

Agenda

1. Osceola Public Schools Board of Education Information
2. Opening Procedures
 1. Call the Meeting to Order
 2. Roll Call
 3. Excuse Board Members Who Are Absent
3. Approval of Agenda
4. Policy Hearings
 1. Policy Hearings for Student Fees Policy 5045, Parent and Guardian Involvement In Education Practices Policy 5018, Bullying Policy 5054, and District Title I Parent and Family Engagement Policy 5057
 1. Open Policy Hearings
 2. Discuss, consider, and receive input from the public on Policies 5054-Bullying, 5045-Student Fees, 5018-Parent and Guardian Involvement in Education, and 5057-District Title I Parent and Family Engagement Policy.
 3. Close Policy Hearings
5. Recognition of Visitors/Communication from the Public.
6. Reports
 1. Principals' Reports
 1. Elementary Principal's Report
 2. MS/HS Principal's Report
 2. Superintendent's Report
 3. Board Reports
7. Action Items
 1. To approve the previous board meeting minutes
 2. Payment of general fund claims in the amount of \$294,947.45
 3. Payment of special building fund claims of \$513,414.28
 4. Discuss, consider and take all necessary action to amend Bullying Policy 5054
 5. Discuss, consider and take all necessary action to amend Student Fee Policy 5045
 6. Discuss, consider, and take all necessary action to amend 5018 Parent and Guardian Involvement In Education Practices and 5057 District Title I Parent and Family Engagement Policy.
 7. Discuss, consider, and take all necessary action to amend 5013 Extracurricular Drug Testing Program.
 8. Consider, discuss and take all necessary action to amend Policy 5044 Safe Pupil Transportation Plan to comply with new Rule 91 and Rule 92 Transportation Regulations.
 9. Consider, discuss and take all necessary action to amend Policy 2006 Title IX.
 10. Consider, discuss and take all necessary action on renewal of Striv-TV subscription.

11. Discuss, consider, and take all necessary action to approve Ryan Jones as a local substitute
12. Discuss and consider giving superintendent directive to sell school real estate property.
13. Discuss the potential of a golf coop with Cross County.
14. Consider, discuss and take all necessary action to set date for the 2020-21 budget hearings.
15. Consider, discuss and take all necessary action to set date for 2020-2021 final property tax hearing.
8. Executive Session
9. Next Meeting Dates and Times
 1. Special meeting on August ??, 2020, 6:00PM at the Osceola Middle/High School Media Center.
 2. Regular meeting with 2020-2021 school year budgets and 2020-2021 school year final property tax hearings, 6:00 PM, Monday, September 14, 2020, at the Middle/High School Media Center.
10. Adjournment

Jeffrey Elementary

August 10, 2020

Brett Webster

- School Opens the 19th
- Student Numbers
 - 93 Pre-K – 5th Grade

Board of Education Special Meeting

Middle School/High School Media Center

565 S. Kimmel Street

Osceola, NE 68651

July 6, 2020 @ 6:00 PM

1. Osceola Public Schools Board of Education Information

Notice of this meeting was posted at the Jeffrey Elementary School, Osceola Middle School/High School, Pinnacle Bank of Osceola, and the Osceola Post Office. A copy of the agenda items is tentative and may be changed by the Board if necessary.

2. Opening Procedures

2.1. Call the Meeting to Order

President Boruch called the regular meeting to order at 6:01 PM and informed those in attendance that a current copy of the Open Meetings Act is posted in the meeting room, then directed the public to its location.

2.2. Roll Call

Jennifer Boruch:	Present	Michael Neujahr:	Present
Jena Mentink:	Present	Douglas Rathjen:	Present
Anthony Mestl:	Present	Chelsey Tonniges:	Present

Also present were Superintendent Jason Lavaley, Debra Berry and two NRCSA consultants. No patrons were present.

2.3. Excuse Board Members Who Are Absent

There were no board members absent.

3. Approval of Agenda

To approve the agenda as written passed with a motion made by Douglas Rathjen and seconded by Chelsey Tonniges.

Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

4. Action Items/Discussion Items

4.1. Transition Meeting facilitated by NRCSA.

Board/Superintendent Transition Workshop, facilitated by NRCSA Consultants Dan Bird and Fred Helmink.

Mr. Dan Bird and Mr. Fred Helmink discussed with the Board and Superintendent the following items:

1. Review documents:

- It was recommended to review polices related to the Superintendent and Board which includes the Superintendent's job description. It was also recommended that the Superintendent's first evaluation takes place in November

2. Transition Worksheet:

- Board discusses Board/Superintendent relationship: A list of what is expected from the Superintendent was compiled by the Board.
- Superintendent discusses Superintendent/Board relationship: A list of what is expected

from the Board was compiled by the Superintendent.

3. Goal Development:

- The Board discussed key issues in the District that should be the Superintendent's focus of time and energy during his first year. Some of the issues brought forward were COVID-19; finishing the building project; staff and student morale which includes establishing a chain of command, partnering with the Principals, being a visible and approachable part of the school, and supporting the new teachers; and having good maintenance of the budget.

4. Possible Action Items:

Items that were recommended to be accomplished:

- Directing the Superintendent to develop an action plan for each of the goals identified. Some of the goals identified were: completion of the new building; developing the budget; managing COVID-19; and establishing a written plan for the staff to improve relationships;
- Directing the Superintendent to bring suggested changes in language for board policies reviewed above. The Superintendent should bring changes to board policies for Board approval.

5. Evaluation:

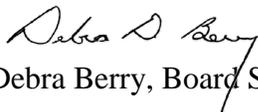
- A first-year Superintendent is required to have 2 evaluations during the school year with the first evaluation being in November and the second in March. A new type of evaluation form was discussed by the Board. The focus of the new form mostly would be about goals and job description.

5. Adjournment

To adjourn meeting at 7:33 PM passed with a motion, made by Douglas Rathjen and seconded by Jena Mentink.

Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

Respectfully submitted,



Debra Berry, Board Secretary Appointed

Board of Education Regular Meeting
Middle School/High School Media Center
565 S. Kimmel Street
Osceola, NE 68651
July 13, 2020 @ 6:00 PM

1. Osceola Public Schools Board of Education Information

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2. Opening Procedures

2.1. Call the Meeting to Order

President Boruch called the regular meeting to order at 6:01 PM and informed those in attendance that a current copy of the Open Meetings Act is posted in the meeting room, then directed the public to its location.

2.2. Roll Call

Jennifer Boruch: Present
Jena Mentink: Present
Anthony Mestl: Present

Michael Neujahr: Present
Douglas Rathjen: Present
Chelsey Tonniges: Present

Also present were Superintendent Dr. Jason Lavaley, Principal Dale Maynard, Debra Berry and two patrons.

2.3. Excuse Board Members Who Are Absent

There were no board members absent.

3. Approval of Agenda

To approve the agenda as written with the hearings being removed from this month but to be added to the August meeting passed with a motion by Jena Mentink and a second by Chelsey Tonniges.

Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

4. Policy Hearings – The hearings are tabled until the August 10, 2020, board meeting.

4.1. Policy Hearings for Student Fees Policy 5045, Parent Involvement Policy 5018, Bullying Policy 5054, and District Title I Parent and Family Engagement Policy 5057

4.1.1. Open Policy Hearings

4.1.2. Discuss, consider, and receive input from the public on Policies 5054-Bullying, 5045- Student Fees, and 5018-Parent Involvement, and District Title I Parent and Family Engagement Policy 5057

4.1.3. Close Policy Hearings

5. Recognition of Visitors/Communications from the Public

Mr. Charles Hays addressed the Board about purchasing land by the old auditorium. The Board will have to discuss this further.

6. Reports

6.1. Principals Reports

6.1.1. Elementary Report

Dr. Lavaley read Elementary Principal Brett Webster's written report about: school hopefully will be back in session August 14. Kindergarten Roundup and Preschool registration may be rescheduled to a later date; and the Elementary is supposed to be open to the teachers by August 10th.

6.1.2. MS/HS Report

MS/HS Principal Dale Maynard gave his written and oral report about: Volleyball and Football are participating in camps and conditioning; the student handbook will be totally online; HS students will enroll on Thursday but the college class students will need to wait for the rep; working with staff to set up classrooms; safety videos will be available soon; ACT tests are being scheduled; talking about opening with minimum COVID-19 restrictions but still making students and staff comfortable: plans are being made for opening days training and meetings; and meeting with a committee of students about opening school.

6.2. Superintendent's Report

Superintendent Dr. Jason Lavaley gave his written and oral report about: reviewing the Transition and Goal Setting meeting held July 6, 2020; NRCSA would like feedback about the Superintendent Search; the return to school plan including temperature scans; the budget process has started; making some tweaks to the drug testing policy; continuing with PowerSchool and receiving support from ESU 10; building updates; NASB updates were reviewed which included trainings for incumbent board members and board candidates; upcoming trainings for the Superintendent; and the planned opening of school for staff and students.

6.3. Board Reports

There were no board reports.

7. Action Items

7.1. Consent Agenda

To approve consent agenda passed with a motion by Douglas Rathjen and a second by Chelsey Tonniges.

Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges:

7.1.1. Approval of the Previous Meeting's Minutes

7.1.2. Treasurer's Report

7.1.3. Payment of June's general fund claims in the amount of \$404,486.06

7.1.4. Payment of June's special building fund claims of \$867,877.37

7.1.5. Payment of June's qualified capital purpose undertaking fund claim of \$3,382.50

7.1.6. Payment of July's general fund claims in the amount of \$311,445.63

7.1.7. Payment of July's depreciation fund claim of \$15,961.00

7.1.8. Payment of July's special building fund claims of \$850,554.66

7.2. Discuss, consider and take all necessary action to amend Bullying Policy 5054
Agenda action item 7.2. "Discuss, consider and take all necessary action to amend Bullying Policy 5054" will be addressed at the August board meeting.

7.3. Discuss, consider and take all necessary action to amend Student Fee Policy 5045
Agenda action item 7.3 "Discuss, consider and take all necessary action to amend Student Fee Policy 5045" will be addressed at the August board meeting.

7.4. Discuss, consider and take all necessary action to amend Parent Involvement Policy 5018 and 5057 District Title I Parent and Family Engagement Policy.
Agenda action item 7.4. "Discuss, consider and take all necessary action to amend Parent Involvement Policy 5018 and 5047 District Title I parent and Family Engagement Policy" will be addressed at the August board meeting.

7.5. Consider, discuss and take all necessary action to renew membership with NRCSA.
To renew membership with Nebraska Rural Community Schools Association for the 2020-2021 school year passed with a motion by Douglas Rathjen and a second by Anthony Mestl.
Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

7.6. Consider, discuss, and take all necessary action to approve Laura Lavaley as a local substitute
To approve Laura Lavaley as a local substitute passed with a motion by Chelsey Tonniges and a second by Douglas Rathjen.
Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

7.7. Consider, discuss, and take all necessary action to approve Carolyn Kuhnel as a local substitute
To approve Carolyn Kuhnel as a local substitute passed with a motion by Jena Mentink and a second by Chelsey Tonniges.
Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

7.8. Consider, discuss, and take all necessary actions to evaluating website options.
To approve Superintendent Dr. Lavaley to select and engage with a new website/media company passed with a motion by Michael Neujahr and a second by Douglas Rathjen.
Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

8. Discussion Items

8.1. Consider and discuss the purchase of bulletproof glass for the Secondary office
Superintendent Lavaley talked with the Board about purchasing bulletproof glass for the MS/HS office. The glass would be around \$6,500.000.

8.2. Discuss the Option of an All-Sports Co-op with High Plains.
A committee from Osceola Public Schools met with a committee from High Plains Community Schools to discuss an all-sports co-op. The results of the survey sent out to the Osceola community were shared. The most popular option for the survey was to do an all-sports co-op with High Plains Community Schools providing that all of the events were held in Osceola because of the new addition being built. The High Plains committee was not in favor of this option. They requested that the Osceola Board review the possibility of an all-sports co-op

again and to inform them of the decision. The Osceola Board decided not to take any action toward an all-sports co-op with High Plains Community Schools at this time.

8.3. Return to School Plan

Polk County Health Department Registered Nurse, Michelle Sterup, participated in the discussion about the return to school plan. Superintendent Lavaley and Principal Maynard discussed the plan with the Board. Self-screening, taking temperatures of students, staff and visitors, no students at the school prior to 7:45 AM, no shared drinking fountains, and numerous other precautions will be taken to encourage safety during the COVID-19 pandemic. The devised plan and any updates to it will be made public so patrons are aware of the procedures that will be taken at the school district level.

9. Executive Session

To enter into executive session at 8:56 PM until the finish of business for the purpose of discussing Mr. Charles Hays' land purchase inquiry and for the prevention of needless injury to the reputation of an individual passed with a motion by Anthony Mestl and a second by Jena Mentink.

Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

President Boruch repeated that a motion to enter into executive session at 8:56 PM until the finish of business for the purpose of discussion Mr. Charles Hayes land purchase inquiry and for the prevention of needless injury to the reputation of an individual passed with a motion by Anthony Mestl and a second by Jena Mentink.

Executive session ended at 9:07 PM.

10. Next Meeting Dates and Times

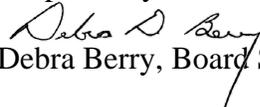
10.1. Regular meeting August 10, 2020, 6:00 PM at the Osceola Middle/High School Media Center.

11. Adjournment

To adjourn meeting at 9:08 PM passed with a motion by Jena Mentink and a second by Douglas Rathjen.

Jennifer Boruch: Yea, Jena Mentink: Yea, Anthony Mestl: Yea, Michael Neujahr: Yea, Douglas Rathjen: Yea, Chelsey Tonniges: Yea

Respectfully submitted,


Debra Berry, Board Secretary Appointed

Board Report - Monthly

GENERAL FUND

Posted - During Check Cycle; Fund Number 01; Processing Month 08/2020

<u>Check #</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Total</u>
33072	AUGUSTINE, MARCHE	MILEAGE REIMBURSEMENT	34.50
33073	BARCEL LANDSCAPE PRODUCTS, INC.	PLAYGROUND COVER	1,515.00
33074	CENTRAL NEBRASKA REHABILITATION SERVICES	OT/PT SERVICES	112.00
33075	CITY OF OSCEOLA	WATER/SEWER/COMPACTOR	1,301.79
33076	COMPUTER CABLE CONNECTION	MATERIALS AND LABOR	3,600.00
33077	CONTROL SERVICES, INC.	SERVICE AGREEMENT/REPAIRS	7,885.17
33078	DECKER EQUIPMENT	BENCH FOR FB	1,209.44
33079	DOLLAR GENERAL - REGIONS 410526	SUPPLIES	5.95
33080	DURANSKI, LISA	SPED PROVIDER	413.25
33081	EAKES OFFICE PLUS	SANITIZER FOAM DISPENSERS	903.19
33082	EDUCATIONAL SERVICE UNIT #7	KAGAN DAY TRAINING	209.00
33083	ELECTRICAL ENGINEERING & EQUIPMENT CO.	LOCKER ROOM SUPPLIES	211.27
33084	ESU #7	MAINTENANCE	739.98
33085	FOUNDATION FOR EDUCATIONAL SERVICES	BUYOUT OF WEB HOSTING	1,000.00
33086	FRONTIER COOPERATIVE COMPANY	FUEL	416.18
33087	GARRATT CALLAHAN COMPANY	WATER TREATMENT SUPPLIES	750.00
33088	GARY'S PLUMBING, LLC	SUPPLIES	89.84
33089	GRAIN PRODUCTS COMPANY, INC.	STAINLESS STEEL VALVE BOXES	2,366.65
33090	HOME DEPOT PRO, THE	SUPPLIES	246.30
33091	JourneyEd.com, Inc.	SOFTWARE	825.00
33092	KSB SCHOOL LAW	LEGAL SERVICES	886.16
33093	KUHNEL, CAROLYN	MILEAGE REIMBURSEMENT	40.25
33094	MACKIN EDUCATIONAL RESOURCES	LIBRARY BOOKS	184.61
33095	MATHESON TRI-GAS, INC.	SUPPLIES	35.58
33096	MENARDS	EQUIPMENT	350.63
33097	MID-AMERICAN RESEARCH CHEMICAL	GYM FLOOR REFINISHING	5,535.60
33098	NE COUNCIL OF SCHOOL ADMINISTR	2020-2021 MEMBERSHIP & REGISTRATIONS	785.00
33099	NE RURAL COMM SCHOOLS ASSN	MILEAGE REIMBURSEMENT	98.33
33100	NEBRASKA AGRICULTURAL EDUCATION ASSOCIATION	2020-2021 PROFESSIONAL FEES	180.00
33101	NEBRASKA SAFETY CENTER	BUS DRIVER TRAINING	250.00
33102	NELSON, BARTLEY	LAWN SERVICE	1,304.00
33103	OFFICENET, INC.	SUPPLIES	518.50
33104	OSCEOLA IMPLEMENT & SUPPLY, INC.	PLUG	2.51
33105	OSCEOLA TIRE AND SERVICE, LLC	MOWER TIRE REPAIR	17.99
33106	OSTMEYER LAWN SERVICE	FERTILIZER	675.00
33107	PAPER TIGER SHREDDING	PAPER SHREDDING	77.00
33108	PETERSON, THOMAS	REIMB FOR BUS WASH & ELECTRICITY	102.14

Board Report - Monthly

Posted - During Check Cycle; Fund Number 01; Processing Month 08/2020

<u>Check #</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Total</u>
33109	POLK COUNTY NEWS	PRINTING	367.13
33110	POLK COUNTY RPPD	ELECTRICITY	6,848.88
33111	PRAIRIE CREEK FAMILY MEDICINE	BUS DRIVER PHYSICAL	120.00
33112	PRESTO-X	PEST CONTROL	91.00
33113	SCHMIT, STEVEN	REIMBURSEMENT OF SUPPLIES	5.61
33114	SCHOLASTIC, INC.	SUBSCRIPTIONS	1,670.48
33115	SCHOOL SPECIALTY, INC	CHAIRS	1,415.94
33116	STRIV, INC.	LIVE STREAMING FEE	2,975.00
33117	SYMMETRY ENERGY SOLUTIONS, LLC	NATURAL GAS	396.07
33118	TEACHER CURRICULUM INSTITUTE (TCI)	SCOCIAL STUDIES SOFTWARE	3,788.25
33119	TONNIGES CHEVROLET, INC.	PARTS/LABOR/REPAIRS	2,043.21
33120	TOP STITCH UPHOLSTERY	RESTITCH BUS SEATS & WEIGHT BENCH	430.00
33121	WELLS FARGO VENDOR FINANCIAL SERVICES, LLC	COPIER LEASE	104.48
33122	WINDSTREAM	DISTANCE LEARNING SERVICE	106.26
33123	XODUS MEDICAL INC.	FACE SHIELDS FOR COVID	<u>456.30</u>
Checking Account Total:			<u>55,696.42</u>
TOTAL CHECKS & PREPAIDS			55,696.42
EXTRA JULY PAYROLL			92.09
TOTAL AUGUST PAYROLL			<u>239,158.94</u>
GRAND TOTAL			<u>294,947.45</u>

Board Report - Monthly

SPECIAL BUILDING

Posted - All; Fund Number 08; Processing Month 08/2020

<u>Check #</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Total</u>
136	BD CONSTRUCTION, INC/KEARNEY	BUILDING ADDITION	512,491.28
135	MID-STATE ENGINEERING & TESTING, INC.	SOIL TESTING FOR BUILDING	<u>923.00</u>
GRAND TOTAL:			<u>513,414.28</u>

3057
Title IX Policy

It is the policy of the school district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any of the school district's programs or activities. The district is required by Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106 to not discriminate in such a manner.

1. Title IX Coordinator

1.1. **Designation.** The district will designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this policy, who will be referred to as the "**Title IX Coordinator.**" The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator. 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). This report may be made by any means, including but not limited to, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

2. Definitions. As used in this policy, the following terms are defined as follows:

2.1. **Actual knowledge** means notice of sexual harassment or allegations of sexual harassment to any district employee. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only district employee with actual knowledge is the respondent (as that term is defined below). "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in subsection 1.1 above.

2.2. **Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

2.3. **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 of sexual harassment. The only district official who is authorized to initiate the Grievance Process for Formal Complaints of Sexual Harassment against a respondent is the Title IX Coordinator (by signing a formal complaint). 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 formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under subsection 1.1 above, and by any additional method designated by the district. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the district) 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 otherwise a party under this policy or under 34 C.F.R. part 106, and will comply with the requirements of this policy and 34 C.F.R. part 106, including subsections 5.1.3–5.1.4 and 34 C.F.R. § 106.45(b)(1)(iii).

2.4. **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

2.5. **Consent** for purposes of this policy means the willingness in fact for conduct to occur. An individual may, as a result of age, incapacity, disability, lack of information, or other circumstances be incapable of providing consent to some or all sexual conduct or activity. Neither verbal nor physical resistance is required to establish that an individual did not consent. District officials will consider the totality of the circumstances in determining whether there was consent for any specific conduct. Consent may be revoked or withdrawn at any time.

2.6. **Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

- 2.6.1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
- 2.6.2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it

effectively denies a person equal access to the district's education program or activity;

2.6.3. **Sexual assault**, as defined in 20 U.S.C. § 1092(f)(6)(A)(v), which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:

2.6.3.1. **Sex Offenses, Forcible**—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent.

2.6.3.1.1. **Rape**—(Except Statutory Rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

2.6.3.1.2. **Sodomy**—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 his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.3. **Sexual Assault With An Object**—To use 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 his/her age or because of his/her temporary or permanent mental or physical incapacity

2.6.3.1.4. **Fondling**—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 his/her age or because of his/her temporary or permanent mental or physical incapacity

- 2.6.3.2. **Sex Offenses, Non-forcible**—(Except Prostitution Offenses) Unlawful, non-forcible sexual intercourse.
 - 2.6.3.2.1. **Incest**—Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
 - 2.6.3.2.2. **Statutory Rape**—Non-Forcible sexual intercourse with a person who is under the statutory age of consent
- 2.6.4. **Dating violence**, as defined in 34 U.S.C. § 12291(a)(10), which means violence committed by a person—
 - 2.6.4.1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - 2.6.4.2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - 2.6.4.2.1. The length of the relationship.
 - 2.6.4.2.2. The type of relationship.
 - 2.6.4.2.3. The frequency of interaction between the persons involved in the relationship.
- 2.6.5. **Domestic violence**, as defined in 34 U.S.C. § 12291(a)(8), which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

2.6.6. **Stalking**, as defined in 34 U.S.C. § 12291(a)(30), which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

2.6.6.1. fear for his or her safety or the safety of others; or

2.6.6.2. suffer substantial emotional distress.

2.7. **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, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

3. Discrimination Not Involving Sexual Harassment.

3.1. **General Prohibition.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the district.

3.2. **Specific Prohibitions.** Except as provided elsewhere in Title IX, 34 C.F.R. part 106, or this policy, in providing any aid, benefit, or service to a student, the district will not on the basis of sex:

- 3.2.1. Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 3.2.2. Provide different aid, benefits, or services or provide aid, benefits, or services in a different manner;
- 3.2.3. Deny any person any such aid, benefit, or service;
- 3.2.4. Subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 3.2.5. Apply any rule concerning the domicile or residence of a student or applicant;
- 3.2.6. Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees;
- 3.2.7. Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

3.3. Complaint Procedure. All complaints regarding any alleged discrimination on the basis of sex, including without limitation violations of this policy, 34 C.F.R. part 106, Title IX, Title VII, or other state or federal law—when the alleged discrimination does not arise from or relate to an allegation of sexual harassment as defined in subsection 2.6 above—shall be addressed pursuant to the district’s general complaint procedure, Board Policy 2006.

4. Response to Sexual Harassment

4.1. Reporting Sexual Harassment. Any person who witnesses an act of unlawful sexual harassment is encouraged to report it to the District’s Title IX Coordinator. No person will be retaliated against based on any report of suspected sexual harassment or retaliation. Any District employee who receives a report of sexual harassment or has actual knowledge of sexual harassment must convey that information to the Title IX Coordinator as soon as reasonably practicable, but in no case later than the end of the following school day.

4.2. General Response to Sexual Harassment. When the district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, the district will respond promptly in a manner that is not deliberately indifferent. The district will be deemed to be deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this policy “education program or activity” includes locations, events, or circumstances over which the district exercised substantial control over both the respondent and the context in which the sexual harassment occurs. The district’s response will treat complainants and respondents equitably by offering supportive measures as defined in subsection 2.7 above to a complainant, and by following the grievance process described in section 5 below before the imposition of any disciplinary sanctions or other actions that are not supportive measures, against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

4.3. Emergency Removal. Nothing in this policy precludes the district from removing a respondent from the district’s education program or activity on an emergency basis, provided that the district undertakes an individualized safety and risk analysis, and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. In the event that the district so removes a respondent on an emergency basis, then the district will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

4.4. Administrative Leave. Nothing in this policy precludes the district from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with section 5 below. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

4.5. **General Response Not Conditioned on Formal Complaint.** With or without a formal complaint, the district will comply with the obligations and procedures described in this section 4.

5. **Grievance Process for Formal Complaints of Sexual Harassment.**

5.1. **General Requirements.**

- 5.1.1. **Equitable Treatment.** The district will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following the grievance process described in this section 5 before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies will be designed to restore or preserve equal access to the district's education program or activity. Remedies may include the same individualized services described in subsection 2.7 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.
- 5.1.2. **Objective Evaluation.** This grievance process requires an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- 5.1.3. **Absence of Conflicts of Interest or Bias.** The district will require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- 5.1.4. **Training.** The district will ensure that all individuals or entities described in this Training section 5.1.4 receive training as provided below. Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment.

- 5.1.4.1. **All District Employees and Board Members.** All district employees and board members will be trained on how to identify and report sexual harassment.
- 5.1.4.2. **Title IX Coordinators, Investigators, Decision-Makers, or Informal Resolution Facilitators.** The district will ensure that Title IX Coordinators, investigators, decision-makers, or any person designated by the district to facilitate an informal resolution process receive training on:
 - 5.1.4.2.1. The definition of sexual harassment in subsection 2.6;
 - 5.1.4.2.2. The scope of the district's education program or activity;
 - 5.1.4.2.3. How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and
 - 5.1.4.2.4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- 5.1.4.3. **Decision-Makers.** The district will ensure that decision-makers receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in subsection 5.6.
- 5.1.4.4. **Investigators.** The district will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in subsection 5.5.8.
- 5.1.5. **Presumption.** It is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

- 5.1.6. **Reasonably Prompt Time Frames.** This grievance process shall include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the district offers informal resolution processes. The process shall also allow for the temporary delay of the grievance process or the limited extension of time frames 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; or the need for language assistance or accommodation of disabilities.
- 5.1.7. **Range of Possible Sanctions and Remedies.** Following a determination of responsibility, the district may impose disciplinary sanctions and remedies in conformance with this and the district's student discipline policy, and other state and federal laws. Depending upon the circumstances, these policies provide for disciplinary sanctions and remedies up to and including expulsion.
- 5.1.8. **Range of Supportive Measures.** The range of supportive measures available to complainants and respondents include those listed in subsection 2.7.
- 5.1.9. **Respect for Privileged Information.** The district will 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.

5.2. **Notice of Allegations.**

- 5.2.1. **Initial Notice.** Upon receipt of a formal complaint, the district will provide the following written notice to the parties who are known:
- 5.2.1.1. A copy of this policy.
 - 5.2.1.2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in subsection 2.6, 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 will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under subsection 5.5.5, and may inspect and review evidence under subsection 5.5.5. The written notice will inform the parties of any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

- 5.2.2. **Supplemental Notice.** If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the Initial Notice described above, the district will provide notice of the additional allegations to the parties whose identities are known.

5.3. **Dismissal of Formal Complaint.**

- 5.3.1. The district will investigate the allegations in a formal complaint.
- 5.3.2. **Mandatory Dismissals.** The district **must** dismiss a formal complaint if the conduct alleged in the formal complaint:
 - 5.3.2.1. Would not constitute sexual harassment as defined in subsection 2.6 even if proved;
 - 5.3.2.2. Did not occur in the district's education program or activity; or
 - 5.3.2.3. Did not occur against a person in the United States.

5.3.3. **Discretionary Dismissals.** The district **may** dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

5.3.3.1. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;

5.3.3.2. The respondent is no longer enrolled in or employed by the district; or

5.3.3.3. Specific circumstances prevent the district from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

5.3.4. Upon a dismissal required or permitted pursuant to subsections 5.3.2 or 5.3.3 above, the district will promptly send written notice of the dismissal and an explanation of that action simultaneously to the parties.

5.3.5. Dismissal of a formal complaint under this policy does not preclude the district from taking action under another provision of the district's code of conduct or pursuant to another district policy.

5.4. **Consolidation of Formal Complaints.** The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. 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.

5.5. **Investigation of Formal Complaint.** When investigating a formal complaint and throughout the grievance process, the district will:

5.5.1. Designate and authorize one or more persons (which need not be district employees) as investigator(s) to conduct the district's investigation of a formal complaint;

5.5.2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding

responsibility rest on the district and not on the parties provided that the district cannot 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 district obtains that party's voluntary, written consent to do so for a grievance process under this section (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the district will obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

- 5.5.3. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- 5.5.4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- 5.5.5. Provide the parties with the same opportunities to 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, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
- 5.5.6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
- 5.5.7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a 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 conclusion of the investigation. Prior to completion of the investigative report, the district 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 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

- 5.5.8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

5.6. Exchange of Written Questions. After the district has sent the investigative report to the parties pursuant to subsection 5.5.8, but before reaching 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. 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) will explain to the party proposing the questions any decision to exclude a question as not relevant.

5.7. Determination Regarding Responsibility

- 5.7.1. **Decision-Maker(s).** The decision-maker(s) cannot be the same person as the Title IX Coordinator or the investigator(s).
- 5.7.2. **Written Determination.** The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) will apply the

preponderance of the evidence standard. The written determination will include:

- 5.7.2.1. Identification of the allegations potentially constituting sexual harassment as defined in subsection 2.6;
- 5.7.2.2. 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, methods used to gather other evidence, and hearings held;
- 5.7.2.3. Findings of fact supporting the determination;
- 5.7.2.4. Conclusions regarding the application of the district's code of conduct to the facts;
- 5.7.2.5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
- 5.7.2.6. The district's procedures and permissible bases for the complainant and respondent to appeal.

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

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

5.8. **Appeals.** The district will offer both parties the opportunity to appeal from a determination regarding responsibility, and from the

district's dismissal of a formal complaint or any allegations therein, on the grounds identified below.

5.8.1. **Time for Appeal.** Appeals may only be initiated by submitting a written Notice of Appeal to the Office of the Superintendent of Schools within ten (10) calendar days of the date of the respective written determination of responsibility or dismissal from which the appeal is taken. The Notice of Appeal must include (a) the name of the party or parties making the appeal, (b) the determination, dismissal, or portion thereof being appealed, and (c) a concise statement of the specific grounds (from subsection 5.8.2 below) upon which the appeal is based. A party's failure to timely submit a Notice of Appeal will be deemed a waiver of the party's right to appeal under this policy, 34 C.F.R. part, 106, and Title IX.

5.8.2. **Grounds for Appeal.** Appeals from a determination regarding responsibility, and from the district's dismissal of a formal complaint or any allegations therein, are limited to the following grounds:

5.8.2.1. Procedural irregularity that affected the outcome of the matter;

5.8.2.2. 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

5.8.2.3. 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 or respondent that affected the outcome of the matter.

5.8.3. As to all appeals, the district will:

5.8.3.1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

5.8.3.2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that

reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

5.8.3.3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in subsections 5.1.3–5.1.4.

5.8.3.4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

5.8.3.5. Issue a written decision describing the result of the appeal and the rationale for the result; and

5.8.3.6. Provide the written decision simultaneously to both parties.

5.9. Informal Resolution. The district will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the district will not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the district may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the district:

5.9.1. Provides to the parties a written notice disclosing:

5.9.1.1. The allegations;

5.9.1.2. 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;

5.9.1.3. That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

- 5.9.1.4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- 5.9.2. Obtains the parties' voluntary, written consent to the informal resolution process; and
- 5.9.3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

5.10. **Recordkeeping.**

- 5.10.1. The district will maintain for a period of seven years records of:
 - 5.10.1.1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the district's education program or activity;
 - 5.10.1.2. Any appeal and the result therefrom;
 - 5.10.1.3. Any informal resolution and the result therefrom; and
 - 5.10.1.4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The district will make these training materials publicly available on its website, or if the district does not maintain a website then the district will make these materials available upon request for inspection by members of the public.
- 5.10.2. For each response required under section 4, the district will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the district will 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.

6. **Superintendent Authorized to Contract.** The board authorizes the Superintendent to contract for, designate, and appoint individuals to serve in the roles of the district's investigator(s), decision-maker(s), informal resolution facilitator(s), or appellate decision-maker(s) as contemplated by this policy.

7. **Access to Classes and Schools.**

7.1. **General Standard.** Except as provided in this section or otherwise in 34 C.F.R. part 106, the district will not provide or otherwise carry out any of its education programs or activities separately on the basis of sex, or require or refuse participation therein by any of its students on the basis of sex.

7.1.1. **Contact sports in physical education classes.** This section does not prohibit separation of students by sex within physical education classes or activities during participation in wrestling, boxing, rugby, ice hockey, football, basketball, and other sports the purpose or major activity of which involves bodily contact.

7.1.2. **Ability grouping in physical education classes.** This section does not prohibit grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

7.1.3. **Human sexuality classes.** Classes or portions of classes that deal primarily with human sexuality may be conducted in separate sessions for boys and girls.

7.1.4. **Choruses.** The district may make requirements based on vocal range or quality that may result in a chorus or choruses of one or predominantly one sex.

7.2. **Classes and Extracurricular Activities.** The district may provide nonvocational single-sex classes or extracurricular activities as permitted by 34 C.F.R. part 106.

8. **Athletics.** It is the policy of the district that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by the district, and that the district will not provide any such athletics separately on such basis.

8.1. **Separate Teams.** Notwithstanding the foregoing paragraph, the district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport.

8.2. **Equal opportunity.** The district will provide equal athletic opportunity for members of both sexes. Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams will not constitute noncompliance with this section.

9. **Certain Different Treatment on the Basis of Sex Permitted.** Nothing herein shall be construed to prohibit the district from treating persons differently on the basis of sex as permitted by Title IX or 34 C.F.R. part 106. For example, and without limiting the foregoing, the district may provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex.

10. **Retaliation Prohibited.** Neither the district 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, 34 C.F.R. part 106, or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. 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 FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 C.F.R. part 99, or as required by law, or to carry out the purposes of 34 C.F.R. part 106, including the conduct of any investigation, hearing, or judicial

proceeding arising thereunder. Complaints alleging retaliation may be filed according to shall be addressed pursuant to Board Policy 2006 (Complaint Procedure).

10.1. **Specific Circumstances.**

10.1.1. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this section.

10.1.2. 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 part does not constitute retaliation prohibited under this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

11. **Notification of Policy.** The district will notify applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the existence of this policy. The requirement to not discriminate, as stated in Title IX and 34 C.F.R. part 106, in the district's education program(s) or activities extends to admission and employment, and inquiries about the application of Title IX and 34 C.F.R. part 106 to the district may be referred to the district's Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

12. **Publication of Policy.** The district will prominently display on its website, if any, and in each handbook that it makes available to applicants for admission and employment, students, parents or legal guardians of students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district, the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator(s).

13. **Application Outside the United States.** The requirements of this policy apply only to sex discrimination occurring against a person in the United States.

14. **Scope of Policy.** Nothing herein shall be construed to be more demanding or more constraining upon the district than the requirements of Title IX (20 U.S.C. § 1681) and 34 C.F.R. part 106. To the extent that the district is in compliance with Title IX and 34 C.F.R. part 106, then all of the

district's obligations under this policy shall be deemed to be fulfilled and discharged.

Striv, Inc.
965 N. Main Street
PO Box 385
Henderson, NE 68371
(402) 513-8770
www.striv.tv



BILL TO
Osceola Public School

Invoice 2577

DATE 08/08/2019 TERMS Net 30

DUE DATE 09/07/2019

ACTIVITY	QTY	RATE	AMOUNT
Striv New Media Platform Striv Education Platform - Silver Package (2019-2020 School Year)	1	2,975.00	2,975.00

TOTAL DUE \$2,975.00



OSCEOLA PUBLIC SCHOOLS

*P.O. Box 198
565 S. Kimmel Street
Osceola, NE 68651-0198
Phone (402) 747-3121 Fax (402) 747-3041
<https://osceolaschools.org>*

Dr. Jason Lavaley
Superintendent
Dale Maynard
Secondary Principal
Brett Webster
Elementary Principal

August 10, 2020

Teacher Certification
PO Box 94987
Lincoln, NE 68509-4987

Dear Teacher Certification

Please consider this an official request on the part of the Osceola Public School District to the NDE Teacher Certification office to issue a Local Substitute Teaching Certificate to Ryan Jones for the Osceola Public School District #19, Polk County. Mr. Jones has the appropriate education to be a local substitute. In his postsecondary education, Mr. Jones pursued an Education endorsement and had finished the coursework, but decided not to student teach. He has the appropriate education and experiences to serve as a local substitute.

The School Board of District #19 approved the use of Local Substitute Teaching Certificates in our district several years ago and reaffirmed this at its August 10, 2020 meeting with a specific motion to allow Mr. Jones this certificate based upon approval from the Nebraska Department of Education.

I appreciate your time and efforts. If you have any questions, please feel free to contact me.

Educationally yours,

A handwritten signature in black ink that reads 'Dr. Jason Lavaley'.

Dr. Jason Lavaley, Superintendent
Osceola Public Schools