payment Policy

A. The Food Service Program is a prepayment program. Families are expected to have a positive balance in their food service lunch account at the beginning of the year and during the course of the school program year.

B. Families will be given a weekly automated call from the Food Service Department if their account reaches a balance of five dollars (\$5) or less.

Negative Balance

A. Families who have negative balances in their accounts will receive weekly automated calls from the Food Service Department which will continue until there is a positive balance in the account of over \$5.00.

B. Families who have a negative balance of -\$30.00 or more will receive a personal phone call from the Food Service Department and/or Building Principal.

C. Families who have been notified of negative balances and who have not made payment arrangements or paid in full may be turned over to collection agencies designated by the District.

D. Students with negative balance over \$30.00 will be offered an alternate lunch, consisting of a peanut butter sandwich, fruit and milk. This alternative lunch will be charged at the cost value to the family account.

Account Balances

Family balances are available on the Skyward Family Access website. Statements may be requested from the Food Service Director via e-mail or telephone anytime. The e-mail address of the Director is posted on the District website.

Meal Options for Negative-Balance Families

A. Negative account balance families can only purchase a la carte items using cash-in-line.

B. Graduating seniors whose families have negative food service accounts will not be allowed to participate in graduation ceremonies.

A second serving may be purchased at a price determined by the Food Service Department.

Staff Meals

A. Staff meals may be purchased at a price determined by the Food Service Department. To be eligible for the staff meal price, portions for individual items may not exceed those given to high-school aged students.

B. Concession and Bake Sales are not to compete with Food Service. As per Department of Public Instruction, no sales in commons during Food Service hours.

HUMAN GROWTH AND DEVELOPMENT

The School District of Tomahawk provides instruction in human growth and development throughout the K12 curriculum. No student may be required to take any or all instruction in this area if the student's parent/guardian files with the teacher or school principal a written request that the student be exempted. The District shall provide parents annually with an outline of the human growth and development program used in their child's grade level as well as information regarding how the parent may inspect the complete program and instructional materials. Prior to use in the classroom, the program shall be made available to parents for inspection.

INSPECTION OF INSTRUCTIONAL MATERIALS

The following procedures should be used when a member of the public makes a request to Inspect Instructional Materials used as part of the educational curriculum of a student. Form 9130 F3 should be completed and submitted to the Building Principal. Upon receipt of Form 9130 F3, the Building Principal will contact the person making the request within ten (10) days to schedule an appointment for the person to come to the District to review and inspect the material indicated on Form 9130 F3. If, upon inspection and review, the person would like to file a complaint about the instructional materials, the person shall follow the complaint procedure outlined in Policy 9130. These forms may be accessed on the District's Teaching & Learning website page.

JOB RECRUITMENT AND JOB ANNOUNCEMENTS

The School District of Tomahawk Board of Education does not discriminate on the basis of the Protected Classes of race, color, national origin, age, sex (including gender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working sponsored meetings or to participate in any communication with the employer about religious matters or political matters, or any other characteristic protected by law in its employment practices.

RECRUITER INFORMATION ACCESS TO STUDENTS/RECORDS

A secondary school student or the parent of the student may request that the student's name, address, email address, and telephone listing not be released to military recruiters or institutions of higher education without prior written parental consent. Requests of this nature will be honored by our district.

NOTICE OF RIGHTS : FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18. Students to whom the rights have been transferred are "eligible students."

These rights are:

1) The right to inspect and review the student's education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2) The right to request the amendment of the student's education record that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the District to amend a record that they believe is inaccurate or misleading. They should write to the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3) The right to consent to the disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records to the following parties or under the following conditions:

School officials with a legitimate educational interest;

Other schools to which a student is transferring upon request by the other school, and as long as the disclosure is for purposes related to the student's enrollment or transfer;

Specified officials for audit or evaluation process;

Appropriate parties in connection with financial aid to a student;

Organizations conducting certain studies for or on behalf of the school;

Accrediting organizations;

To comply with a judicial order or lawfully issued subpoena;

Appropriate officials in cases of health and safety emergencies; and

State and local authorities, within a juvenile justice system, pursuant to Wisconsin law.

School officials with legitimate educational interests are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board, a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202- 4605.

SPECIAL EDUCATION

Free Developmental Screening for Children Who Reside Within the School District of Tomahawk: Parents who have concerns about their child's overall development and learning may request a free developmental screening. This is an attempt by the district to find children who may have physical, cognitive, emotional, or learning disabilities in conformance with state statute 115.771(1) (a). Requests for free developmental screenings shall be made by contacting the Special Education Office at 715-453-2126.

Special Education Referral Procedures including AtRisk/504 and Children with Suspect Disabilities: The local educational agency annually publicizes information about its special education procedures and services. The local education agency's special education plan is published annually on the Wisconsin Department of Public Instruction website. The local educational agency identifies, locates, and evaluates all children with disabilities, regardless of severity of their disability, who are in need of special education and related services, including children attending private schools, children who are not yet three years of age, mobile children such as migrant and homeless, children who are suspected of being a child with a disability.

The local education agency locates, identifies, and evaluates all private school children with disabilities, including religious-school children who are residents of the local educational agency. The local educational agency consults with appropriate representatives of private school children with disabilities on how to locate, identify, and evaluate private school children with disabilities. The local educational agency ensures the confidentiality of data collected.

The local educational agency accepts and processes referrals of children suspected to have a disability. If the local educational agency to whom the referral is made is the local educational agency the child is attending under the Full-Time Open Enrollment law, the local educational agency provides the name of the child and related information to the local educational agency of residence. Whenever the local educational agency receives a referral for a resident child attending school in another local educational agency under the Full-Time Open Enrollment law, the local educational agency provides the name of the child and the related information to the local educational agency where the child attends school.

A referral may be made by anyone who suspects a child has a mental or physical impairment which substantially limits one or more major life activity such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, and working; has a record of such impairment; and is regarded as having such an impairment. Any parent, physician, nurse, teacher, psychologist, social worker, or administrator of a social agency has a legal duty to make a referral. Before making the referral, the person making the referral must inform the child's parent of their intent to make the referral.

How and Where to Refer: All referrals shall be in writing and shall include the name of the child and the reasons why the person believes that the child is a child with a disability. All referrals shall be made to the Director of Pupil Services, School District of Tomahawk, 1048 E King Rd., Tomahawk, WI 54487.

SPECIAL NEEDS SCHOLARSHIP PROGRAM

This notice serves to inform parents and guardians of students with disabilities that the State of Wisconsin has established the "Special Needs Scholarship Program." Under this scholarship program, a child with a disability may be eligible to receive a scholarship from the Department of Public Instruction (DPI), which allows the child to attend a private school that is participating in the scholarship program. Students who apply for and receive a scholarship may first attend an eligible private school under the program beginning in the 2016-17 school year. A parent or guardian who is interested in the Special Needs Scholarship Program should independently verify the participating private schools and the specific terms, eligibility criteria, and application procedures of the scholarship program with the Department of Public Instruction (DPI). However, the following are some of the initial eligibility requirements that a child must meet in order to receive a program scholarship that covers attendance at an eligible private school beginning in the 2016-17 school year: 1. The child, or the child's parent or guardian on behalf of a child, must have submitted the required application for a program scholarship to the eligible private school that the child will attend. 2. An individualized education program, or a services plan as defined under 34 C.F.R. §300.37 of the federal special education regulations, must have been completed for the child. 3. Additional information about the Special Needs Scholarship Program should be available on the Wisconsin Department of Public Instruction's website at <http://dpi.wi.gov>

STUDENT NONDISCRIMINATION & COMPLAINT PROCEDURE

It is the policy of the School District of Tomahawk, pursuant to state and federal laws and regulations, that no person may be denied admission to any public school in this District or be denied participation in, be denied the benefits of, or be discriminated against in any curricular (which would include all Career and Technical Education opportunities), extra-curricular, pupil service, recreational, or other program or activity because of the person's sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap as required by S. 118.13, Wis. Stats. This policy also prohibits discrimination as defined by Title IX of the Education Amendments of 1972 (sex), Title VI of the Civil Rights Act of 1964 (race and national origin), and Section 504 of the Rehabilitation Act of 1973. The District encourages informal resolutions of complaints under this policy. A formal complaint resolution procedure is available, however, to address allegations of violations of the policy in the School District of Tomahawk. Any questions regarding this policy should be directed to:

Director of Pupil Services, Title IX Coordinator, Adam Spiegel 1048 East King Road Tomahawk, WI 54487 715-453-2106 ext. 405 Building Principal, Sheri Woodall 1048 East King Road Tomahawk, WI 54487 715-453-2126	Building Principal, Ryan Huseby 1048 East King Road Tomahawk, WI 54487 715-453-2106 Building Principal, Stacy Bolder 1048 East King Road Tomahawk, WI 54487 715-453-5371
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Title IX, 34 C.F.R. 106.9, Section 504, 34 C.F.R. 104.8, Title II, 28 C.F.R. 35.106

COMPLAINT PROCEDURE

A 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 official 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 official 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) days.

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

All complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); 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 Respondent, or possibly a change of school for either or both of the parties. In making such a determination, the Compliance Officer should consult the Principal 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 Respondent that a complaint has been received. The Respondent will be informed about the nature of the allegations and a copy of any relevant policies and/or 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) days of receiving the complaint, the CO will initiate an investigation by at a minimum confirming receipt of the complaint with the complainant and informing the complainant of the investigation process.

Investigations shall be completed promptly. What constitutes promptness will depend on the complexity of the issues, the number of incidents or factual elements, the number of witnesses

and documents to be consulted, and the availability of witnesses and other evidence. The CO shall keep the complainant reasonably informed of the investigation's progress.

The investigation will include:

- A. interview(s) with the Complainant;
- B. interview(s) with the Respondent;
- C. interviews with any other witnesses who reasonably may 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 Respondent engaged in harassment/retaliation of the Complainant. 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's attorney during the course of the investigatory process and/or 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, if the matter involves the District Administrator, engage outside legal counsel to conduct the investigation consistent with this policy.

Absent extenuating circumstances, within ten (10) days of receiving the report of the CO, the District Administrator either must 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 written 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) 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 by submitting a written request to the Wisconsin

Department of Public Instruction ("DPI"), Pupil Nondiscrimination Program, or by contacting the DPI Pupil Nondiscrimination Program at (608) 267-9157.

If the decision of the District Administrator is that there is no finding of harassment pursuant to this policy, the student/parent will be informed of the provisions of Policy 5517.01 - Bullying.

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.

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

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

STUDENT RECORDS

Parents/guardians and students shall be notified annually of the following:

- a) Their rights to inspect, review, and obtain copies of student records;
- b) Their rights to request the amendment of the student's school records if they believe the records are inaccurate or misleading;
- c) Their rights to consent to the disclosure of the student's school records, except to the extent state and federal law authorizes disclosure without consent.
- d) The categories of student record information which have been designated as directory data and their right to deny the release of such information;
- e) Their right to file a complaint with the Family Policy and Regulations office of the U.S. Department of Education.

Administration of Student Records

Student Records includes all records relating to individual students, regardless of format, other than notes or records maintained for personal use by teachers or other certified personnel which are not available to others, and records necessary for an available person involved in the psychological treatment of a student.

Progress Records include a statement of courses taken, grades awarded therein, the student's extracurricular activities, the student's immunization records, the student's attendance records, and lead screening records required under Wisconsin Statute.

Behavioral Records include psychological tests, personality evaluations, records of conversations, written statements relating specifically to an individual student's behavior, tests relating specifically to achievement or measurement of ability, student physical health records other than immunization records, law enforcement agency records that are not progress records.

Law Enforcement Records include those records obtained from a law enforcement agency relating to (a) the use, possession, or distribution of alcohol or a controlled substance by a student enrolled in the district, (b) the illegal possession of a dangerous weapon by a child, (c) an act for which a district student was taken into custody based on the law enforcement officer's belief that he/she violated or was violating certain specific laws, and (d) the act for which a juvenile enrolled in the district was adjudged delinquent. The law enforcement agency may provide such record information to the district on its own initiative or upon request of the superintendent or designee, subject to the agency's official policy. Upon receipt of the records, the superintendent shall inform the student named in the records and the parent/guardian of a minor student named in the records of the information.

Court Records include those records received from a court clerk concerning a juvenile enrolled in the District who: (a) has had a petition filed with a court alleging that he/she has committed a delinquent act that would be a felony if committed by an adult, (b) has been adjudged delinquent, (c) has school attendance as a condition of his/her court dispositional order, or (d) has been found to have committed a delinquent act at the request of or for the benefit of a criminal gang that would be a felony if committed by an adult, and has been adjudged delinquent on that basis.

Student Physical Health Records include basic health information about a student, including the student's immunization records, an emergency medical card, a log of first-aid and medicines administered to the student, an athletic permit card, a record concerning the student's ability to participate in an education program, the results of any routine screening test such as for hearing, vision, or scoliosis, and any follow-up to such test, and any other basic health information as determined by the State Superintendent of Public Instruction.

Directory Data: The following information is designated in the District as directory data and may be released upon request in accordance with law and District procedures: student's name, address, email address, telephone number, date and place of birth; photograph; major field of study; participation in officially recognized activities and sports, weight & height, if a member of an athletic team, dates of attendance, degrees and awards received, name of school most recently previously attended. Parents or legal guardians have 14 days to inform the school that all or any part of the directory data may not be released without the prior consent of the parent/legal guardian. The district must allow the parent/legal guardian 14 days to provide this response before any student directory data is released. This notice is required by section 118.125(2)(j) of the state statutes.

STUDENT SURVEYS

The Board respects the privacy rights of parents and their children. No student shall be required to participate in any survey associated with a school program or the district's curriculum, or which is administered by a third party in the school, if the survey includes one or more of the following items:

political affiliations or beliefs of the student or the student's parent; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behaviors; critical appraisals of other individuals with whom students have close family relationships; legally recognized privileged or analogous relationships such as those of lawyers, physicians, and ministers; religious practices, affiliations, or beliefs of the student's parents; or income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

The building principal shall notify parents/guardians at the beginning of each year of the specific or approximate dates during the school year when such survey activities are scheduled involving their children. Parents/guardians shall be given the opportunity to request that their child not participate in a survey containing the above information. If a survey containing the above information is funded in whole or in part by a program administered by the U.S.

Department of Education, written consent shall be obtained from the student or, in the case of a minor student, the student's parent/guardian before the student participates in the survey.

Parents/guardians may, upon request, inspect a survey containing any of the above information and any survey created by a third party before the survey is administered or distributed to a student. They may also request to inspect any instructional materials used in connection with the survey or any instructional material used as part of the educational curriculum for the student. Requests to inspect a survey or instructional materials should be made to the building principal or his/her designee.

Survey inspection requests should be made prior to the date in which the survey is scheduled to be administered to students. The principal or designee shall respond to such requests without delay.