

**DURAND AREA SCHOOLS BOARD OF EDUCATION
REGULAR MEETING
Monday, September 14, 2020 - 7:00 PM
Durand Middle School
9550 Lansing Rd
Durand, MI 48429**

AGENDA

- I. CALL TO ORDER - ROLL CALL**
- II. PLEDGE OF ALLEGIANCE**
- III. APPROVAL OF AGENDA**
- IV. CONSENT AGENDA**
 - A. Motion Sheet
 - B. Minutes
 - C. Financial Report
 - D. Personnel
- V. OLD/NEW BUSINESS**
 - A. First Reading of New and Revised Board Policies
- VI. VOTES AND RESOLUTIONS**
 - A. Motion Sheet
 - B. Resolution to Grant Emergency Powers to Superintendent
 - C. Donation
 - D. MASB Delegates
 - E. Durand Middle School Course Catalog
 - F. Durand Area Schools Extended COVID-19 Plan
 - G. Superintendent Contract Amendment
- VII. PUBLIC COMMENTS**
- VIII. REPORTS AND REVIEWS**
 - A. Superintendent
 - B. Principals and Directors
 - 1. Bertha Neal Principal Report
 - 2. Robert Kerr Principal Report
 - 3. Middle School Principal Report
 - 4. High School Principal Report
 - 5. Athletic Report
- IX. BOARD COMMUNICATION**
- X. FUTURE MEETINGS**
 - A. Committee of the Whole Meeting - September 30, 2020 - 7:00 pm - Durand Administration Building
 - B. Regular Meeting - October 12, 2020 - 7:00 pm - Durand Middle School
- XI. ADJOURNMENT**

This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in the Agenda.

**MINUTES – REGULAR MEETING
DURAND AREA SCHOOLS BOARD OF EDUCATION
August 10, 2020**

I. CALL TO ORDER – ROLL CALL

A. 7:05 p.m. Cari Shephard, Vice President, called the meeting to order via Zoom Meeting.

B. Roll Call

- 1) **Members Present** – Darrick Huff, Blair Pancheck, Cari Shephard, John Dennis, Jake Zdunic and Kasey Fiebertz.
- 2) **Members Absent** – Xak Zdunic.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

A. Moved by member Fiebertz and supported by member Pancheck that the Board of Education approve the Agenda as presented.

Roll Call Vote: AYES: All (6) **NAYS:** None (0). Motion Adopted.

IV. CONSENT AGENDA

A. Moved by member Huff and supported by member Fiebertz that the Board of Education hereby approves the Consent Agenda, which includes the minutes, financial report, bills payable, and personnel, as presented.

Roll Call Vote: AYES: All (6) **NAYS:** None (0). **Abstain:** None (0).
Motion adopted.

Consent Agenda as presented includes: A) Regular Meeting minutes from 7/13/20; B) Financial Report; C) Personnel: 2nd Year Probationary Teacher: Mark Miannecki (Robert Kerr); 3rd Year Probationary Teacher: Joe Brasfield (MS), Patricia Hansen (MS), Morgan Thomas (Bertha Neal), Kelly-Justin White (Robert Kerr), Samantha White (Bertha Neal), Samantha Lach (Bertha Neal), Rick Winbigler (MS); 4th Year Probationary Teacher: Kasey Barker (HS), Alex Gardner (RK/BN), Annette Johnson (HS), Chelsea Klooster (MS), Nicholas Remesz (HS/MS), Gerald Snyder (Robert Kerr), Kristie Barta (Bertha Neal); 5th Year Probationary Teacher: Elizabeth Wilson (HS), Cassandra Maynard (HS), Tamera Collins (MS), Ashley Brooks (Robert Kerr), Travis Klooster (HS); Retirements: Sheryl Pieknik (Robert Kerr); Resignations: Melissa Tompkins (BN), Ashley Smith (BN-Food Service), McKenna Hatt (BN), Ricky Casto (BN-Food Service); Leave of Absence: Patricia Hansen (MS); HS Coaching Assignments – Fall: Richard Winbigler (Varsity Football – Head), John Webb (Football – Varsity Assistant), Scott Winslow (Football – Varsity Assistant), Lance Powell (Football – Varsity/JV Assistant), Tim Krupp (Football – Varsity/JV Assistant), Bruce Spaulding (Football – Head JV/Varsity Assistant, Dave Hensel (Soccer – Varsity), Cassie Maynard (Volleyball – Varsity), Samantha Lach (Volleyball – JV), Heather Taylor (Volleyball), Cecil Cole (Golf – Girls Varsity), Travis Klooster –

(Cross Country – Boys & Girls Varsity), Karma Chandler (Cross Country – Boys & Girls Varsity), Brian Hittle (Tennis – Boys Varsity), Herberta Rashke (Sideline Cheerleading), Rick Winbigler (Weight Room): MS Coaching Assignments: Darrel Brown (Football), Joe Brasfield (Football), Evan Egan (MS Football Assistant), Mike Schubart (Basketball – MS Girls), Travis Klooster (MS Basketball – Girls).

V. OLD/NEW BUSINESS

- A. Superintendent McCrumb gave overview of Covid 19 School Plan.
- B. Board Member Shephard spoke about Mrs Pieknik's retirement.

VI. VOTES AND RESOLUTIONS

- A. **High School Handbook** - Moved by member J. Zdunic and supported by member Huff that the Board of Education resolves to approve the Durand High School Handbook as presented.

Roll Call Vote: AYES: All (6); **NAYS:** None (0). Motion Adopted.

- B. **High School Course Catalog** - Moved by member Huff and supported by member Fiebertz that the Board of Education resolves to approve the Durand High School Course Catalog, as presented.

Roll Call Vote: AYES: All (6); **NAYS:** None (0). Motion Adopted.

- C. **Athletic Handbook** - Moved by member Panchek and supported by member Fiebertz that the Board of Education hereby resolves to approve the Durand Athletic Handbook for the 2020-2021 school year, as presented.

Roll Call Vote: AYES: All (6); **NAYS:** None (0). Motion Adopted.

- D. **Covid-19 Preparedness and Response Plan** - Moved by member J. Zdunic and supported by member Fiebertz that the Board of Education resolves to approve the Durand School District Covid-19 Preparedness and Response Plan, as presented.

Roll Call Vote: AYES: All (5); **NAYS:** None (0). Motion Adopted.

Board member Shephard was kicked offline from the minute for 10 minutes and came back on at 8:34 pm.

- E. **District Online/Virtual Memo** - Moved by member Dennis and supported by member Panchek that the Board of Education resolves to approve that the Durand Area School District, all four buildings (Bertha Neal K-1, Robert Kerr 2-5, Durand Middle School 6-8, and Durand High School 9-12) will be offering all courses online/virtually for the 2020-2021 school year, as presented.

Roll Call Vote: AYES: All (6); **NAYS:** None (0). Motion Adopted

VII. PUBLIC COMMENTS

- A. None.

VIII. REPORTS AND REVIEWS

- A. **Superintendent Report** – Superintendent McCrumb gave updates on back to school plan and bond.

IX. BOARD COMMUNICATION

- Congrats to Mrs. Pieknik on retirement!
- Thank you to board committees, Darrick Huff, and John Dennis for all the work they have done!
- Thank you to everyone for voting!

X. FUTURE MEETINGS

- A. Regular Meeting – September 14, 2020, 7:00 PM – Zoom Meeting or Durand Middle School
- B. Committee of the Whole Meeting – September 30, 2020, 7:00 PM – Zoom Meeting or the Durand Administration Building.

XI. ADJOURNMENT

- A. There being no further business, the Board President adjourned the meeting at 8:55 p.m.

Blair Panchuck
Secretary of the Board of Education

Prepared by: slz
Board Approved:

**DURAND AREA SCHOOLS
BOARD OF EDUCATION**

**Unaudited Statement of Revenue, Expenditures, and Fund Balance
General Fund
As of August 31, 2020**

	GENERAL FUND			
	2020-2021		Over	%
	Budget Original	YTD Actual	(Under) Budget	Rec'd/ Used
REVENUE				
Local sources	\$ 1,425,829	\$ 34,247	\$ (1,391,582)	2%
State sources	10,476,818	37,561	(10,439,256)	0%
Federal sources	542,869	485,937	(56,932)	90%
Interdistrict sources-RESD & Other	354,284	-	(354,284)	0%
Interdistrict sources-transfers in	27,920	-	(27,920)	0%
TOTAL REVENUE & OTHER SOURCES	\$ 12,827,720	\$ 557,746	\$ (12,269,974)	4%
EXPENDITURES				
INSTRUCTION				
BASIC PROGRAMS:				
ELEMENTARY	\$ 2,708,753	\$ 53,507	\$ (2,655,246)	2%
MIDDLE SCHOOL	1,319,972	19,833	(1,300,140)	2%
HIGH SCHOOL	2,097,714	36,929	(2,060,785)	2%
PRESCHOOL	32,102	34	(32,068)	0%
PRESCHOOL (GSRP)	247,510	820	(246,690)	0%
TOTAL BASIC PROGRAMS	\$ 6,406,051	\$ 111,122	\$ (6,294,929)	2%
ADDED NEEDS:				
SPECIAL EDUCATION	\$ 1,286,267	\$ 2,050	\$ (1,284,217)	0%
AT RISK GRANT	573,933	1,447	(572,486)	0%
TITLE I GRANT	242,426	613	(241,813)	0%
TITLE IV GRANT	21,778	0	(21,777)	0%
TITLE II GRANT	44,319	0	(44,319)	0%
VOCATIONAL EDUCATION	477,178	113	(477,064)	0%
TOTAL ADDED NEEDS	\$ 2,645,900	\$ 4,223	\$ (2,641,677)	0%
TOTAL INSTRUCTION	\$ 9,051,951	\$ 115,345	\$ (8,936,606)	1%
SUPPORTING SERVICES				
PUPIL SERVICES:				
GUIDANCE SERVICES	\$ 390,392	\$ 13,385	\$ (377,006)	3%
OTHER PUPIL SERVICES	7,710	-	(7,710)	0%
TOTAL PUPIL SERVICES	\$ 398,102	\$ 13,385	\$ (384,717)	3%
INSTRUCTIONAL SUPPORT:				
IMPROVEMENT OF INSTRUCTION	175,709	3,204	(172,504)	2%
AT RISK GRANT	24,221	-	(24,221)	0%
GSRP & SPECIAL EDUCATION	18,154	2,094	(16,060)	12%
TITLE I & II	91,317	1	(91,317)	0%
LIBRARY SERVICES	71,451	194	(71,258)	0%
TECHNOLOGY	4,000	-	(4,000)	0%
STUDENT ASSESSMENT	19,646	23,170	3,524	118%
TOTAL INSTRUCTIONAL SUPPORT	\$ 404,499	\$ 28,663	\$ (375,836)	7%
GENERAL ADMINISTRATION:				
BOARD OF EDUCATION	\$ 65,200	\$ 1,875	\$ (63,325)	3%
EXECUTIVE ADMINISTRATION	309,819	48,325	(261,494)	16%
TOTAL GENERAL ADMINISTRATION	\$ 375,019	\$ 50,200	\$ (324,819)	13%
SCHOOL ADMINISTRATION:				
SCHOOL ADMINISTRATION	\$ 908,256	\$ 105,603	\$ (802,653)	12%
TOTAL SCHOOL ADMINISTRATION	\$ 908,256	\$ 105,603	\$ (802,653)	12%
BUSINESS SERVICES:				
FISCAL SERVICES	\$ 273,111	\$ 42,379	\$ (230,732)	16%
PRINTING AND OTHER SUPPORT SERVICES	\$ 119,442	\$ 18,850	\$ (100,592)	16%
PERSONNEL SERVICES	1,595	-	(1,595)	0%
TECHNOLOGY MANAGEMENT	291,892	45,849	(246,043)	16%
TOTAL BUSINESS SERVICES	\$ 686,040	\$ 107,078	\$ (578,962)	16%
OPERATIONS AND MAINTENANCE:				
OPERATIONS AND MAINTENANCE	1,329,362	197,999	(1,131,363)	15%
SECURITY SERVICE	\$ 26,200	\$ -	\$ (26,200)	0%
TOTAL OPERATIONS AND MAINTENANCE	\$ 1,355,562	\$ 197,999	\$ (1,157,563)	15%
PUPIL TRANSPORTATION SERVICES:				
PUPIL TRANSPORTATION SERVICES	\$ 848,337	\$ 306,139	\$ (542,198)	36%
TOTAL PUPIL TRANSPORTATION	\$ 848,337	\$ 306,139	\$ (542,198)	36%
OTHER SERVICES:				
SUPPORT SERVICES	13,401	280	(13,121)	2%
ATHLETICS	413,716	16,299	(397,417)	4%
MISCELLANEOUS	250	-	(250)	0%
COMMUNITY EDUCATION	6,792	698	(6,094)	10%
TOTAL OTHER SERVICES	\$ 434,159	\$ 17,277	\$ (416,882)	4%
TOTAL SUPPORTING SERVICES	\$ 5,409,974	\$ 826,344	\$ (4,583,629)	15%
TOTAL EXPENDITURES	\$ 10,461,925	\$ 941,690	\$ (13,520,235)	7%
REVENUE OVER or (UNDER) EXPENDITURES	\$ (1,634,205)	\$ (383,944)	\$ 1,250,260	
EST FUND BALANCE - 7/1/20	1,903,568			
PROJECTED FUND BALANCE - 6/30/21	269,363			

**Durand Area Schools
Board of Education**

**Unaudited Statement of Revenue, Expenditures, and Fund Balance
School Service Fund
As of August 31, 2020**

	SCHOOL SERVICE FUND (FOOD SERVICE)			
	2021-2021		Over	%
	Budget Original	YTD Actual	(Under) Budget	Rec'd/ Used
REVENUE				
Local sources	\$ 157,117	\$ 7,158	\$ (149,959)	5%
State Sources	26,240	-	(26,240)	0%
Federal sources	389,460	13,231	(376,229)	3%
Interdistrict sources-RESD & Other	-	-	-	
Interdistrict sources-transfers in	-	-	-	
Total revenue and other sources	<u>\$ 572,817</u>	<u>\$ 20,389</u>	<u>\$ (552,428)</u>	<u>4%</u>
EXPENDITURES				
FOOD SERVICE EXPENDITURES	\$ 647,987	\$ 21,118	\$ (626,869)	3%
TOTAL EXPENDITURES	<u>\$ 647,987</u>	<u>\$ 21,118</u>	<u>\$ (626,869)</u>	<u>3%</u>
REVENUE OVER or (UNDER) EXPENDITURES	\$ (75,170)	\$ (728)	\$ 74,441	
EST FUND BALANCE - 7/1/20	<u>79,359</u>			
PROJECTED FUND BALANCE - 6/30/21	<u><u>4,189</u></u>			



CHECK REGISTERS FOR MONTH
As of August 31, 2020

CHECK RUN ACTIVITY BY FUND

GENERAL FUND	\$	362,631.80
FOOD SERVICE	\$	4,061.03
SINKING FUND	\$	-
TRUST & AGENCY - ACTIVITIES	\$	1,491.56
2016 BLDG & SITE BONDS	\$	33,586.98
CHECK RUN TOTAL	\$	<u>401,771.37</u>

PAYROLL ACTIVITY

PAYROLL #3	\$	290,833.09
PAYROLL #4	\$	284,923.44
	\$	-
PAYROLL TOTAL	\$	<u>575,756.53</u>

GRAND TOTAL \$ 977,527.90

**DURAND AREA SCHOOLS
CHECK REGISTERS FOR MONTH**

As of August 31, 2020

Check#	Date	Type	Name	Invoice Description	Amount
58099	8/3/2020	Comp	STATE OF MICHIGAN	POST ISSUANCE FILING	289.4
58103	8/4/2020	Ppd	DURAND AREA SCHOOLS	Pay #3	290,833.09
58104	8/5/2020	Comp	ALLIED-EAGLE SUPPLY CO.	DISINFECTANTS	432.71
58105	8/5/2020	Comp	CITY OF DURAND	WATER/SEWAGE 2/12	2,597.66
58106	8/5/2020	Comp	CLEAR RATE COMMUNICATIONS INC	DISTRICT PHONES 2/12	2,290.94
58107	8/5/2020	Comp	FERGUSON ENTERPRISES, LLC	ELECTRIC COMP WHTR ALUM	264.74
58108	8/5/2020	Comp	GILL-ROY'S #6741	REPAIR CLAMP	9.99
58109	8/5/2020	Comp	HOLLAND BUS COMPANY	STRAP ASSMB BATTERY	55.18
58110	8/5/2020	Comp	MICHIGAN SCHOOLS ENERGY COOP	ELECTRIC 2/12	789.79
58111	8/5/2020	Comp	NEOLA, INC.	ANNUAL PUBLISH SERVICE	650
58112	8/5/2020	Comp	SCHOOL SPECIALTY INC.	SUPPLIES	102.83
58113	8/5/2020	Comp	TASC	ADM FEES/RENEWAL FEE	2,495.80
58114	8/5/2020	Comp	WASTE MANAGEMENT OF MICHIGAN	WASTE SERVICES 2/12	426.33
58115	8/5/2020	Comp	WOLVERINE FIRE PROTECTION CO	ANNUAL TESTS	1,900.00
58116	8/7/2020	Comp	POSTMASTER	USPS MARKETING MAIL	240
58117	8/7/2020	Comp	HI-TECH BUILDING SERVICES	JANITORIAL 1/12	39,288.15
58118	8/10/2020	Comp	CITY OF DURAND	WATER/SEWAGE 2/12	259.9
58119	8/12/2020	Comp	HOLLAND BUS COMPANY	BUS PURCHASES	184,934.00
58120	8/12/2020	Comp	HURLEY OCCUPATIONAL HEALTH	DOT PHYSICAL	75
58121	8/12/2020	Comp	POMP'S TIRE SERVICE	PARTS	296
58122	8/12/2020	Comp	D & D TRUCK & TRAILER PARTS	PARTS	6.98
58123	8/12/2020	Comp	CRYSTAL WATER COMPANY	BUS GARAGE WATER	16.5
58124	8/12/2020	Comp	COFFIELD OIL COMPANY, INC	FUEL	650.58
58125	8/12/2020	Comp	XYZ LANDSCAPE SUPPLY	FILE KIT	3.95
58126	8/12/2020	Comp	WEX BANK	FUEL 1/12	332.21
58127	8/12/2020	Comp	MAVIS, JACKIE	POSTAGE REIMBURSEMENT	52.37
58128	8/12/2020	Comp	MPAAA	FALL PUPIL ACCT CONFERENCE	195
58129	8/12/2020	Comp	MICHIGAN EDUCATION DIRECTORY INC	DIRECTORIES	87.8
58130	8/12/2020	Comp	PRECISION DATA PRODUCTS	THERMOMETERS	3,553.75
58131	8/12/2020	Comp	QUALITY ACE HARDWARE	FUSE CART	77.58
58132	8/12/2020	Comp	ALLIED-EAGLE SUPPLY CO.	HAND SANITIZER- DISTRICT	338.4
58133	8/12/2020	Comp	ALDERMANS INC	BLADE	49.71
58134	8/12/2020	Comp	BLICK ART MATERIALS	ART SUPPLIES	156.88
58135	8/12/2020	Comp	RICOH USA	MS/HS PRINTERS 2/12	625
58136	8/12/2020	Comp	SRES D	23 A AUGUST 2020	1,100.00
58137	8/12/2020	Comp	DURAND AUTO PARTS	BATTERIES	1,349.92
58138	8/17/2020	Comp	MANCINOS	DISTRICT MEAL	412
58139	8/18/2020	Comp	CONSUMERS ENERGY	ELECTRIC/GAS 3/12	1,617.12
58140	8/19/2020	Ppd	DURAND AREA SCHOOLS	Pay #4	284,923.44
58141	8/21/2020	Ppd	OFFICE OF RETIREMENT SERVICES	AUG UAAL	72,465.58
58142	8/20/2020	Comp	ALLIED-EAGLE SUPPLY CO.	T-SHIRT RAGS FOR CLASSROOM	3,954.06
58143	8/20/2020	Comp	AVENTRIC TECHNOLOGIES	SUPPLIES/MEDICAL	154
58144	8/20/2020	Comp	BLICK ART MATERIALS	ART SUPPLIES	71.68
58145	8/20/2020	Comp	CINTAS CORP #308	UNIFORMS	381.05
58146	8/20/2020	Comp	CITY OF DURAND	SHARED UTILITIES/DOAC	1,772.26
58147	8/20/2020	Comp	CONTROLNET LLC	HS TEMP WORK	250
58148	8/20/2020	Comp	DELAU FIRE SERVICES, INC	MS FIRE INSPECTIONS	392.5
58149	8/20/2020	Comp	DYNAMIC MEASUREMENT GROUP INC	SUPPLIES	17
58150	8/20/2020	Comp	EDMENTUM	NWEA MAP PROGRAM LICENSE	13,958.62
58151	8/20/2020	Comp	HOLEK, AMY	REIMBURSEMENT FOR PD MEAL	50
58152	8/20/2020	Comp	HOME DEPOT CREDIT SERVICES	GRADUATION SUPPLIES	239.84
58153	8/20/2020	Comp	JOHNSON & WOOD L.L.C.	MS FAN WORK	1,282.16
58154	8/20/2020	Comp	OFFICE DEPOT ACT #26938715	ART/OFFICE SUP	167.11
58155	8/20/2020	Comp	PRECISION DATA PRODUCTS	FLOOR MARKING TAPE	499.5
58156	8/20/2020	Comp	RICOH USA	MS/HS COPIES	5.38
58157	8/20/2020	Comp	SCHOOL DATEBOOKS	STUDENT PLANNERS	1,122.00
58158	8/20/2020	Comp	SCHOOL MATE	SUPPLIES	456
58159	8/20/2020	Comp	SCHOOL SPECIALTY INC.	SUPPLIES	627.5
58160	8/20/2020	Comp	SONITROL TRI-COUNTY	INSTALL SYSTEM MONTHLY FEE	98
58161	8/20/2020	Comp	SYNCB/AMAZON	INK CARTRIDGE	157.46
58162	8/20/2020	Comp	VERIZON NORTH	DISTRICT PHONES 2/12	234.4
58163	8/20/2020	Comp	WELLS FARGO VENDOR	PRINTER LEASE 2/12	705.4
58164	8/20/2020	Comp	ZANGER, STACEY	TRAVEL REIMBURSEMENT	43.45

**DURAND AREA SCHOOLS
CHECK REGISTERS FOR MONTH**

As of August 31, 2020

Check#	Date	Type	Name	Invoice Description	Amount
58165	8/21/2020	Ppd	FP MAILING SOLUTIONS	POSTAGE	2,000.00
58166	8/5/2020	Ppd	BMO FINANCIAL GROUP	JUL BMO CREDIT CARD	2,889.03
58167	8/28/2020	Comp	ALLIED-EAGLE SUPPLY CO.	CUSTODIAL SUPPLIES	3,531.35
58168	8/28/2020	Comp	GOODRICH AREA SCHOOLS	GOLF ENTRY FEE	215
58169	8/28/2020	Comp	MSBO	MSBO MEMBERSHIP FEES	150
58170	8/28/2020	Comp	POWERS CATHOLIC HIGH SCHOOL	GOLF TOURN. FEE	200
58171	8/28/2020	Comp	SOLARWINDS	ASSET MANAGEMENT LICENSE	1,999.20
58172	8/28/2020	Comp	TEAM SPORTS INC.	BASEBALL PANTS	1,290.00
58173	8/28/2020	Comp	WE PRINT EVERYTHING INC.	2020-21 STUDENT HANDBOOKS	1,732.50
58174	8/28/2020	Comp	ALLIED-EAGLE SUPPLY CO.	GLOVES	1,495.60
CHECK TOTAL					938,388.33
LESS VOIDS					0
GRAND TOTAL					938,388.33

Check Register for Food Service Fund

Check#	Date	Type	Name	Invoice Description	Amount
6103	8/4/2020	Ppd	GORDON FOOD SERVICE	DISTRICT ORDER	1,255.96
6106	8/12/2020	Comp	PCMI	FOOD SERVICE CONT 3/26	366.88
6107	8/12/2020	Comp	PRECISION DATA PRODUCTS	FACE SHIELDS	284.25
6108	8/12/2020	Comp	DURAND SCH/FOOD SERVICE	START UP CASH FOR REGISTER	349
6109	8/20/2020	Comp	HPS	ANNUAL DUES	1,804.94
CHECK TOTAL					4,061.03
LESS VOIDS					0
GRAND TOTAL					4,061.03

Check Register for Capital Projects

Check#	Date	Type	Name	Invoice Description	Amount
1229	8/5/2020	Comp	DOOR MART	BERTHA NEAL DOORS	1,190.00
1230	8/5/2020	Comp	J. PEREZ CONSTRUCTION, INC	ADMIN BLDGE FASCIA WORK	14,500.00
1231	8/20/2020	Comp	MOSS	INTERNET	6,266.98
1232	8/20/2020	Comp	PLAYON! SPORTS	TV NETWORK	7,000.00
1233	8/28/2020	Comp	ARCHITECTURAL SYSTEMS GROUP	MP80 HARD CASE/RECIEVERS	4,630.00
CHECK TOTAL					33,586.98
LESS VOIDS					0
GRAND TOTAL					33,586.98

Check Register for Trust & Agency

Check#	Date	Type	Name	Invoice Description	Amount
3604	8/5/2020	Comp	LAMPHERE, LLOYD	JULY 2020 ROAD TESTS	1,330.00
3605	8/17/2020	Comp	MANCINOS	PD LUNCH	149.60
3606	8/28/2020	Comp	RIVERSIDE MARKET	WATER	11.96
CHECK TOTAL					1,491.56
LESS VOIDS					0.00
GRAND TOTAL					1,491.56

Check Register for Sinking Fund

Check#	Date	Type	Name	Invoice Description	Amount
CHECK TOTAL					0.00
LESS VOIDS					0.00
GRAND TOTAL					0.00

**DURAND AREA SCHOOLS BOARD OF EDUCATION
REGULAR MEETING
September 14, 2020**

CONSENT AGENDA

D. Personnel

Resignations

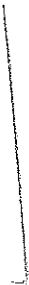
- (D1) **Pamela Peake**
Building: Transportation
Assignment: Bus Driver
Effective Date: September 2, 2020
- (D2) **Ben Slusher**
Building: Transportation
Assignment: Bus Driver
Effective Date: August 17, 2020
- (D3) **Rose Acord**
Building: Food Service
Assignment: Lunchroom Aide
Effective Date: September 10, 2020

Leave of Absence

- (D4) **Jennifer Dennis**
Building: Bertha Neal
Assignment: Paraprofessional
Effective Date: August 25, 2020

HS Coaching Assignments – Fall

- (D5) Jaqueline Rosa Sideline Cheerleading



Book Policy Manual

Section Vol. 35, No. 1 - August 2020

Title Vol. 35, No. 1 - August 2020 New PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS

Code po8450.01

Status From Neola

8450.01 - PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS

During times of elevated communicable disease community spread (pandemic or epidemic), the Superintendent will issue periodic guidance through Board of Education plans/resolution(s) in alignment with public health officials and/or in accordance with government edicts and including any Pandemic Plan developed by the District's Pandemic Response Team.

School settings can be a source of community spread. Wearing face masks/coverings is especially important during these times and can help mitigate the risk of exposure from person to person.

As such, during times of elevated communicable disease community spread, the Superintendent may activate this policy by notifying the school community, requiring all school staff, volunteers and visitors (including vendors) to wear appropriate face masks/coverings on school grounds unless it is unsafe to do so or where doing so would significantly interfere with the Districts educational or operational processes.

Face masks/shields will be provided by the District to employees. Alternatively, employees may elect to wear their own face coverings if they meet the requirements of this policy as well as any requirements issued by State or local health departments.

In addition, the Board may require that

students in ___ grade and higher shall wear a face mask unless they are unable to do so for a health or developmental reason. Efforts will be made to reduce any social stigma for a student who, for medical or developmental reasons, cannot and should not wear a mask.

OR

students shall wear a face mask unless they are unable to do so for a health or developmental reason. Efforts will be made to reduce any social stigma for a student who, for medical or developmental reasons, cannot and should not wear a mask.

If face masks/coverings are required, and no exception is applicable, students shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code, and in accordance with policies of the Board

and/or may be reassigned by the Superintendent to an online/virtual learning environment if the Superintendent determines that reassignment is necessary to protect the health and safety of the student or others. **[DRAFTING NOTE: Districts should consult with legal counsel before reassigning a student with a disability to a virtual learning format. This might constitute a change in placement in violation of state and federal law.]**

During times of elevated communicable disease community spread as determined by the Board in consultation with health professionals, all students are required to wear masks while being transported on District school buses or other modes of school transportation.

[DRAFTING NOTE: The majority opinion among medical experts appears to be that children kindergarten through 5th grade can wear masks as long as consideration is given for the age and developmental level of the child and the physical situation the child is in at that moment.]

Use of Mask/Face Covering

Cloth face coverings/masks should:

- A. fully cover the mouth, nose, and chin;
- B. fit snugly against the side of the face so there are no gaps;
- C. not create difficulty breathing while worn; and
- D. be held securely through either a tie, elastic, etc. to prevent slipping.

Facial masks/coverings generally should not include surgical masks or respirators unless medically indicated (as those should be reserved for healthcare workers) or masks designed to be worn for costume purposes.

All employee facial masks/coverings shall meet the requirements of the appropriate dress/staff grooming policies (Policy 3216/4216). All student facial masks/coverings shall meet the requirements of the appropriate Student Code of Conduct/Student Discipline Code [] and Policy 5511 Dress and Grooming.

Any person may be required to temporarily remove a face mask or covering when instructed to do so for identification or security purposes. Failure to comply with such a request violates this policy and may lead to disciplinary or other action.

Exceptions to the use of masks/face coverings include when:

- A. facial masks/coverings in the school setting are prohibited by law or regulation;
- B. facial masks/coverings are in violation of documented industry standards;
- C. facial masks/coverings are not advisable for health reasons;
- D. facial masks/coverings are in violation of the school's documented safety policies;
- E. facial masks/coverings are not required when the staff works alone in an assigned work area;
- F. there is a functional (practical) reason for a staff member or volunteer not to wear a facial mask/covering in the workplace;
- ~~G. settings where cloth masks might present a safety hazard (i.e. science labs);~~
- H. for individuals who have difficulty wearing a cloth face covering; or
- I. to assist with communication for hearing impaired students.

The Board may be required to provide written justification to the local health officials upon request explaining why a staff member is not required to wear a facial covering in the school. Therefore, if any exceptions are made to the requirement for facial coverings, the request for such exception must be submitted in writing to the individual's supervisor with appropriate documentation provided. A decision on the request will be provided in writing.

Use of Face Shields

Face shields that wrap around the face and extend below the chin may be permitted as an alternative to cloth face masks/coverings with permission of the Superintendent as the Board recognizes that face shields may be useful in some situations, including:

- A. when interacting with students, such as those with disabilities, where communication could be impacted;
- B. when interacting with English-language learners or when teaching a foreign language;
- ~~C. settings where cloth masks might present a safety hazard (i.e. science labs); or~~

D. for individuals who have difficulty wearing a cloth face covering.

If employees receive approval from the District administration after discussing their request not to wear a face mask/covering/shield due to a physical, mental or developmental health condition, and/or if wearing a mask/covering/shield would lead to a medical emergency or would introduce significant safety concerns, the District administration may also discuss other possible accommodations for the staff member. Such discussion shall follow Board policies and guidelines under the ADA.

School nurses or staff who care for individuals with symptoms consistent with those of a communicable disease must use appropriate personal protective equipment (PPE), provided by the school, in accordance with OSHA standards.

When facial masks/coverings are required by the Board, and no exception has been applied, staff members who violate this policy shall be subject to disciplinary action in accordance with policies of the Board.

© Neola 2020

Book	Policy Manual
Section	Special Update - Title IX Regulations - July 2020
Title	Special Update - Title IX Regulations - July 2020 New NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2266
Status	From Neola

2266 - NONDISCRIMINATION ON THE BASIS OF SEX IN DISTRICT PROGRAMS OR ACTIVITIES

Introduction

The Board of Education of the DURAND AREA S.D. School District (hereinafter referred to as "the Board" or "the District") does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. **[DRAFTING NOTE: In the new Title IX regulations, the term "admission" refers to admission to postsecondary institutions (i.e., institutions of graduate higher education, institutions of undergraduate higher education, institutions of professional education, and institutions of vocational education); thus, if a K-12 school does not operate a vocational program (e.g., a school or institution that has as its primary purpose preparation of students to pursue a technical, skilled, or semiskilled occupation or trade, or to pursue study in a technical field, whether or not the school or institution offers certificates, diplomas, or degrees and whether or not it offers fulltime study), the K-12 school does not officially need to include "admission and" in the preceding sentence (and where that phrase is used throughout this policy); Neola, however, has elected to include it because all K-12 schools "enroll" students and often the term "enroll" is viewed as synonymous with the term "admit." Since K-12 schools cannot discriminate when enrolling students into the education programs or activities that they operate, it seems appropriate to include the term "admission."]** The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the District has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Board employees, students, third-party vendors and contractors, guests, and other members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs and activities.

Coverage

This policy applies to Sexual Harassment that occurs within the District's education programs and activities and that is committed by a member of the School District community or a Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the District's education programs and activities; such Sexual Misconduct/Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws (~~and/or Employee/Administrator Handbook(s)~~ **[END OF OPTION]** if committed by a Board employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the

District's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws () and/or Employee/Administrator Handbook(s) [END OF OPTION] if committed by a Board employee.

Definitions

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

Sexual Harassment: "Sexual Harassment" means conduct on the basis of sex that satisfies one or more of the following:

- A. A Board employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (often called "quid pro quo" harassment);
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

1. **[DRAFTING NOTE: Select Option 1 or Option 2. While Neola is comfortable with Option 2, given that offenses 2 (sodomy) and 3 (sexual assault with an object) pick-up parts of Option 1 that are not included in Option 2, Neola suggests the Board consult with its local legal counsel concerning which definition of "Rape" to adopt. By way of background, Option 1 represents the definition of "Rape" that is required by the Clery Act's regulations – i.e., the definition contained in the Summary Reporting System ("SRS") of the FBI's Uniform Crime Reporting ("UCR") Program. Unfortunately, the SRS is being faded out effective January 2021; at that time, the SRS is being replaced by the National Incident-Based Reporting System (NIBRS), which contains a different definition of "Rape" – i.e., the definition contained in Option 2. Additionally, it is relevant to note that the definitions of the remaining sexual assault offenses are already derived from the NIBRS's definitions. If a Board selects Option 1, it may be necessary to later update the policy to a new definition of "Rape" (i.e., the one contained in Option 2) once the SRS is retired. Alternatively, a Board could include both definitions to hopefully minimize the need to amend this policy – even on a technical amendment basis so soon after it is adopted. If a Board elects to include both definitions, it should include the following parentheticals: (a) at the end of Option 1: "(effective until the FBI retires the Summary Reporting System, which is scheduled for January 2021"; and (b) at the end of Option 2: "(effective upon retirement of the Summary Reporting System, which is scheduled for January 2021.)"**

[OPTION 1] Rape is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. Attempted rape is included. **[END OF OPTION 1]**

[OPTION 2] Rape is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. **[END OF OPTION 2]**

2. Sodomy is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
3. Sexual Assault with an Object is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.

4. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
5. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
6. Statutory Rape is sexual intercourse with a person who is under the statutory age of consent as defined by State law.
7. Consent refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent. **[DRAFTING NOTE: The Title IX regulations do not require the Board to adopt a particular definition of "consent," but it is advisable to adopt a definition because "consent" is an element of each of the first four terms listed above. Since there are a number of different definitions of consent from which to choose, the Board should consult its local legal counsel concerning selecting a specific definition of consent that represents its position on the topic; the investigator(s) and decision-maker(s) will then uniformly apply the adopted definition.]**
8. Incapacitated refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep. **[DRAFTING NOTE: Depending on the definition of "consent" that the Board adopts, it may be necessary to define "incapacitated" in the policy. If it is not defined in the policy, it should certainly be defined in the Administrative Guideline; even if defined in the policy, the Administrative Guideline provides an opportunity to expand on the concept of "consent" and what the Board means by the term "incapacitated."]**

D. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:

1. a current or former spouse or intimate partner of the victim;
2. a person with whom the victim shares a child in common;
3. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
4. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
5. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

E. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

F. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant: "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the District investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the District, a Complainant must be participating in or attempting to participate in the District's education program or activity. A "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint

and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the District's Title IX Coordinator, or any District official who has authority to institute corrective measures on behalf of the Board, or any Board employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the District. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only District official with actual knowledge is the Respondent.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), ~~(referrals to Employee Assistance Program)~~ **[END OF OPTION]**, and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the District, including but not limited to in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes locations, events and circumstances that take place off-school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

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

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

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

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

Eligible Student: "Eligible Student" means a student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

Title IX Coordinator(s)

The Board of Education designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

[DRAFTING NOTE: Neola suggests the Board consider appointing both a male and a female Title IX Coordinator. The Board must list either the Name or Title of the Title IX Coordinator; while the Board may list both the Name and Title, Neola suggests that the Board consider only listing the Title in this policy (so it does not need to revise/amend its policy whenever there is a change in the actual person(s) holding the designated position(s)), but list both the Name and Title in the requisite postings (e.g., website) and publications (e.g., handbooks) () and in the Administrative Guideline.]

Amy Holbek
(Name)

Robert Kerr elementary principal
(School District Title)

989-288-2805

(Telephone Number)

9591 E Monroe Rd, Durand, MI 48429

(Office Address)

holek@durand.k12.mi.us

(E-mail Address)

Robert Cawson

(Name)

Bertha Neal Elementary, Principal

(School District Title)

989-288-2016

(Telephone Number)

930 W Main St, Durand, MI 48429

(Office Address)

rcawson@durand.k12.mi.us

(E-mail Address)

The Title IX Coordinator shall report directly to the Superintendent. Questions about this policy should be directed to the Title IX Coordinator.

The Superintendent shall notify applicants for ^{Enrollment} ~~admission~~ and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

The Board of Education of the Durand School District does not discriminate on the basis of sex in its education program or activity, and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The District's Title IX Coordinator(s) is/are:

Amy Holek

(Name)

Robert Kerr, Elementary, Principal

(School District Title)

989-288-2805

(Telephone Number)

9591 E. Monroe Ad, Durand, MI 48429

(Office Address)

holek@durand.k12.mi.us

(E-mail Address)

Robert Cawson

(Name)

Bertha Neal Elementary, Principal

(School District Title)

989-288-2016

(Telephone Number)

930 W Main St, Durand, MI 48429

(Office Address)

rcawson@durand.k12.mi.us

(E-mail Address)

Any inquiries about the application of Title IX and its implementing regulations to the District may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process that provide for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, which is available at: **[insert the web address at which Policy 2266 can be found; or insert a hyperlink tied to the title of the policy]** The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the District will respond.

The Superintendent shall also prominently display the Title IX Coordinator's(s') contact information – including name(s) and/or title(s), phone number(s), office address(es), and e-mail address(es) – and this policy on the District's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements.

Grievance Process

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The District's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the District's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies may also be disciplinary or punitive in nature and may burden the Respondent.

Report of Sexual Discrimination/Harassment

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s). ~~() Anonymous reports may be submitted using () the online reporting form posted at [insert the web address for the reporting form, or insert a hyperlink tied to the phrase "online reporting form" [or] () the hotline reporting number ([insert phone number]).~~

Students, Board members, and Board employees are required, and other members of the School District community, and Third Parties) are encouraged, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Board employee, who will in turn notify the/a Title IX Coordinator. **[DRAFTING NOTE: All Board employees are mandatory reporters pursuant to the Title IX regulations. Existing policy, however, also requires students and Board members to report any information they have concerning allegations of sex discrimination or Sexual Harassment. Neola suggests that the Board continue this additional requirement in this policy, along with the language encouraging other individuals to make such reports; this will coincide with similar requirements that are imposed on Board members and students in other nondiscrimination and anti-harassment policies. If the Board decides it does not want to go beyond the scope of the regulations for purposes of this policy, it should replace the first sentence of this paragraph with either of the following: "Board employees are required to report allegations of sex discrimination or Sexual Harassment promptly to the Title IX Coordinator." OR "Board employees are required, and other members of the School District community and Third Parties are encouraged, to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Board employee, who in turn will notify the/a Title IX Coordinator."]** Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the person making the report should submit it to the Superintendent, or another Board employee who, in turn, will notify the Superintendent of the report. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment. **[DRAFTING NOTE: If the Superintendent is the Title IX Coordinator, substitute "Board President" in place of "Superintendent."]**

The Board does business with various vendors, contractors, and other third-parties who are not students or employees of the Board. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or third-party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct/Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies ~~X~~ and/or administrative guidelines, **[END OF OPTION]** the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Board employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, a Board employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. **DRAFTING NOTE: The regulations do not specify within how many days the Board employee must notify the Title IX Coordinator of receiving a report of Sexual Harassment; Neola suggests "two (2) days". Alternatively, the Board could make this language more open-ended – e.g., "** * * must immediately/promptly notify the/a Title IX Coordinator of such information or report."**] The Board employee must also comply with mandatory reporting responsibilities pursuant to M.C.L. 722.623 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Board employee's knowledge is based on another individual bringing the information to the Board employee's attention and the reporting individual submitted a written complaint to the Board employee, the Board employee must provide the written complaint to the Title IX Coordinator.

If a Board employee fails to report an incident of Sexual Harassment of which the Board employee is aware, the Board employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly (i.e., within two (2) days **DRAFTING NOTE: The regulations do not define "promptly" or otherwise specify within how many days the contact has to be made; Neola suggests "two (2) days".**] of the Title IX Coordinator's receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under 18 years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the District may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purposes of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the District determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5610 – Emergency Removal, Suspension, and Expulsion of Students and Policy 5611 – Due Process Rights. **[DRAFTING NOTE: The Board may substitute "Superintendent" or "Title IX Coordinator" in place of "District" in the first sentence. Alternatively, the Superintendent could designate, through the administrative guideline, one or more administrators, including the Title IX Coordinator, to make emergency removal decisions after conducting the individualized safety and risk analysis. In Michigan, emergency removals may only be imposed in the manner delineated in M.C.L 380.1311. Additionally, emergency removals must be conducted in compliance with the Individuals with Disabilities Education Improvement Act and/or Section 504 of the Rehabilitation Act of 1973.]**

If the Respondent is a non-student employee, the District may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the School District community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

Formal Complaint of Sexual Harassment

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above () and by _____ **DRAFTING NOTE: The Board may set forth additional method(s) by which a Formal Complaint may be filed (e.g., online portal submission).** If a Formal Complaint involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the Complainant should submit the Formal Complaint to the Superintendent, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process with respect to that Formal Complaint. **[DRAFTING NOTE: If the Superintendent is the Title IX Coordinator, substitute "Board President" in place of "Superintendent" in the preceding sentence.]**

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the District will follow its Grievance Process, as set forth herein. Specifically, the District will undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct () and the Employee/Administrator Handbook. **[DRAFTING NOTE: The Board should confirm/verify that its Student Code of Conduct and any Employee/Administrator Handbook(s) include a prohibition against intentionally making a false report, submitting a false Formal Complaint, or making a false statement or submitting false information during a Title IX grievance process. Such misconduct should be a sanctionable offense pursuant to the Student Code of Conduct and Employee/Administrator Handbook(s).]**

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Timeline

The District will seek to conclude the grievance process, including resolving any appeals, within sixty (60) days of receipt of the Formal Complaint. **[DRAFTING NOTE: The Title IX regulations do not specify a deadline for completing the grievance process; Neola suggests sixty (60) days (i.e., twelve (12) weeks) based on the following considerations: (1) within two (2) days of receipt of the Formal Complaint, the Title IX Coordinator sends requisite notice to parties; (2) two (2) weeks (fourteen (14) calendar days) to investigate (remember the need for advance written notice to a party and adequate time for the party to prepare before any interviews/hearings/meetings; time for parties to present witnesses (including expert witnesses) and other inculpatory or exculpatory evidence); (3) at the conclusion of the investigation and before finalizing the investigative report, two (2) weeks (a minimum of ten (10) calendar days) for the parties to review the evidence and submit their feedback; (4) up to a week (i.e., seven (7) calendar days) for the investigator to consider such feedback and prepare the investigative report; (4) two (2) week (a minimum of ten (10) calendar days) for the parties to review the investigative report and submit questions and receive answers to questions submitted to parties and witnesses (if the Board permits hearings, the hearing cannot occur until the Complainant and Respondent have had a minimum of ten (10) calendar days to review the investigative report); (5) a week (i.e., seven (7) calendar days) for the decision-maker(s) to prepare the decision; (6) up to a week (Neola suggests three to five calendar days) for the parties to review the decision and submit a notice of appeal; (7) a week (seven (7) calendar days) for the parties to submit their written statements in support of or in opposition to the appeal; and (8) a week (seven (7) calendar days) for the appeal decision-maker(s) to prepare a final decision. Any informal resolution process could impact this schedule. Given this fairly aggressive timeline, the Board may want to remove the appeal process from this timeline – i.e., delete the phrase ", including resolving any appeals," from the sentence, which would allow more time for potential use of the informal resolution process. Further, the preceding schedule does not provide time for a hearing that could further extend the timeline needed to complete the grievance process.]**

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or accommodation of disabilities. **[DRAFTING NOTE: The Board should consult with its local legal counsel on a case-by-case basis to determine whether there may be other reasons/good cause for a delay or extension of time – e.g., the complexity and severity of the matter, or school breaks.]** () The Title IX Coordinator will provide the parties with reasonable updates on the status of the grievance process.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

- A. Notice of the Board's grievance process, including any informal resolution processes;
- B. Notice of the allegations of misconduct that potentially constitutes Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:
 1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
 3. inform the parties of any provision in the Student Code of Conduct ~~(X)~~, this policy, ~~()~~ and/or ~~Employee/Administrator Handbook~~ **[DRAFTING NOTE: While the Title IX regulations only reference "code of conduct" Neola suggests that the Board reference other applicable documents that expressly prohibit an individual from making false statements or knowingly submitting false information as part of the grievance process]** that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

[DRAFTING NOTE: The Title IX regulations do not define "upon receipt" or otherwise specify within how many days the notice must be sent; Neola suggests the Title IX Coordinator send the notice within "two (2) days" of receipt of the Formal Complaint; this suggestion is memorialized in the corresponding Administrative Guideline. Please note, however, that it could be argued that the notice should be sent sooner. Regardless, the Title IX Coordinator should have a template notice form available that can be quickly completed with the requisite information after receipt of the Formal Complaint.]

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint

The District shall investigate the allegations in a Formal Complaint, unless the conduct alleged in the Formal Complaint:

- A. would not constitute Sexual Harassment (as defined in this policy) even if proved;
- B. did not occur in the District's education program or activity; or
- C. did not occur against a person in the United States.

If one of the preceding circumstances exist, the Title IX Coordinator shall dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one of the preceding reasons, the District may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/Administrator Handbook.

The Title IX Coordinator may dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation ~~()~~ ~~or~~ ~~hearing~~ **[DRAFTING NOTE: Select this option if the Board permits hearings.]**

- A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- B. the Respondent is no longer enrolled in the District or ²²employed by the Board; or

- C. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

Consolidation of Formal Complaints

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one Complainant or more than one Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

[DRAFTING NOTE: The Board may adopt provisions, rules, or practices other than those required by the Title IX regulations as part of its grievance process for handling Formal Complaints of Sexual Harassment, provided they apply equally to both parties and do not violate the language in the regulations. The Board should discuss this option with its local legal counsel.]

Informal Resolution Process

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

- A. the allegations;
- B. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and
- C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur have stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Board employee () or another adult member of the School District community or Third Party [END OF OPTION] sexually harassed a student. **[DRAFTING NOTE: The Title IX regulations prohibit the use of an informal resolution process when the allegations involve a Board employee sexually harassing a student; Neola suggests that it also may not be appropriate to use informal resolution processes when a Third Party is alleged to have sexually harassed a student. Since this is not a requirement, it is offered as an option. If the optional language is not selected, the Board retains the discretion to use informal resolution processes as may be determined appropriate by the Title IX Coordinator on a case-by-case basis.]**

The informal resolution process is not available to resolve allegations involving a sexual assault involving a student Complainant and a student Respondent. **[DRAFTING NOTE: While this language is not required by the Title IX regulations, Neola suggests the Board select this option because of the severity of this type of Sexual Harassment.]**

Investigation of a Formal Complaint of Sexual Harassment

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the District, not the parties.

In making the determination of responsibility, the decision-maker(s) is(are) directed to use the preponderance of the evidence standard (~~(-) clear and convincing evidence standard~~). The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

[DRAFTING NOTE: Neola suggests the Board adopts the "preponderance of the evidence standard." The preponderance of the evidence standard is an equitable standard of proof and the legal standard by which most civil lawsuits, including civil rights claims, are adjudicated in the United States. This standard requires the decision-maker(s) to determine that there is a greater than fifty percent (50%) likelihood (i.e., it is more probable/likely than not) that the Respondent engaged in the alleged Sexual Harassment. The "clear and convincing evidence standard," on the other hand, is a higher standard of evidence, in which the District would need to show to the decision-maker(s) that the truth of the allegations is highly probable (i.e., that the contention is substantially more likely to be true than untrue). Some argue that using the clear and convincing standard may skew the playing field toward the Respondent by enhancing protection for the Respondent at the expense of the Complainant. The same standard of evidence must be applied for Formal Complaints against students as is applied to Formal Complaints against employees, and the same standard of evidence must be used for all Formal Complaints of Sexual Harassment.]

The District is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the District with voluntary, written consent to do so; if a student party is not an Eligible Student, the District must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

- A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
- B. have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The District may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

~~(-) The District establishes the following restrictions, which apply equally to both parties, regarding the extent to which an advisor may participate in the proceedings:~~

[DRAFTING NOTE: The Board should consult with its local legal counsel concerning any restrictions it may want to place on an advisor's participation in the proceedings, including rules of decorum. This topic is also addressed in Administrative Guideline 2266.]

Board Policy 2461 – Recording of District Meetings Involving Students and/or Parents controls whether a person is allowed to audio record or video record any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The District will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all ~~(-) hearings~~, ²⁴ **[DRAFTING NOTE: Select this option if the Board permits hearings.]** Investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. The

investigator(s) and decision-maker(s) must provide a minimum of 3 days' notice with respect to investigative interviews and other meetings ~~() and _____ days' notice with respect to hearings~~ [END OF OPTION]. [DRAFTING NOTE: The Board should consult with its local legal counsel concerning whether to set a minimum amount of advance notice – i.e., define "sufficient time"; Neola suggests a minimum of three (3) days' advanced notice for hearings and one (1) day's advanced notice for investigative interviews and other meetings.]

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the ~~()~~ investigator Title IX Coordinator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report. [DRAFTING NOTE: The Board should select the following option if it provides for a hearing before the decision-maker] ~~()~~ The District will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to [DRAFTING NOTE: Select one of the following two options. The Board should select the second option if it is providing a hearing or permitting the decision-maker(s) to decide whether to conduct a hearing on a case-by-case basis.]

the decision-maker(s) issuing a determination regarding responsibility.

~~() a hearing or the decision-maker(s) issuing a determination regarding responsibility.~~

Determination of Responsibility

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

[DRAFTING NOTE: The Board may, but need not, provide for a hearing before the decision-maker(s) reaches a determination of responsibility. Neola suggests that the Board not provide for a hearing. If the Board decides not to provide for a hearing, the Board should select OPTION 1; if the Board elects to provide a hearing or to provide the decision-maker(s) with the discretion to conduct a hearing on a case-by-case basis, the Board should select OPTION 2. Additionally, if the Board operates a vocational program [see the Drafting Note contained in the first paragraph of the Introduction for a definition of "vocational program"], Neola suggests that the Board consult its local legal counsel concerning whether it must provide for a live hearing related to Formal Complaints involving parties associated with the vocational program. If the Board determines, in consultation with its legal counsel, that it must provide for a live hearing, it should select Option E of OPTION 2, at least with respect to Formal Complaints involving parties involved in the vocational program (i.e., it does not need to provide for a live hearing for its regular K-12 education programs and activities that it operates.)

OPTION 1

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

[END OF OPTION 1]

~~() OPTION 2~~

After the investigator sends the investigative report to the parties and the decision-maker(s), and prior to the decision-maker(s) issuing a determination of responsibility, the decision-maker(s) () may () will conduct a hearing.

[DRAFTING NOTE: Select Option A or Option B. If the Board selects "may," it should select Option A; if it selects "will," it should select Option B.]

Option A

If the decision-maker(s) decides not to conduct a hearing, the decision-maker(s) will state in writing the reason for not conducting a hearing and provide that explanation to the parties. Additionally, before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

If the decision-maker(s) elects to conduct a hearing, the hearing will proceed as follows:

[END OF OPTION A]

Option B

The hearing will proceed as follows:

[END OF OPTION B]

[DRAFTING NOTE: Select Option C or Option D or Option E; Neola suggests Option C]

Option C

At the hearing, the decision-maker(s) will allow each party or each party's advisor to submit relevant questions to the decision-maker(s) who will ask the questions to the other party and any witnesses. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Only relevant cross-examination and other questions, including follow-up questions and questions challenging credibility, will be permitted. Such cross-examination and questioning at the live hearing shall be conducted orally and in real time.

If a party does not have an advisor present at the live hearing, the District will provide, without fee or charge to that party, an advisor of the District's choice, who may be, but is not required to be, an attorney, to submit questions on behalf of that party.

[END OF OPTION C]

Option D

Prior to commencing the hearing, the decision-maker(s) will decide whether to allow each party's advisor to ask questions directly of the other party and any witnesses, or instead to have the questions submitted to the decision-maker(s) who will ask the other party and any witnesses the questions.

If the decision-maker(s) permits each party's advisor to ask the other party and any witnesses relevant questions and follow-up questions, including questions challenging credibility, such cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. If the decision-maker(s) permit each party's advisor to ask questions directly to the other party and any witnesses, the decision-maker(s) shall not restrict the extent to which advisors may participate in the hearing.

If, on the other hand, the decision-maker(s) decides to have each party's advisor (or the party, if the party does not have an advisor) submit relevant questions to the decision-maker(s), the decision-maker will ask the questions to the other party and any witnesses. Such cross-examination at the hearing will be conducted orally and in real time by the decision-maker(s) based upon questions submitted by a party's advisor or the party.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If the decision-maker(s) permits the parties' advisors to ask the questions directly, and a party does not have an advisor present at the live hearing, the District will provide, without fee or charge to that party, an advisor of the District's choice, who may be,

but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

If the decision-maker(s) decides not to have the parties' advisors ask the questions directly, and a party does not have an advisor present at the hearing, the District will provide, without fee or charge to that party, an advisor of the District's choice, who may be, but is not required to be, an attorney, to submit questions on behalf of that party.

[END OF OPTION D]

Option E

At the hearing, the decision-maker(s) shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally; notwithstanding anything to the contrary in this policy, the decision-maker shall not restrict the extent to which advisors may participate in the hearing.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If a party does not have an advisor present at the hearing, the District will provide, without fee or charge to that party, an advisor of the District's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

[END OF OPTION E]

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party or witness does not submit to cross-examination at the hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

Hearings may be conducted with all parties physically present in the same geographic location or, at the discretion of the () decision-maker(s) () Title IX Coordinator(s), any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other. At the request of either party, the decision-maker shall provide for the hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or witness answering questions. The District will create an audio or audiovisual recording, or transcript, of any hearing and make it available to the parties for inspection and review.

[END OF OPTION 2]

Determination regarding responsibility: The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard ~~() "clear and convincing evidence standard"~~. **[DRAFTING NOTE: Be sure to select the evidence standard selected previously (i.e., above).]**

The written determination will include the following content:

- A. Identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
- B. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, [and] methods used to gather other evidence, ~~() and hearings held,~~ **[DRAFTING NOTE: The Board should only select this option if it permits hearings.]**
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the applicable ~~code~~ of conduct to the facts;

- E. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the District impose on the Respondent(s), and whether remedies designed to restore or preserve equal access to the District's education program or activity should be provided by the District to the Complainant(s); and
- F. The procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

The following disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

A. Informal Discipline

1. writing assignments;
2. changing of seating or location;
3. pre-school, () lunchtime, () after-school detention;
4. in-school discipline;
5. Saturday-school;

B. Formal Discipline

1. suspension of bus riding/transportation privileges;
2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
3. emergency removal;
4. suspension for up to ten (10) school days;
5. long-term suspension or expulsion;
6. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 – Emergency Removal, Suspension, and Expulsion of Students, Policy 5610.02 - In-School Discipline, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

The following disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. oral or written warning;
- B. written reprimands;
- C. performance improvement plan;
- D. required counseling;
- E. required training or education;
- F. demotion;

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

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual. **[DRAFTING NOTE: The Board should review applicable policy(ies)/administrative guidelines/employee handbooks to determine whether changes are needed to stated timelines related to imposition of discipline as result of possible delays caused by the Board's obligation to follow this grievance process; likewise, the Board may need to discuss with union representatives how implementation of this grievance process may impact any disciplinary provisions contained in applicable collective bargaining (e.g., timelines, permitted attendees at investigative interviews, etc.).]**

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

The following disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the School District community or Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. oral or written warning;
- B. suspension or termination/cancellation of the Board's contract with the third-party vendor or contractor;
- C. mandatory monitoring of the third-party while on school property and/or while working/interacting with students;
- D. restriction/prohibition on the third-party's ability to be on school property; and
- E. any combination of the same.

If the decision-maker(s) determines the third-party Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including imposition of sanctions. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately, imposing a disciplinary sanction/consequence, the Superintendent will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances.

The District's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process, the Superintendent may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeal

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

- A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

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

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

E. _____

- The Complainant(s) may not challenge the ultimate disciplinary sanction/consequence that is imposed.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within Five (5) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein. **[DRAFTING NOTE: If the Board indicated above an intent to ordinarily complete the grievance process, including any appeal, within sixty (60) days of receipt of the Formal Complaint, Neola suggests that the deadline for submitting a written appeal be set at "within () three (3) (.) five (5) days" of the appealing party's receipt of the decision-makers' determination of responsibility.]**

Nothing herein shall prevent the Superintendent from imposing any remedy, including disciplinary sanction, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. **[DRAFTING NOTE: Select OPTION 1, OPTION 2, OPTION 3, or OPTION 4.]**

[OPTION 1] The decision-maker(s) for the appeal shall determine when each party's written statement is due. **[END OF OPTION 1]**

[OPTION 2] The parties' written statements in support of, or challenging, the determination of responsibility must be submitted within Five days after the Title IX Coordinator provides notice to the non-appealing party of the appeal. **[END OF OPTION 2]**

[OPTION 3] The appealing party's written statement must be submitted within ____ days after the Title IX Coordinator receives notice of the appeal. The other party's written statement must be submitted within ____ days after the Title IX Coordinator provides that party a copy of the appealing party's written statement. The appealing party will have ____ days to submit a rebuttal to the other party's written statement. **[DRAFTING NOTE: Neola does not suggest that the Board select this extra option.] [END OF OPTION 3]**

[OPTION 4] Specifically, the appealing party must submit with the notice of appeal a written statement challenging the determination of responsibility. The nonappealing party shall have up to ____ days after receipt of the appealing party's written statement to submit his/her written statement in support of the determination of responsibility. **[END OF OPTION 4]**

[DRAFTING NOTE: If the Board indicated above an intent to ordinarily complete the grievance process, including any appeal, within sixty (60) days of receipt of the Formal Complaint, Neola suggests that the deadline for both parties to submit a written statement pursuant to OPTION 2 be set at "within five (5) days" of the Title IX Coordinator providing notice to the non-appealing party of the appeal. If the Board selects OPTION 3, Neola suggests that the party's respective written statements be submitted within three (3) days of the triggering event (i.e., submission of the notice of appeal for the appealing party, and receipt of the appealing party's written statement for the nonappealing party), and if the Board selects the extra option in OPTION 3, Neola suggests the appealing party only have two (2) days after receipt of the non-appealing party's written statement to submit the rebuttal. Alternatively, in order to expedite the appeal, the Board could select OPTION 4 and require the appealing party to submit his/her written statement challenging the determination of responsibility at the same time s/he submits his/her notice of appeal. The nonappealing party would then be permitted to submit a written statement in support of the determination of responsibility within the same number of days that the appealing party had to

submit the notice of appeal/statement challenging the determination of responsibility (e.g., three or five days, depending on the appeal deadline selected above).]

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-maker(s)' determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within ~~Five~~ **five** days of when the parties' written statements were submitted. **[DRAFTING NOTE: If the Board indicated above an intent to ordinarily complete the grievance process, including any appeal, within sixty (60) days of receipt of the Formal Complaint, Neola suggests that the deadline for the decision-maker(s) of the appeal to issue the final decision be set at "within five (5) days" of the date the parties submitted their written statements, or the date a last written statement is submitted pursuant to Option 3 or Option 4.]**

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation ~~(-) and/or hearing~~ **[DRAFT NOTE: Select this option if the Board permits hearings.]**, is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance process set forth above.

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

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

Confidentiality

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

Application of the First Amendment

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution and the principles of academic freedom as set forth in the applicable collective bargaining agreement. In no case will a Respondent be found to have committed Sexual Harassment based on expressive conduct that is protected by the First Amendment and/or the principles of academic freedom specified in the Board's collective bargaining agreement with its teachers.

Training

The District's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

- A. the definition of Sexual Harassment (as that term is used in this policy);
- B. the scope of the District's education program or activity;
- C. how to conduct an investigation and implement the grievance process ~~() that includes hearings~~, **[DRAFTING NOTE: Select this option if the Board permits hearings.]** appeals and informal resolution processes, as applicable; and
- D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Board employees will be trained concerning their legal obligation to report Sexual Harassment to the Title IX Coordinator. This training will include practical information about how to identify and report Sexual Harassment. **[DRAFTING NOTE: While the Title IX regulations do not specifically require this training, it is critical that the Board train all of the employees concerning this legal obligation since the Board will be considered to have "actual knowledge" of Sexual Harassment if any Board employee has notice of such conduct.]**

Recordkeeping

As part of its response to alleged violations of this policy, the District shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If the District does not provide a Complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

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

- A. each Sexual Harassment investigation including any determination regarding responsibility ~~() and any audio or audiovisual recording or transcript that is made of any hearing~~, **[DRAFTING NOTE: Select this option if the Board permits live hearings.]**, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the District's education program or activity
- B. any appeal and the result therefrom
- C. any informal resolution and the result therefrom, and
- D. all materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process.

~~The District will make its training materials publicly available on its website. () If a person is unable to access the District's website, the Title IX Coordinator will make the training materials available upon request for inspection by members of the public.~~

Outside Appointments, Dual Appointments, and Delegations

The Board retains discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains discretion to appoint two or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent may delegate functions assigned to a specific Board employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation may be rescinded by the Superintendent at any time.

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

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

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

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

© Neola 2020

Legal References

20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)
20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964
42 U.S.C. 2000d et seq.
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
34 C.F.R. Part 106
OCR's Revised Sexual Harassment Guidance (2001)
20 U.S.C. 1092(F)(6)(A)(v)
34 U.S.C. 12291(a)(10)
34 U.S.C. 12291(a)(8)
34 U.S.C. 12291(a)(30)



Bertha Neal Elementary School

930 W. Main Street ~ Durand, Michigan 48429

Office: (989) 288-2016 ~ Fax: (989) 288-3603

Board Meeting Report: Monday, September 14th

Student Updates and Activities

- Popsicle Drive Up on Wednesday, September 2nd was a success! Over 175 popsicles and goody bags were handed out.
- Preschool to start their year on September 14th – Staff is working on a COVID-19 plan as well as conducting “Home Visits” which are being held by appointment outside of BN this year.
- Constitution Day Activities on September 17th
- Half Day of School September 28th
- Fall Picture Day – October 15th

Staff Updates

- A huge shout out to our custodian Mr. Brad Grubb who goes above and beyond with helping us keep our building clean and also helped us get ready for the start of school. He is awesome!
- Welcome our new faces in slightly new roles this year!
 - o Tracy Ozarowski: Paraprofessional
 - o Jessica Coil: Paraprofessional
 - o Shannon Fryer: Ast. Cook
 - o Herbie Raschke: Lunch Support
 - o Olivia Satkowiak: RESD Social Work
 - o David Mahorney: ECSE Paraprofessional
 - o Kathleen Foster: Title
 - o Michelle Koons: Paraprofessional
- Jennifer Dennis to become lead ECSE teacher this year and perform resource room duties. A sub permit has been received for the year. We are blessed to have her in this role!
- Tonya Conrad to run the Illness Isolation Room.
- Next Staff Meeting September 15th
- Next School Improvement Meeting September 30th
- Next MTSS Meeting September 24th
- David Mahorney to be CPI trained on September 29th

Building Updates

- Building boiler room, closet across from the technology lab, and closet in room 108 have been cleaned out and reorganized. Old STEAM closet was also cleaned out and transformed into the Neal Necessities Closet.
- New loading and unloading zone for parent drop off and pick up is going well! New lines were painted and new signage was posted. A video was created and a newsletter went out to share these changes with parents. All is going fairly smooth with the dramatic change for BN in this area!
- Playground was cleaned up and now has two sections which are separated by cones so two classes can go out at once, but stay separate.
- Two-Way radios were purchased for all teachers which will be used for dismissal.
- Flower beds were all cleaned up by our volunteer/librarian Tonya Spreeman. They look great!

Parent/Community Involvement

- First PTAC Meeting will be October 14th and will be virtual.
- Popcorn days have been removed from this year’s calendar.
- Count Day October 7th
- Would like to do a virtual Walk-a-Thon to help raise money to support BN this year.

Bertha Neal Elementary School

930 W. Main Street ~ Durand, Michigan 48429

Office: (989) 288-2016 ~ Fax: (989) 288-3603

"We are all in this together!" – BN Dream Team



Artist: Mrs. Nicole Church

Board Meeting September 14, 2020
Principal: Mrs. Amy Holek holek@durand.k12.mi.us
Secretary: Mrs. Dawn White white@durand.k12.mi.us
(989)-288-2805

Student Activities

- ❖ Students are doing a FANTASTIC job with learning the new procedures during the pandemic. Both teachers and students seem to enjoy the online platform that we are using.
- ❖ Our Welcome Back Drive-by was a huge success.
- ❖ We are currently at 156 online students and 201 students in-person, total count for RK at 357 which is up from last year.

Student of the Month

Staff Updates

- ❖ Staff meeting 9-16-20

Parent/Community Involvement

- ❖ Waiting for the first meeting
- ❖ Thank you to the PTAC who purchased the new sign for RK.
- ❖ Thank you also for purchasing Scholastic News grades 2-5

Assessments

- ❖ Fall benchmark for NWEA 9-16/9-21 for all students

Upcoming Dates

- ❖ ½ day of school 9/28

MISSION STATEMENT

The Mission of the Robert Kerr Elementary School Family is to educate the whole child by working to meet their physical, emotional, social and academic needs, in an atmosphere of mutual respect.



Durand Middle School

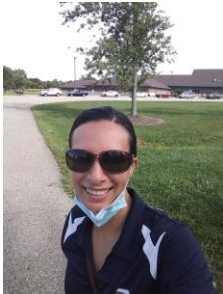


Rebecca Shankster
Principal

September Board Report

Back to School!

- We had a very successful first day of school. The students, teachers, and parents are adjusting to all our new safety procedures and I am so proud of how well they did on the very first day.
- Online students have all been assigned a mentor who will check in on them and make sure they are doing well. This mentor will make at a two way contact at least twice a week with their assigned students.
- Our lunch and breakfast routines are off and running with students able to order breakfast and lunch with their teacher's help via a shared Google Sheet. The kitchen staff can then view the sheet with student choices and deliver the correct lunches to the student's fourth hour class, where they eat lunch and have recess. When students arrive at school, their breakfast is waiting for them in first hour.
- We have hallway, bathroom, arrival, dismissal, and classroom routines in place to minimize the spread of COVID-19. Some of these routines include staggered dismissal times, mask wearing, increased cleaning, hand sanitizing, bathroom schedules including cleaning, lunchtime routines that include eating in cohorts and hand sanitizing, quick and staggered hallway transitions, and more. The staff and students are working together to make our building as safe as possible.
- Teachers all completed professional development and are becoming more and more proficient using Google Suite including Google Classroom. I have been impressed with all the learning and progress that has taken place to ensure success of our online students.
- We held a drive-by meet the teacher night and it was a huge success. Students and parents were able to meet their teachers and return forms during this time. I heard many positive comments from parents about this event. I included a few pictures below.



Family Communications:

- I will be continuing our weekly DMS Family Newsletters this year. Please follow the link below to view our first newsletter of the year:

<https://www.smore.com/ky94h>

Course Catalog:

- I submitted the DMS Course Catalog for approval. Included in the catalog are all the courses currently offered at Durand Middle School. As we add courses in the future, I will submit them to the Board for approval to be added to the catalog. DMS does not have an official course catalog at this time, and I feel this would be beneficial as we seek to streamline how we do business at the secondary level. Courses at the middle school level do not count towards credits as they do at the high school level. Once approved, the catalog will be posted as a reference on the Durand Middle School webpage.

Durand Area High School

9575 East Monroe Road · Durand, MI 48429
Phone: (989) 288-2684 · Fax: (989) 288-2966

Shannon Knapp
Assistant Principal



Board of Education Update (S. Knapp)

Monday, September 14, 2020

Returning to the High School

Staff Introductions...Mr Winbigler is back at the high School for ½ day! 😊 We are excited that we have him back. It is a great addition for our students in the Strength and Conditioning classes. Welcome back to Durand High School Mr. Winbigler!

Celebrations.....it's the little things!

For the FIRST time in a VERY long time, the high school has EVERY students' current emergency card on file, all Covid-Health Forms for our in-person students have been collected and ALL device agreements. WOOHOO!

Enrollment 450 for 9th - 12th for Fall 2020 (+8)

Seniors: 127 (9 of which are Early Middle College Students) (119 last year)

Juniors: 95 (98 last year)

Sophomores: 112 (113 last year)

Freshmen: 116 (same as last year)

Durand Area High School

9575 East Monroe Road · Durand, MI 48429
Phone: (989) 288-8704 · Fax: (989) 288-2966

Bryan Carpenter
Athletic Director



Athletic Board Update Monday September 14th, 2020

- Well the year has started and stopped, but we are now a full go with all sports.
- The Evan Gardner XC invite was a success with 9 teams participating.
- Tennis and Golf both started on time and are just now getting into the meat of their schedules.
- On Sept 9th Volleyball, Football and Soccer were given the green light to begin competition.
- Soccer played its first game Thursday against a tough Byron team but lost 4-0. Next up is Dansville on Saturday at 10am in Durand.
- Volleyball kicks of its season at Mt. Morris in a quad.
- Football will begin its season at Roundhouse stadium against Byron.
- We are excited to get the season underway and as always Go Blue.