

LAWTON COMMUNITY SCHOOLS

BOARD OF EDUCATION

Regular Meeting

April 21, 2025

7:00 PM

AGENDA

1. **CALL TO ORDER** - 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 forum time.
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA** **3**
4. **FORUM TIME** - Comments specific to meeting agenda
5. **BUDGET REPORTS**
6. **SUPERINTENDENT'S REPORT**
 - A. Special Recognitions
 1. LAAC Graduate - Madelynn Beck
 2. Student of the Month
7. **NEW BUSINESS - CONSENT AGENDA ITEMS**
 - A. Approval of Consent Agenda Items 4
 - B. Special Recognition Resolution Approvals
 1. Middle School 5
 2. High School 6
 - C. Approval of Board of Education Meeting Minutes 7
 - D. Hire - Banks - Kitchen Aide 15
 - E. Hire - Graff - Kitchen Aide 16
 - F. Hire - O'Neal - Bus Driver 17
 - G. Hire - Hendrickson - Evening Custodian 18
 - H. Resignation - Elmore - Paraprofessional 19
 - I. Resignation - Munting - Kitchen Aide
 - J. Resignation - Baldwin - Kitchen Aide 20
 - K. Retirement - Lee - Kitchen Aide 21
 - L. Retirement - Maury - Food Service Director
 - M. Retirement - Cramer - Kitchen Aide 22
 - N. Retirement - Barkovich - Teacher 23
8. **NEW BUSINESS**
 - A. Points of Pride
 - B. Potawatomi Zoo Out-of-State Approval 24
 - C. Esports Overnight Trip Request 26
 - D. Facilities & Student Activities Committee Meeting - 04.16.25 33
 - E. Finance Committee Meeting - 04.21.25
 - F. Neola Policy - Vol. 39, No. 2 - 2nd Reading 34
 - G. Neola Policy - po2264, po2266 - 1st Reading 62
9. **FORUM TIME**

10. **ADJOURNMENT**

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Approval of Agenda

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education approves the agenda as presented."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Consent Agenda Items

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education approves consent agenda items: 7. A, B, C, D, E, F, G, H, I, J, K, L, M, and N."

To: Board of Education
From: David Williams
Date: April 21, 2025
Re: Middle School Resolutions

RECOMMENDED BOARD ACTION:

“RESOLVED, that the Lawton Community Schools Board of Education extends its congratulations to the following students for being Students of the Month for the month of March: Fifth Grade Scarlett Sweet, Sixth Grade Quincy Bandfield, Seventh Grade Kendry Monroe, and Eighth Grade Quinn Freds.”

Scarlett Sweet; Daughter of Lucien and Dessirae Sweet

We are proud to recognize Scarlett Sweet for our 5th grade student of the month. She is an outstanding young lady who works hard in the classroom and on the softball field. She shows responsibility by coming to class prepared every day ready to learn. Scarlett participates in classroom activities and often works with others when she finishes early. She shows respect to all her peers and helps out whenever she can. Confidence is the biggest area of growth we have noticed with Scarlett. She isn't afraid to work something out on the board or raise her hand if something seems off. Outside of working hard in the classroom, Scarlett is a distinguished softball player. She is able to go to practices, travel for games, and travel for special teams, all while maintaining high honor roll.

Quincy Bandfield; Son of Ben and Meghan Bandfield

This student consistently puts in his best effort in his classes. He is a self-starter and pursues additional knowledge about class topics outside of the classroom, thus creating his own, individualized enrichment opportunities. He is eager to share what he learns with his classmates and teachers alike. He stays on task and doesn't let distractions disrupt his learning. He has shown growth in leadership this year! He is an asset to teachers as a role model for his peers and encourages them to follow expectations. For these reasons, we are pleased to announce Quincy Bandfield as our Student of the Month! Congratulations, Quincy! Keep up your great leadership and exceptional work ethic!

Kendry Monroe; Daughter of Brooks and Kiera Monroe

Kendry is a hardworking student, actively participating in class, answering questions and asking poignant questions. She is a positive influence on her peers, helping to keep them on track, and is consistently kind to those around her.

JoAnna Casarrubias; Daughter of Filiberto and Dulce Casarrubias

JoAnna consistently displays the elements of responsibility, ownership, attitude, and respect in every class, every day. She is the first to help another classmate. She is quick to get to work, get serious, and get it done right. JoAnna is an excellent creative writer, serious thinker, and leader in the room. She strives to be her best and make a difference in the world. We can't wait to see what she will do next. Congratulations to Joanna Cassarubias for her exceptional leadership and hard work at Lawton Middle School.

To: Board of Education
From: Jon Waldron
Date: April 21, 2025
Re: High School Resolutions

RECOMMENDED BOARD ACTIONS:

“RESOLVED, that the Lawton Community Schools Board of Education extends its congratulations to the following students for being Students of the Month.

Emma McNees, daughter of Judith and Douglas McNees: Emma is an observant and highly respectful student! She is always prepared, listens and engages in classroom discussions, and even though she is in both choir and band (which means she only has band every other day), she is diligent in preparing her parts at home, so that she is always prepared for every band class.

Emma has shown herself to be an exemplary student in my classroom. She is very diligent in completing her work and making certain it is correct and accurate. Even better, Emma goes out of her way to assist one of her other classmates who really struggles with the content. Emma has recognized this need and has taken it upon herself to assist when I am not available. I so appreciate her kindness! Emma is thoughtful and considerate to everyone around her and she makes our whole class better.

Nolan Stulgaitis, son of Wendy and Brian Stulgaitis: He is incredibly kind. He loves to read and write. He is a hard worker and does not give up when something is challenging or confusing. He is engaged in class and puts his all into understanding the material. Honestly, what an awesome kid.

Nolan is polite, seeks clarification to present his best work, and exhibits excellent time management skills. He instantly fit in when he joined our class. He works hard to perform well and, although he asks questions when needed, he listens so well that he rarely needs to. Nolan always has a smile on his face. He truly desires to learn and grow as a young man.

Nolan possesses the ability to go unbothered by the little things in life. His perseverance is unmatched in my eyes. His bright mind and unwavering attention in class make him a standout, and his excellence in his subject matter is truly impressive. He’s a joy to teach! He has performed at a very high level in the class. His confidence has increased and (more often than not) he is willing to lead discussion, answer questions, and provide overall support to his classmates.



LAWTON COMMUNITY SCHOOLS

Lawton Community Schools Board of Education Minutes of the Regular Meeting on March 17, 2025 High School Board Room

A REGULAR MEETING of the Board of Education of Lawton Community Schools was held Monday, March 17, 2025 beginning at 7:00pm in the HIGH SCHOOL BOARD ROOM.

- Board members present: Walter Hitchcock, Steve Carroll, Larissa Hunt, Nate Pursley, Eric Smith
- Board members absent: Bryan Cronenwett, Matt Riggs

1. **CALL TO ORDER** - 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 forum time.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

Motion: Hunt

Support: Carroll

Carried: 5-0, 2 absent

“RESOLVED, that the Lawton Community Schools Board of Education approves the agenda as presented.”

4. **FORUM TIME** - Comments specific to meeting agenda

5. **BUDGET REPORTS**

6. **SUPERINTENDENT'S REPORT**

A. Special Recognitions

1. Student of the Month

B. 2025 Spring Athletic Schedule

C. 2025 Spring Coaching Staff

D. Supplemental Pupil Count – 02.12.25

LES – 391

LMS – 317.36

LHS – 277.50

LAAC – 27 pending ongoing two-way communication

Shared Time – 50.29 pending ongoing two-way communication

Total – 1,063.15

7. **NEW BUSINESS - CONSENT AGENDA ITEMS**

A. Approval of Consent Agenda Items

Motion: Smith

Support: Carroll

Carried: 5-0, 2 absent

“RESOLVED, that the Lawton Community Schools Board of Education approves consent agenda items: A, B, C, D, E, F, G, and H.”

B. Special Recognition Resolution Approvals

1. Middle School

“RESOLVED, that the Lawton Community Schools Board of Education extends its congratulations to the following students for being Students of the Month for the month of February: Fifth Grade Kambree Boyd, Sixth Grade Charlotte Welburn, Seventh Grade Levi Baldus, and Eighth Grade Quinn Freds.”

Kambree Boyd; Daughter of Bobby Boyd and Janel Nugturen

Kambree is a great leader in all her classes, a kind friend to everyone, and has a great work ethic. Kambree is a student who wants to excel academically, and you can always count on to help others. Kambree works diligently to complete assignments and is a role model with her work. She gives 110% to everything she does both inside & outside the classroom. Keep up the good work, Kambree!!

Charlotte Welburn; Daughter of Mark and Lesley Welburn

The 6th-grade team is proud to recognize Charlotte Wellburn as February's Student of the Month! From the moment she entered 6th grade, Charlotte displayed a quiet determination to succeed—and she has done just that. As the year progresses, she perseveres as an outstanding student in every subject. Charlotte’s approach to the classroom mirrors her approach to basketball—she is always prepared, hardworking, tenacious, endlessly patient and supportive. She actively participates in discussions, sharing ideas, insights, and thoughtful questions that cultivate a culture of curiosity and critical thinking. Beyond her academic achievements, Charlotte is kind, intelligent, and always open to growth. Her teachers frequently praise her for her positive attitude and contributions to the classroom. Congratulations, Charlotte, on this well-deserved recognition!

Levi Baldus; Son of John and Dori Baldus

Levi has demonstrated exceptional qualities that truly embody Lawton Middle School’s **ROAR** values. Levi maintains and demonstrates **Responsibility** by maintaining academic success through dedication and hard work. Levi takes **Ownership** of his school success by being an active learner by participating in class discussions, establishing positive study habits, and taking accountability for his actions. Levi always has a positive **Attitude** which is evident by his strong desire to succeed and learn new things. Finally, Levi shows **Respect** to all staff members and peers by his positive mindset and attitude, and always willing to lend a helping hand.

Thank you, Levi, for helping maintain a positive school culture, and congratulations on being the February Student of the Month.

Quinn Freds; Daughter of Steven and Sally Freds

Quinn Freds is a joy to have in our classrooms because of her helpful nature and positive attitude. She is always ready to lend a helping hand, she goes out of her way to assist both teachers and classmates alike. Quinn's enthusiasm and kindness not only enhance her own learning experience, but also inspire those around her to embrace a similarly uplifting spirit. It is because of these qualities that Quinn has recently joined the LMS 8th grade Leadership R.O.A.R class. She has taken the position with grace and honor and has upheld those standards.

2. High School

“RESOLVED, that the Lawton Community Schools Board of Education extends its congratulations to the following students for being Students of the Month.

Daisy Karsen, daughter of Jenny and Tony Karsen: One teacher says: Daisy is the epitome of respect, resilience, and honesty. She works hard at everything she does, even if it does not come easily to her. She always treats her teachers and her peers with respect. She is a student that every teacher in the building can trust and rely on; we know that when given a choice, Daisy will always do the right thing. She is kind, humble, and hardworking. We are very lucky to have a student like Daisy at LHS.

Auburn James (AJ) Terry, son of Angela and Cody Terry: One teacher says: AJ is always on task and consistently encourages those around him to do the same. He is proactive about checking in on his grades and is respectful and polite to his teachers and other students. He puts forth his best effort, no matter the task and makes sure that he accomplishes everything.

- C. Approval of Board of Education Meeting Minutes
“RESOLVED, that the Lawton Community Schools Board of Education approves the February 17, 2025 Regular Meeting and the March 8, 2025 Work Session Minutes as presented.”
 - D. Hire – Armstrong – Varsity Track Event Assistant
“RESOLVED, that the Lawton Community Schools Board of Education approves the hiring of Alexander Armstrong as a Varsity Track Event Assistant.”
 - E. Hire – Shannon – Varsity Soccer Head Coach
“RESOLVED, that the Lawton Community Schools Board of Education approves the hiring Steven Shannon as a Varsity Soccer Head Coach.”
 - F. Hire – Richter – MS Baseball Head Coach
“RESOLVED, that the Lawton Community Schools Board of Education approves the hiring of Brian Richter as an MS Baseball Head Coach.”
 - G. Hire – Weurding – MS Softball Head Coach
“RESOLVED, that the Lawton Community Schools Board of Education approves the hiring of Derek Weurding as an MS Softball Head Coach.”
 - H. Termination – Smith – Childcare Provider
“RESOLVED, that the Lawton Community Schools Board of Education accepts the termination of Crystal Smith as a Childcare Provider effective February 17, 2025.”
8. **NEW BUSINESS**
- A. Points of Pride
Bandfield – received letter from MASB, received the Honor Board Award
Bandfield – Robotics team success
Smith – saw Kindergarten Circus and it was cool to see; nice to see older kids helping younger kids
 - B. Senior Trip – Out of State Approval
Motion: Hunt
Support: Smith
Carried: 5-0, 2 absent
“RESOLVED, that the Lawton Community Schools Board of Education approves the out of state Senior Trip on May 22, 2025 to Cedar Point.”
 - C. School Calendar
Motion: Hunt
Support: Carroll
Carried: 5-0, 2 absent
“RESOLVED, that the Lawton Community Schools Board of Education approves the 2025-26 school district calendar as presented.”
*will check with LEA if tentative make-up day can be added on Friday after last day

D. Neola Policy – Vol. 39, No. 2 – 1st Reading

9. **FORUM TIME**

10. **ADJOURNMENT**

The meeting adjourned at 7:30pm.

Submitted by: _____

Larissa Hunt, Lawton Community Schools Board of Education Secretary

Proposed



LAWTON COMMUNITY SCHOOLS

Lawton Community Schools Board of Education Minutes of the Special Meeting on March 20, 2025 High School Board Room

A SPECIAL MEETING of the Board of Education of Lawton Community Schools was held Thursday, March 20, 2025 beginning at 5:30 PM in the HIGH SCHOOL BOARD ROOM.

- Board members present: Steve Carroll, Walter Hitchcock, Nate Pursley, Matt Riggs, Eric Smith
- Board members absent: Bryan Cronenwett, Larissa Hunt

1. **CALL TO ORDER** - 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 forum time.

2. **CLOSED SESSION** - To consider the dismissal, suspension, or discipline of a student, as allowed by the Open Meetings Act, P.A. 267 of 1996 8(b) - **Roll Call Vote**

The Board went into Closed Session at 5:34pm and returned to Open Session at 7:08pm.

Motion: Riggs

Support: Pursley

Carried: 5-0, 2 absent

Ayes: Hitchcock, Carroll, Pursley, Riggs, Smith

Nays: None

"RESOLVED, that the Lawton Community Schools Board of Education go into Closed Session to consider the dismissal, suspension, or disciplining of a student, as allowed by the Open Meetings Act, P.A. 267 of 1976 8(b). Closed session requested by student."

3. **OPEN SESSION**

Motion: Riggs

Support: Pursley

Carried: 5-0, 2 absent

"RESOLVED, that the Lawton Community Schools Board of Education return to Open Session."

A. Student Discipline

Motion: Riggs

Support: Carroll

Carried: 4-1, 2 absent

"RESOLVED, that the Lawton Community Schools Board of Education suspends student #20281110 from Lawton Community Schools for 56 school days, which is the remainder of the 24-25 school year, providing virtual learning through the LAAC. Additionally, we encourage the family to pursue the Youth Intervention Program through the Van Buren Community Mental Health."

4. **FORUM TIME**

5. **ADJOURNMENT**

The meeting adjourned at 7:15pm.

Submitted by: _____

Larissa Hunt, Lawton Community Schools Board of Education Secretary



LAWTON COMMUNITY SCHOOLS

Lawton Community Schools Board of Education Minutes of the Special Meeting on March 20, 2025 High School Board Room

A SPECIAL MEETING of the Board of Education of Lawton Community Schools was held Thursday, March 20, 2025 beginning at 6:00 PM in the HIGH SCHOOL BOARD ROOM.

- Board members present: Steve Carroll, Walter Hitchcock, Nate Pursley, Matt Riggs, Eric Smith
- Board members absent: Bryan Cronenwett, Larissa Hunt

1. **CALL TO ORDER** - 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 forum time.

2. **CLOSED SESSION** - To consider the dismissal, suspension, or discipline of a student, as allowed by the Open Meetings Act, P.A. 267 of 1996 8(b) - **Roll Call Vote**

The Board went into Closed Session at 5:34pm and returned to Open Session at 7:08pm.

Motion: Riggs

Support: Pursley

Carried: 5-0, 2 absent

Ayes: Hitchcock, Carroll, Pursley, Riggs, Smith

Nays: None

"RESOLVED, that the Lawton Community Schools Board of Education go into Closed Session to consider the dismissal, suspension, or disciplining of a student, as allowed by the Open Meetings Act, P.A. 267 of 1976 8(b). Closed session requested by student."

3. **OPEN SESSION**

Motion: Riggs

Support: Pursley

Carried: 5-0, 2 absent

"RESOLVED, that the Lawton Community Schools Board of Education return to Open Session."

A. Student Discipline

Motion: Riggs

Support: Smith

Carried: 4-1

"RESOLVED, that the Lawton Community Schools Board of Education suspends student #20283820 from Lawton Community Schools for 56 school days, which is the remainder of the 24-25 school year, providing virtual learning through the LAAC. Additionally, we encourage the family to pursue the Youth Intervention Program through the Van Buren Community Mental Health."

4. **FORUM TIME**

5. **ADJOURNMENT**

The meeting adjourned at 7:15pm.

Submitted by: _____

Larissa Hunt, Lawton Community Schools Board of Education Secretary



LAWTON COMMUNITY SCHOOLS

Lawton Community Schools Board of Education Minutes of the Special Meeting on April 7, 2025 High School Board Room

A SPECIAL MEETING of the Board of Education of Lawton Community Schools was held Monday, April 7, 2025 beginning at 6:00 PM in the HIGH SCHOOL BOARD ROOM.

- Board members present: Walter Hitchcock, Steve Carroll, Bryan Cronenwett, Larissa Hunt, Nate Pursley, Matt Riggs, Eric Smith
 - Board members absent: None
1. **CALL TO ORDER** - 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 forum time.
 2. **CLOSED SESSION** - To consider the dismissal, suspension, or discipline of a student, as allowed by the Open Meetings Act, P.A. 267 of 1996 8(b) - **Roll Call Vote**
The Board went into Closed Session at 6:00pm and returned to Open Session at 6:13pm.
Motion: Riggs
Support: Carroll
Carried: 7-0
Ayes: Hitchcock, Carroll, Cronenwett, Hunt, Pursley, Riggs, Smith
Nays: None
"RESOLVED, that the Lawton Community Schools Board of Education go into Closed Session to consider the dismissal, suspension, or disciplining of a student, as allowed by the Open Meetings Act, P.A. 267 of 1976 8(b). Closed session requested by student."
 3. **OPEN SESSION**
Motion: Riggs
Support: Carroll
Carried: 7-0
"RESOLVED, that the Lawton Community Schools Board of Education return to Open Session."
 - A. Student Discipline
Motion: Hunt
Support: Smith
Carried: 7-0
"RESOLVED, that the Lawton Community Schools Board of Education expels student #20271096 from Lawton Community Schools for 108 school days, which is through the end of the first trimester of the 2025-26 school year. Any return to LCS will be subject to a hearing in front of the Board of Education."
 4. **FORUM TIME**
 5. **ADJOURNMENT**
The meeting adjourned at 6:42pm.

Submitted by: _____
Larissa Hunt, Lawton Community Schools Board of Education Secretary

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Approval of Minutes

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education approves the March 17, 2025 Regular Meeting Minutes, both of the March 20, 2025 Special Meeting Minutes, and the April 7, 2025 Special Meeting Minutes as presented."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Hire – Banks – Kitchen Aide

Bill Maury is recommending Cheryl Banks be hired as an Elementary Kitchen Aide. Three candidates applied and two were interviewed.

Cheryl fits the needs at the elementary right now.

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education approves the hiring of Cheryl Banks as an Elementary Kitchen Aide."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Hire – Graff – Kitchen Aide

Bill Maury is recommending Lorrie Graff be hired as an Elementary Kitchen Aide. Three candidates applied and two were interviewed.

Lorrie fits the need of our elementary position the best right now.

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education approves the hiring of Lorrie Graff as an Elementary Kitchen Aide."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Hire – O’Neal – Bus Driver

Jim Turner is recommending Natalia O’Neal be hired as a Bus Driver. Two candidates applied and two were interviewed.

Natalia brings many years of bus driving experience.

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education approves the hiring of Natalia O’Neal as a Bus Driver pending successful completion of criminal background checks."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Hire – Hendrickson – Evening Custodian

Jim Turner is recommending Maxon Hendrickson be hired as an Evening Custodian. Twenty-four candidates applied and three were interviewed.

Mason brings 4 plus years of experience, a great personality and good work ethic. Younger guy, eager to learn and improve his skill set.

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education approves the hiring of Mason Hendrickson as an Evening Custodian pending successful completion of criminal background checks."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Resignation – Elmore - Paraprofessional

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education accepts the resignation of Caren Elmore as a Paraprofessional effective March 27, 2025."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Resignation – Baldwin – Kitchen Aide

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education accepts the resignation of Peggy Baldwin as a Kitchen Aide effective March 27, 2025."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Retirement Resolution – Lee – Kitchen Aide

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education accepts the retirement of Charlotte Lee as a Kitchen Aide effective June 6, 2025."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Retirement Resolution – Cramer – Kitchen Aide

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education accepts the retirement of Darla Cramer as a Kitchen Aide effective June 6, 2025."

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Retirement Resolution – Barkovich – Teacher

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education accepts the retirement of Tammy Barkovich as a Teacher effective June 30, 2025."

FIELD TRIP REQUEST FORM

Teacher Cornish, Mills, Coombs, Smith School/Class 2nd grade

Request Date 4/8/25 Trip Date 5/23/25 Destination Potawotomi Zoo

Number of Students 72 Number of Staff/Chaperones 30 ^{staff} (4/26) _{chaperones}

Purpose of Trip Observe animal traits, relationships, compare/contrast human and physical characteristics of various environments

Course of Study Science / Social Studies

Specific Learning Objectives to be Accomplished:

Students will be able to identify human and physical characteristics.
Students will explore the diversity of plants and animals.
Students will describe the positive and negative consequences of changing the physical environment.

Student Behaviors that will Confirm Achievement of the Learning Objectives:

Students can explain the relationship between plants and animals.
Students will identify human & physical characteristics as they travel through the zoo.
Students will participate in a discussion about the negative consequences that animals face when their environment changes.

Course Objectives Related to the Learning Objectives:

2-G.2.01, 2-G.5.02, 2-LNGSS

Pre-Trip Lessons/Activities to be Done in the Classroom:

Science ~ Cereal City Animal Traits and Relationships

Social Studies ~ Unit 2 Places & Regions, Unit 5 Environment & Society

Post Trip Activities/Lessons to Reinforce/Extend Learning:

Group project ~ Animal poster

- Picture - plants & animals, labeling human/physical characteristics
- Writing - explain plant/animal dependency

I have utilized the guidelines in 2340A to plan, conduct, and evaluate the trip and, upon approval of the trip, I will obtain parental permission (2340 F2 or F2A) and use the Checklist for Trips (2340 F3).

Field Trip Approval

Trip Approved: Trip Disapproved: Principal: [Signature] Date: 4-10-25

Trip Approved: Trip Disapproved: Superintendent: [Signature] Date: 4.10.25

(Over)

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
RE: Out of State Field Trip Approval Resolution – Potawatomi Zoo

This resolution recommends approval of the Potawatomi Zoo trip for 2nd Grade.

RECOMMENDED BOARD ACTION:

“RESOLVED, that the Lawton Community Schools Board of Education approves the out of state field trip for 2nd Grade on May 23, 2025 to Potawatomi Zoo.”

PROPOSAL FOR OVERNIGHT/EXTENDED STUDENT TRIPS

Type of Trip ___A club trip to compete in a State Tournament_____

Proposed Departure Date __4/25/25_____ Return Date _____4/26/25_____

Proposer _____Brian Dewey_____ Position _____Teacher_____

Date by which response is needed ___ASAP_____ Proposal

Date_____4/18/25_____

A. Purpose

1. What is the major place to be visited or event to be attended?

We are going to be at the University of Michigan Flint in the Recreation Building at 401 Mill St. Flint, MI 48502

2. How is the trip related to the educational program of the District? This trip is for Esports which is a club team at the High School.

3. In what ways will the students benefit? Students will get the opportunity to compete for a State Championship in the game that they are competing in and learn how to cope with the pressures and stress of competing in an in-person tournament. Not to mention learn what it is like to represent your school outside of the comfort of our town and building.

4. In what ways will the District benefit? Lawton Community Schools will benefit from the exposure this will provide for the district in the Esports Community for multiple seasons in a row, and be recognized as a school that has an Esports program that can compete at the State level.

5. How will the trip be evaluated to determine the extent to which these benefits were realized?
By having as much fun as possible.

B. Students and Staff

1. Which students, (grade, class, or organization), will be going? Students from the Esports team.
Logan Spence, Ethan Grabovac, Jayden VanTuyl, Giovanni and Rafael Solis

2340 F5

B. Students and Staff (cont'd)

2. How many students in total? 5

3. How many students are currently experiencing academic problems? None.

4..Which staff member will be in charge? Brian Dewey

5. What previous experience has the staff member had in conducting overnight or extended field trips? I have been a chaperone on 2 trips to Spain.

6. What other staff members will be going? None.

7. How many chaperones, in addition to staff members, will be going? There will be 4 other parents there.

8. What are their names and affiliations with the students? The parents of Ethan and Chris Ferrel, and Logan Spence's Dad and his Wife.

9. How many school days will be missed? None.

2340 F5

10. How will teachers be advised in advance that the students will be out of school? NA

C. School Work

1. How will missed work be made up? NA

2. What special assistance will be provided students with academic problems? NA

D. Itinerary

1. What is the destination? The University of Michigan Flint Recreational Building

2. What will be the mode of transportation? What liability insurance does the carrier have?
Brian Dewey driving a school van.

3. Where will the group be housed and fed? The Holiday Inn Express in Flint. We will stop to eat dinner on the way. Breakfast will be at the hotel and lunch will be on site at the tournament.

2340 F5

D. Itinerary (cont'd)

4. What enroute or supplementary activities are planned? We will stop for dinner on the way to the hotel. There are no extra activities planned outside of that.

5. What arrangements have been made for dealing with emergency situations?

Parent consent and medical authorization forms.

6. If tour guides are involved, what liability insurance do they carry? NA

E. Finances

1. What is the estimated total cost and cost per student? \$50.00 per student plus food.

2. What is the source of funds? The Esports club will be able to pay for the majority of the cost. The students will have to cover the rest.

3. How will the funds be collected and safeguarded? Sr. Dewey will pay for the rooms with Esports money, and carry any extra spending money they want for food or to buy other things.

4. How will any shortfall be made up or excess funds used? NA.

5. What provision has been made for students who are financially unable to pay any necessary costs? The Esports club is fronting the majority of the cost of the trip. If there is a student who needs more than that and can't afford it, Sr. Dewey will find a way to make sure everyone gets what they need.

2340 F5

F. Communications

1. How will you communicate to parents prior to, during, and after the trip? Communication will be made through students direct communication with their parents. Otherwise, I will have parent's phone numbers to call if I needed to communicate with them for any reason or emergency.

2. List telephone numbers at destination and where the group will be housed.

The Holiday Inn Express in Flint - [\(810\) 238-7744](tel:8102387744)

3. What information will be provided to the media and the community? When the tournament is over information will be posted on the Lawton High School Esports Facebook page bragging about not only their conquests in the tournament, but being able to qualify for the tournament (you need to be ranked in the top 16 in the state for the game they are playing just to qualify).

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Overnight Esports Trip Approval

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education approve the proposal for the overnight trip for the Esports Team that is planned for April 25-26 of 2025."



Committee Report Form

Committee: Facilities, Athletics, Student Activities

Date of Meeting: 4.16.25 @ 6:00

Committee Members attending: Cronenwett, Riggs, Smith

Administrator(s) attending: Bandfield, Turner

Type of committee report:

X	Reporting/updating
	Recommending board action

Brief background of committee issues/area reporting:

The committee had an initial review of the Cap Ex Proposals for both Buildings / Operations and Technology. We reviewed a the Transportation Fleet numbers and at the potential to acquire a used bus from a local district. We had further conversations about the Elementary parking lot drainage and our next steps. We had initial discussions about how we will proceed with the additional coaches at the Middle School Basketball teams that we did this year for an initial 1 year trial.

CHAIR DOES NOT NEED TO READ THE FOLLOWING BOARD ACTIONS AS THEY WILL BE RESOLUTIONS AFTER THE COMMITTEE REPORT

RECOMMENDED BOARD ACTION:

-

Book	Policy Manual
Section	Board Review 39.2
Title	Vol. 39, No. 2 - February 2025 Revised BYLAWS AND POLICIES
Code	po0131.1
Status	
Adopted	February 20, 1995
Last Revised	January 8, 2024

Revised Bylaw - Vol. 39, No. 2

0131.1 - BYLAWS AND POLICIES

The Board of Education shall adopt bylaws and policies for the organization and operation of this Board and the District and shall be bound to follow such bylaws and policies.

Those bylaws and policies which are not **required to have a public hearing** dictated by the statutes or rules of the State Board of Education or ordered by the Superintendent of Public Instruction or a court of competent authority may be adopted, amended, **or repealed by a majority vote of the Board at a regular or special meeting** and repealed at any meeting of the Board,

(x) after completing two (2) readings at two (2) scheduled meetings, ~~provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected.~~ **[END OF OPTION]**

(x) except that the Board may **vote to waive the two (2) reading requirement and then vote to adopt, amend, or repeal a bylaw or policy with one (1) reading, provided the amendment or adoption does not conflict with the law, upon a vote and where compelling reasons exist, cause to adopt, amend, or suspend bylaw or policy contained herein, provided the amendment, adoption, or suspension does not conflict with law. Any resolution adopting, amending, or suspending a bylaw or policy under this provision shall expire automatically at the next public meeting of the Board unless the Board moves to adopt the resolution in final form.** **[END OF OPTION]**

Bylaws and policies **may be suspended by** shall be adopted, amended, repealed, or suspended by a majority vote of the Board. **Any resolution suspending a bylaw or policy under this provision shall expire automatically at the next public meeting of the Board.**

(x) Periodically, it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include statutory references, scrivener's errors, renumbering that does not change the order of the sections or subsections, grammatical corrections or additions including punctuation or typographical errors, as well as alterations and omissions not affecting the construction or meaning of any sections, subsections, chapters, titles, or policies as a whole **and that are of a non-substantive nature**. Technical corrections may also include the updating of the named individuals in these policies where the originally named individual no longer works for the District or no longer works in the applicable position. **The Superintendent is authorized to identify and make technical corrections to the policies and regulations without Board approval. Upon completion of the technical corrections, the Superintendent shall provide a brief summary of the technical corrections to the Board for review. Should the Board determine that a technical correction is substantive in nature, it will utilize the normal policy adoption procedure to adopt the amendments to the policy or regulation.** ~~Should the Board choose to make such technical corrections, it may be accomplished by resolution without going through the normal policy adoption procedures.~~ **[END OF OPTION]**

(x) The Board may adopt, amend, or repeal rules of order for its own operation by simple resolution of the Board passed by a majority of those present and voting. **[END OF OPTION]**

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

© Neola 202518

Legal

M.C.L. 380.1201 et seq.

Book	Policy Manual
Section	Board Review 39.2
Title	Vol. 39, No. 2 - February 2025 Revised FIELD AND OTHER DISTRICT-SPONSORED TRIPS
Code	po2340
Status	
Adopted	February 20, 1995
Last Revised	June 18, 2012

Revised Policy - Vol. 39, No. 2

2340 - FIELD AND OTHER DISTRICT-SPONSORED TRIPS

The Board of Education recognizes the value of organized trips or other excursions away from the classroom as a valuable part of the District's educational programming and a valuable opportunity to obtain additional educational experiences not offered directly in the curriculum offerings. These opportunities occur in four (4) primary forms addressed in this policy: (a) field trips; (b) extra-curricular/co-curricular program-related trips; (c) overnight trips; and (d) other District-sponsored trips.

Field Trips

The Board of Education recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Properly planned and executed field trips should:

- A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the schools;
- B. arouse new interests among students;
- C. help students relate school experiences to the reality of the world outside of school;
- D. bring the resources of the community—natural, artistic, industrial, commercial, governmental, educational—within the student's learning experience;
- E. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey by one (1) or more students away from District premises, which is under the supervision of a professional staff member, approved by the Principal, Superintendent, or Board and furthers or supplements an integral part of a course of study as planned for and incorporated into that course of study by the teacher.

Properly planned and executed field trips should cultivate new interests among students, help students relate school experience to the reality of the world outside of school, bring the resources of the community within the student's learning experience, and afford students the opportunity to study real things and processes in their actual environment.

Out-of-state field trips that do not include an overnight stay must be approved by the Board.

Field trips to destinations more than _____ **[ENTER AMOUNT]** miles from the District must be approved by the Superintendent Board **[END OF OPTIONS]. [END OF OPTIONAL PARAGRAPH]**

Extra-Curricular/Co-Curricular Trips

The Board recognizes that student trips will occur for reasons that are not directly incorporated into the curriculum as part of a class, but rather are part of the extra-curricular/co-curricular activities offered by the District. For example, a District athletic team may travel to away games or take a trip to an out-of-town tournament. Any such trips must be identified at the beginning of the activity for the school year, or for the particular season. Extra-curricular or co-curricular trips shall be approved by the ~~() Administration () Athletic Director () Board~~ **[END OF OPTIONS]** appropriate administrator in accordance with the same procedures used for approving field trips. In cases where such advance notice is not possible (such as travel to State tournament competition), the staff member responsible for such activity shall notify the ~~() Athletic Director () Principal () Superintendent () Board~~ **[END OF OPTIONS]** appropriate administrator of the activity and pertinent information.

Extra-curricular trips that extend to an overnight stay are considered overnight travel, other than MHSAA athletic teams participating in State tournaments/meets.

Overnight Travel

Overnight travel is defined as a field trip that involves one (1) or more overnight stays. The District views overnight travel outside of the District related to the curriculum/program as an adjunct to that curriculum/program. As such, it is an important feature of the overall educational program. The District recognizes the importance of overnight travel outside of the District to amplify and enhance studies that occur in the schools' classrooms through unique enrichment opportunities that are not available locally. Overnight travel shall first be approved by the Principal and Superintendent **[END OF OPTIONS]** in accordance with the District's overnight travel guidelines , and then must be submitted to the Board for final approval. ~~END OF OPTION~~.

International field trips present special considerations that need to be taken into account when planning these activities. The Board must approve these trips to be considered District-sponsored trips. The Board will only approve international field trips that are affiliated with a sponsoring or commercial organization that specializes in international travel and that is responsible for establishing the cost of such programs and for collecting payment directly from participating students or their parents ~~END OF OPTION~~. ~~END OF OPTIONAL PARAGRAPH~~

Approval of international travel shall also take into account travel warnings for Americans to avoid travel to specified countries. These warnings are issued by the United States Department of State based on current conditions around the world and are updated as deemed necessary. ~~END OF OPTION~~

Other District-Sponsored Trips

Other District-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the District's total educational program, but not a part of a particular course and not expressly connected to an established extra-curricular/co-curricular activity. These trips may include such trips as summer trip programs, youth service trips, and other types of day trips that are organized by or through school staff or facilitated in some fashion through the District.

Trip Approval Process

No staff member may offer or lead any trip as a District-sponsored trip unless the trip has been approved in the manner prescribed in this policy.

Proposals shall include the details of the trip, the cost of the trip, identify any third-party entities that will be involved in the trip, identify the curriculum-based purpose of the trip, identify what students will be eligible to participate, and any other pertinent information. If overnight, the proposal must describe how accommodations will be provided and how such arrangements will be properly supervised.

~~[] Any trip included in curriculum guides shall be considered to have been approved in advance. All field trips not listed in the curriculum guide must each be approved. END OF OPTION~~

~~x] A list of field trips may be approved annually. Each proposed field trip not so listed must be separately approved. END OF OPTION~~

The Board shall:

- ~~A. () approve all proposed field trips.~~
- ~~B. () consider field trips which are included in curriculum guides to have been approved in advance. All field trips not listed in the curriculum guide must each be approved by the Board.~~

- C. ~~()~~ annually approve a list of potential field trips. Each proposed field trip not so listed must be approved by the Board.
- D. ~~()~~ approve those field trips and other District sponsored trips which ~~()~~ take students more than _____ () miles from this District. ~~()~~ are planned to keep students out of the District overnight or longer or out of the State. **[END OF OPTION]**

General Trip Provisions

The Superintendent shall approve all other such trips.

~~[]~~ The Board shall assume the costs of field trips; no regularly enrolled student shall be charged a fee for participation in field trips. Students may be charged fees, however, for other District sponsored trips which are not part of a course of study. **[END OF OPTION]**

[x] Students may be charged fees for District-sponsored trips **(x)** but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically. ~~[END OF OPTION]~~. **[END OF OPTIONAL PARAGRAPH]**

~~[]~~ Students on all District-sponsored trips remain under the supervision of this Board and are subject to the District's administrative guidelines.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the District who takes students on trips not approved by the Board or Superintendent. No staff member may solicit students of this District for such trips within the facilities or on the school grounds of the District without permission from the Superintendent. Permission to solicit neither grants nor implies approval of the trip. **()** Such approval must be obtained in accordance with the District's Administrative Guidelines for Extended Trips. **[END OF OPTION]**

The Superintendent shall prepare administrative guidelines for the operation of both field and other District-sponsored trips, including athletic trips, which shall ensure:

- A. ~~()~~ the safety and well-being of students;
- B. ~~()~~ parental permission is sought and obtained before any student leaves the District on a trip;
- C. **()** each trip is properly planned and, if a field trip, is integrated with the curriculum, evaluated, and followed up by appropriate activities which enhance its usefulness;
- D. **()** the effectiveness of field trip activities is judged in terms of demonstrated learning outcomes;
- E. ~~()~~ each trip is properly monitored;
- F. ~~()~~ student behavior while on all field trips complies with the Student Code of Conduct and on all other trips complies with an approved code of conduct for the trip;
- G. ~~()~~ the staff member in charge shall have access to each student's Emergency Medical Authorization Form; a copy of each student's Emergency Medical Authorization Form is in the possession of the staff member in charge.
- H. provisions have been made for the administration of medication to those students for whom medications are administered routinely while at school;
- I. provisions have been made at the trip destination and in transportation, if and when required to accommodate students and/or chaperones with disabilities;
- J. provisions for the selection of lodging (for overnight trips) that provides a safe and secure environment.

[x] A professional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in the staff member's his/her charge is imperiled **(x)** or where changes or substitutions beyond the staff member's his/her control have frustrated the purpose of the trip **[END OF OPTION]**.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

Trips Not Sponsored by the District

No staff member, volunteer, coach, or other individual acting in some capacity for the District may solicit students of this District to participate in any trip not sponsored by the District unless that staff individual has received approval of the ~~()~~ Principal ~~()~~ Superintendent. **[END OF OPTIONS]** appropriate administrator to promote such trips within the facilities or on the school grounds. This includes summer trips abroad or other trips offered through a third-party organizer in which a staff member, volunteer, coach, or other individual acting in some capacity for the District is participating, as well as athletic activities outside the District's athletic program.

If approval is granted to solicit students to participate, that individual must clearly communicate to parents that the trip is not District-sponsored and that that individual is not participating within the staff individual's role representing the District. Coordination and/or participation in such a program shall be consistent with Policy 3210 - Staff Ethics/Policy 4210 - Support Staff Ethics.

Transportation for Field and Other District Sponsored Trips

Regular or special-purpose school vehicles will be used for transportation on field and other District-sponsored trips.

The transportation for all field and other District-sponsored trips is to be by vehicles owned or approved by the District and driven by approved drivers. Exceptions must have the approval of the Superintendent.

~~[]~~ The District shall assume transportation costs for

~~()~~ all field trips.

~~()~~ a certain number of approved field trips as specified in the Superintendent's administrative guidelines. **[END OF OPTIONS]**

For all other trips, including co-curricular, athletic, and other extra-curricular trips, the District:

A. may assume the transportation costs or assign the cost to the sponsoring organization.

B. ~~()~~ will assume the vehicle cost but the cost of the driver shall be paid

~~()~~ by the sponsoring organization.

~~()~~ from the designated fund.

C. ~~()~~ will provide for the vehicles for all other trips but a mileage charge will be assessed to cover the cost of the driver and fuel.

This charge is to be paid

~~()~~ by the sponsoring organization.

~~()~~ from the designated fund.

[END OF OPTIONS]

Transportation may be limited by the availability of vehicles, drivers, and scheduling and will not be available when needed for general school purposes. **[END OF OPTION]**

All field trips shall be supervised by members of the staff. All other District-sponsored trips shall be supervised by either staff members or adults from the sponsoring organization. Any time students are in the vehicle, at least one (1) sponsor, chaperone, or staff member is expected to ride in the vehicle as well to supervise students upon return to the District and while they are waiting for rides home. **[END OF OPTION]**

All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception. **[END OF OPTION]**

District students not affiliated with the trip activity, nondistrict students, and/or children of preschool age shall not be permitted to ride on the trip vehicle without the approval of the Principal **[END OF OPTION]**.

No student is allowed to drive on any trip. An exception may be made by the Principal on an individual basis provided the student has written parental permission (x) and does not transport any other student **END-OF-OPTION.**

The Superintendent shall prepare administrative guidelines to ensure that all transportation is in compliance with Board policy on the use of District vehicles and/or private vehicles.

School vehicles are not to be used if the entire distance traveled outside the State is more than _____ (—) miles.

© Neola ~~2025~~1996

Legal

M.C.L. 380.1282

Book	Policy Manual
Section	Board Review 39.2
Title	Vol. 39, No. 2 - February 2025 Revised IMMUNIZATION
Code	po5320
Status	
Adopted	February 20, 1995
Last Revised	June 15, 2015

Revised Policy - Vol. 39, No. 2

5320 - IMMUNIZATION

The Board of Education believes that immunization is one of the most cost-effective measures to protect children from vaccine-preventable diseases. Accordingly, the Board requires that all students be properly immunized at the time of registration or not later than the first day of school pursuant to the provisions of the Department of Health and Human Services ("DHHS") regulations.

Students must meet the immunization requirements set by **the** State for attendance at school in order to enroll or attend.

Students who do not meet the immunization requirements on the opening day of school shall be admitted by the Superintendent in accordance with District administrative procedures. Transfer students shall not be admitted without proof of immunization as required by the State.

There are three (3) circumstances in which a required vaccine may be waived or delayed:

- A. A valid medical contraindication exists to receiving the vaccine. The child's physician must certify the contraindication, **the vaccines involved, and the time frame the student is not able to get the vaccines,** on the appropriate form.
- B. The parents hold religious or philosophical beliefs against receiving a vaccination. Any parent/guardian/in loco parentis who wants to claim a nonmedical waiver will need to receive education regarding the benefits of vaccination and the risks of disease from a county health department before obtaining the certified nonmedical waiver form through the Local Health Department.
- C. The child has received at least one (1) dose of each immunizing agent and the next dose(s) are not due yet. **The District must follow up with the parent or legal guardian to ensure the student has received the required follow-up dose(s) of the vaccine.**

When the District provides information on immunizations, infectious disease, medications, or other school health issues to parents and guardians of students in at least grades 6, 9, and 12, the Board shall include information about meningococcal meningitis and, the vaccine for meningococcal meningitis and about human papillomavirus and the vaccine for human papillomavirus. The information shall include at least the causes and symptoms of meningococcal meningitis and how it is spread and the risks associated with human papillomavirus. In addition, the information shall include sources where parents/guardian may obtain additional information about both diseases and where they may obtain meningococcal meningitis and/or human papillomavirus vaccination of a child.

© Neola ~~2025~~15

Legal M.C.L. 333.9201 et seq., 380.1177, 380.1177a
A.C. 325.176

Book	Policy Manual
Section	Board Review 39.2
Title	Vol. 39, No. 2 - February 2025 Revised EPINEPHRINE AUTO-INJECTORS
Code	po5330.01
Status	
Adopted	September 15, 2014

Revised Policy - Vol. 39, No. 2

5330.01 - EPINEPHRINE AUTO-INJECTORS

Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self-possess and self-administer the medication if they meet the conditions as stated in Policy 5330.

~~Each~~ Commencing with the 2014-15 school year, each school in the District shall have at least two (2) epinephrine auto-injectors (Epi-Pens) available at the school site. It shall be the responsibility of the Superintendent to be sure that the supply of Epi-Pens is maintained at the appropriate level and they have not expired. The Superintendent shall also be responsible for coordinating the training of District employees to administer Epi-Pen injections and to maintain the list of employees authorized to administer such injections.

Individuals Qualified to Administer

Only a licensed, registered professional nurse employed or contracted by the District or a school employee who has successfully passed the required training shall be allowed to possess and administer Epi-Pen injections to students. The persons authorized to use the District maintained Epi-Pens will be maintained in each school by the Principal, and shall be available on an electronically accessible site for employees' reference.

Each school shall have at least one person trained in the appropriate use and administration of an Epi-Pen injection. In each school with ten (10) or more combined instructional and administrative staff, at least two (2) employees at that site shall be appropriately trained in the use of an Epi-Pen.

Training of employees on the appropriate use and administration of an Epi-Pen injection shall be done in accordance with any guidelines provided by the Michigan Department of Education, and shall be conducted under the supervision of a licensed registered professional nurse. The training shall include an evaluation by the nurse of the employees' understanding of the protocols for administering an Epi-Pen injection.

Students to Whom Injections May Be Administered

A licensed, registered, professional nurse or trained and authorized employees under this policy may administer Epi-Pen injections to 1) any student who has a prescription on file with the District, in accordance with the directives in such prescription, and 2) any individual on school grounds who is believed to be having an anaphylactic reaction.

The District and its personnel are immune from civil and criminal liability related to the administration or non-administration of epinephrine to the extent set forth in applicable State law.

Reporting of Injections

Any person who administers an Epi-Pen injection to a student shall promptly notify the Principal, who shall be responsible for promptly notifying the student's parent/guardian that an injection has been administered.

All Epi-Pen injections by District employees to students shall be reported in writing to the Superintendent. The report shall include whether the school's or student's Epi-Pen was used, and whether the student was previously known to be subject to severe allergic reaction (anaphylaxis).

The Superintendent shall at least annually report to the Department of Education, in the form and manner determined by the Department, information on the number of injections provided to students, the number of injections with District Epi-Pens and the number of incidents where students were not known to be subject to severe allergic reactions.

© Neola 202514

Legal

M.C.L. 380.1178, 380.1179, 380.1179A

Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School

Book	Policy Manual
Section	Board Review 39.2
Title	Vol. 39, No. 2 - February 2025 Revised USE OF MEDICATIONS
Code	po5330
Status	
Adopted	February 20, 1995
Last Revised	November 19, 2018

Revised Policy - Vol. 39, No. 2

5330 - USE OF MEDICATIONS

The Board of Education shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or the ~~student~~ ~~child~~ is disabled and requires medication to benefit from ~~the student's~~ ~~his/her~~ educational program.

For purposes of this policy, **the following definitions shall be used:**

"Administer" means the direct application of a nonprescription drug product or prescription drug, whether by injection, ingestion, or other means, to the human body.

"Medication" shall include all medicines including those prescribed by a physician and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies.

"Nonprescription drug product" means any non-narcotic drug product which may be sold without a prescription and which is prepackaged for use by consumers and labeled in accordance with the requirements of State and Federal law.

"Practitioner" shall include any physician, naturopathic doctor, dentist, podiatrist, optometrist, physician assistant, and advanced practice nurse prescriber who is licensed in any state.

"Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

Administration of Prescription Drug Products by School Staff

Before any prescribed medication may be administered to any student during school hours, the Board shall require written instructions from the child's practitioner accompanied by the written authorization of the parent. Such documentation shall be kept on file in the **(x)** school office ~~() nurse's office~~ ~~() health room~~ **END OF OPTION**. Prescription medication must be provided in the original container with the prescription label showing the name and telephone number of the pharmacy, the student's name, the name of the physician, the name of the drug, and the dosage to be administered.

All prescription medication shall be secured and appropriately stored (allowing for quick access and retrieval before, during, and after school hours), unless the medication is an emergency medication that the student is authorized to carry by Administration and self-administer by authorization of both the student's parent(s) and practitioner, and the possession of such medication by the student in school is not prohibited by law or regulation.

Administration of Nonprescription Drug Products by School Staff

Nonprescription drug products may be administered to any student during school hours only with the prior written consent of the parent. Such documentation shall be kept on file in the **(x)** school office ~~() nurse's office~~ ~~() health room~~ **END OF OPTION**. Substances that are not FDA approved (i.e., natural products, food supplements) **(x)** will require the written instruction of a practitioner and the written consent of the parent ~~() will not be administered by District staff~~ **END OF**

OPTION. (x) Nonprescription drugs that are provided by the parent may be administered by school staff only if the nonprescription drugs are supplied in the original manufacturer's package which lists the ingredients, recommended therapeutic dosage in a legible format, and the student's name. **END-OF-OPTION (x)** If a parent has completed the appropriate form authorizing the school to administer nonprescription drugs (e.g., acetaminophen, ibuprofen, diphenhydramine), the student may receive such drugs from the school's supply consistent with the parental authorization and the nonprescription drug dosage information. **[END-OF-OPTION]** Any dosage of nonprescription medication other than that listed on the medication's packaging must be authorized in writing by a medical practitioner.

[] [OPTION #1]

~~Before any medication or treatment may be administered to any student during school hours, the Board shall require the written prescription from the child's physician accompanied by the written authorization of the parent. This document shall be kept on file in the administrative offices. No student is allowed to provide or sell any type of over the counter medication to another student. Violations of this rule will be considered violations of Policy 5530—Drug Prevention and of the Student Discipline Code/Code of Conduct.~~

[] [OPTION #2]

~~Before any prescribed medication or treatment may be administered to any student during school hours, the Board shall require the written prescription from the child's physician accompanied by the written authorization of the parent. () Both must also authorize any self medication by the student.~~

~~Before any nonprescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent () who must also authorize any self medication by his/her child. () Medications will be administered by the District in accordance with the Superintendent's guidelines.~~

[END-OF-OPTIONS]

~~Only medication in its original container, labeled with the date, if a prescription, the student's name, and exact dosage will be administered. Parents, or students authorized in writing by their physician and parents, may administer medication or treatment.~~

~~Staff members are to administer medication or treatment only in the presence of another adult, except in the case of an emergency that threatens the life or health of the student. Staff licensed as professional registered nurses are exempt from this requirement.~~

~~All staff authorized to administer medication or treatment will receive training on this policy and the Superintendent's guidelines, as well as appropriate procedures for administering the medication or treatment. This training shall be provided by qualified individuals with both knowledge of the District's policy and procedures and the administration of medications or treatment. Where possible, this training should be provided by a licensed registered nurse, a licensed physician's assistant, or a licensed physician.~~

[x] All medication shall be kept in a locked storage case in the school office. **[END-OF-OPTION]**

[x] The Board shall permit the administration by staff of any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a physician and the staff member has completed any necessary training. **[END-OF-OPTION]**

[x] Students who may require administration of an emergency medication may have such medication in accordance with the Superintendent's administrative guidelines. **[END-OF-OPTION]**

Student Possession of Medication

[DRAFTING NOTE: Select option for possession and self-administration of medication by students.]

[x] [OPTION #1]

Students are prohibited from possessing, using, carrying, or distributing in school, at school-sponsored events, or on school grounds any drugs or other products which, even though not defined as a drug, are used or marketed for use for medicinal purposes, such as to relieve pain or to relieve the symptoms of an underlying medical condition (including aspirin, ibuprofen, dietary supplements, CBD oil products, etc.).

[END-OF-OPTION #1]

[OR]**[] [OPTION #2]**

~~Unless authorized as specified below, students are prohibited from possessing, using, carrying, or distributing in school, at school-sponsored events, or on school grounds any drugs or other products which, even though not defined as a drug, are used or marketed for use for medicinal purposes, such as to relieve pain or to relieve the symptoms of an underlying medical condition (including aspirin, ibuprofen, dietary supplements, CBD oil products, etc.).~~

~~High school students may possess and self-administer their own nonprescription medications () and prescription medications [END OF OPTION] at school if the appropriate medication authorization form is filed in the school office, provided the student is in possession and self-administers in compliance with relevant District policies () and administrative guidelines [END OF OPTION]. () Responsible students in grades K through eight (8) may be permitted to possess and self-administer medications after consultation with the Principal, school nurse, and parent. If granted permission by the Principal, a medication management plan must be written and signed by all parties. Permission must be obtained every school year. [END OF OPTION]~~

[END OF OPTION #2]

The provisions of this policy are to be viewed together with the Board Policy 5530 - Drug Prevention.

Students may possess and self-administer a metered dose or dry powder inhaler for relief of asthma, or before exercise to prevent onset of asthma symptoms, while at school, on school-sponsored transportation, or at any school-sponsored activity in accordance with the Superintendent's guidelines, if the following conditions are met:

- A. ~~there~~ There is written approval from the student's physician or other health care provider and the student or parent/guardian (if student is under eighteen (18)) to possess and use the inhaler (Form 5330 F1c),
- and
- B. the building administrator has received a copy of the written approvals from the physician and the parent/guardian,
- and
- C. there is on file at the student's school a written emergency care plan prepared by a licensed physician in collaboration with the student and the student's his/her parent/legal guardian. The plan shall contain specific instructions on the student's needs including what to do in the event of an emergency.

Students with a need for emergency medication may also be allowed to self-possess and self-administer such medication, provided that they meet the same conditions established above. Students who are prescribed epinephrine to treat anaphylaxis shall be allowed to self-possess and administer the medication if they meet the conditions stated above.

General Provisions

Students shall be permitted to possess and self-administer U.S. Food and Drug Administration ("FDA") approved, over-the-counter topical products while on school property or at a school-sponsored event provided the student has submitted prior written approval of the student's his/her parent/guardian to the Principal, () or other chief administrator of the student's school.

No student is allowed to provide or sell any type of medication to another student. (x) Violations of this rule will be considered violations of the Student Code of Conduct and Policy 5530 - Drug Prevention. [END OF OPTION]

The District and its personnel are immune from civil and criminal liability related to the administration or non-administration of medications to the extent set forth in applicable State law.

x] The Board shall permit the administration by staff of any medication requiring a delivery method other than oral ingestion when both the medication and the procedure are prescribed by a practitioner and the delivery is under the supervision of a licensed nurse, provided that the staff member has completed any necessary training and that staff member voluntarily agrees to deliver the medication. No staff member, other than a health care professional, may be required to administer medications that are administered by means other than oral ingestion. [END OF OPTION]

This policy and the administrative guidelines developed to establish appropriate procedures shall be implemented in such a manner to comply with the District's obligations and the student's needs under any Individualized Education Plan, Section 504 Plan, or other legally required accommodation for individuals with disabilities.

The Superintendent shall prepare administrative guidelines to ensure the proper implementation of this policy.

M.C.L. 380.1178, 380.1178a, ~~380.1179~~~~301.1179~~

Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School, Policy on Management of Asthma in Schools

© Neola ~~2025~~~~18~~

Legal

M.C.L. 380.1178, 380.1178a, 380.1179

Michigan Department of Education, Model Policy and Guidelines for Administering Medications to Pupils at School, Policy on Management of Asthma in Schools

Book	Policy Manual
Section	Board Review 39.2
Title	Vol. 39, No. 2 - February 2025 Revised STUDENT HEALTH, WELL-BEING, AND SUICIDE PREVENTION
Code	po5350
Status	
Adopted	February 20, 1995
Last Revised	June 15, 2015

Revised Policy - Vol. 39, No. 2

5350 - **STUDENT HEALTH, WELL-BEING, AND SUICIDE PREVENTION**

The Board of Education recognizes the importance of addressing emotional and physical safety of students and staff in order to create and maintain safe and supportive learning environments. Comprehensive mental health and wellness initiatives are key to providing that students are in school, healthy, ready to learn, and prepared for success. ~~that depression and self destruction are problems of increasing severity among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the schools, and a student who has attempted self destruction poses a danger both to himself/herself and to other students.~~

x] The District's comprehensive mental health and wellness initiatives may include supports and services that promote:

- A. Positive school climate;
- B. Social skills;
- C. Mental health and well-being;
- D. Support for students and staff; and
- E. Trauma-informed and restorative practices.

The District shall implement specific strategies to promote school safety, including student instruction, anonymous reporting systems, threat assessment teams, emergency management plans, and staff training. ~~[END OF OPTION~~

x] The District may provide students with age-appropriate instruction concerning the warning signs and risk factors for suicide and depression and the protective factors that help prevent suicide. ~~[END OF OPTION~~

All school personnel should be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

District staff shall receive professional development training in the risk factors, warning signs for suicide and depression, and about the protective factors that help prevent suicide, as well as the available resources regarding youth suicide awareness and prevention. ~~(x)~~ Such training shall include the warnings signs of non-suicidal self-injurious behaviors. **END OF OPTION**

Additional professional development training in suicide risk assessment and intervention shall be provided to counselors, psychologists, and school nurses.

The instruction and professional development shall be designed to:

- A. To prevent both fatal and nonfatal suicide behaviors among youth.

- B. To increase pupil awareness of the warning signs and risk factors for suicide and depression.
- C. To improve access to appropriate prevention services for vulnerable youth groups.

The Superintendent shall develop and implement administrative guidelines whereby members of the professional staff understand how to use an intervention procedure which includes the following:

- Step 1 - Stabilization
- Step 2 - Assessment of the Risk
- Step 3 - Use of Appropriate Risk Procedure
- Step 4 - Communication with Appropriate Parties
- Step 5 - Follow-up

~~[] The Superintendent shall implement instruction for students on the dangers of depression and suicide through age-appropriate programs. Such instruction shall focus on:~~

- A. ~~awareness of the risks and warning signs;~~
- B. ~~access to appropriate prevention services;~~
- C. ~~prevention of suicidal behaviors among students.~~

Parents/Guardians shall be notified of any suicide prevention instruction provided their children using the communication method used for regular communication with parents in that particular building. Upon written request of a parent/guardian, a student will be excused from instruction in this area.

Throughout any intervention, it is essential that Board policies and District guidelines regarding confidentiality be observed at all times.

© Neola 202515

Legal M.C.L. 380.1171 (Chase Edwards Law)
Kelson v City of Springfield, 767 F2d 651 (9th Cir. 1985)

Book	Policy Manual
Section	Board Review 39.2
Title	Copy of GRADUATION REQUIREMENTS
Code	po5460
Status	
Adopted	February 20, 1995
Last Revised	November 19, 2018

5460 - **GRADUATION REQUIREMENTS**

It shall be the policy of the Board of Education to acknowledge each student's successful completion of the instructional program or a personal curriculum appropriate to the achievement of District goals and objectives as well as personal proficiency, by the awarding of a diploma at graduation ceremonies.

The Board shall annually notify each of its students and a parent or legal guardian of each of its students that all students are entitled to a personal curriculum. The annual notice shall include an explanation of what a personal curriculum is and state that if a personal curriculum is requested, the public school or public school academy will grant that request. The District shall provide this annual notice to parent and legal guardians by sending a written notice to each student's home or by including the notice in a newsletter, student handbook, or similar communication that is sent to a student's home, and also shall post the notice on the District website.

[x] The Superintendent is authorized to provide each student in grade twelve (12) and the parent of each student in grade twelve (12) a notice regarding the existence of the Free Application for Federal Student Aid ("FAFSA") and a description of the process, benefits, and requirements of completing the FAFSA. This notice also shall include approximate annual tuition costs of each State educational institution of higher education in Michigan and State scholarships, grants, or other assistance available to students in Michigan. The Superintendent may use the model notice prepared by the Commission of Higher Education or develop a local notice containing the required information.

The Board shall award a regular high school diploma to every student enrolled in this District who meets the requirements of graduation established by this Board, the Michigan Department of Education (MDE), and as provided by State law.

Credit may be earned by:

- A. traditional course work;
- B. demonstrating mastery of subject area content expectations or guidelines for the credit;
- C. related course work in which content standards are embedded;
- D. non-traditional course work;
- E. independent teacher-guided study;
- F. testing out;
- G. dual enrollment;
- H. advanced placement courses;
- I. international baccalaureate or other "early college" programs; or
- J. Michigan Department of Education (MDE)-approved formal career and technical (CTE) program or curriculum.
- K. on-line class

Special education students who properly complete the programs specified in their I.E.P., or in a personal curriculum, and meet the requirements for a high school diploma, and have received the recommendation of the I.E.P.C. may participate in graduation activities as recommended by the student's I.E.P.C. Reasonable accommodation shall be made for students with disabilities, as defined under State or Federal law, to assist them in taking any required tests or assessments for graduation.

For State-mandated curriculum requirements, a student shall be granted credit toward graduation if the student successfully completes the subject area content expectations or guidelines developed by the department that apply to the credit. A student may also receive credit if the student earns a qualifying score, as determined by the State on the assessments developed or selected for the subject area by the State or the student earns a qualifying score, as determined by the District on one or more assessments developed or selected by the School District that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit. For subject areas and courses in which a final examination is used as the assessment for successful attainment of the subject area content, a grade of C+ or better is required.

The Board shall grant credit toward high school graduation for any student who successfully completes, prior to entering high school, a State-mandated curriculum requirement, provided the student completes the same content requirements as the high school subject area, and the student has demonstrated the same level of proficiency on the material as required of the high school students.

Such credit shall be counted toward the required number of credits needed for graduation. Mastery credits shall be counted toward any subject area requirement and any course sequence requirement. Once mastery credit is earned in a subject area, a student may not receive further credit for a lower sequence course in the same subject area.

A high school student shall be granted credit in any foreign language not offered by the District providing the student meets the competency criteria established by the Superintendent.

A high school student shall be granted credit for completion of an internship or work experience that meets all of the requirements of M.C.L. 380.1279h, subject to the Board's right to deny credit for the reasons and in the manner set out in M.C.L. 380.1279h. The appeal rights set out in this statute apply in the event of a denial.

The career and technical education credits may include work-based learning by a student working at a business or other work setting with appropriate oversight by the District over the student's experience and learning in the work setting in which the work-based learning occurs.

Commencement exercises will include only those students who have successfully completed requirements as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation, however, when personal conduct so warrants.

Personal Curriculum

All students will be required to be sixty percent (60%) proficient on 100% of the power standards in the core curriculum areas.

Special education students will be required to be sixty percent (60%) proficient on 100% of the power standards in the core curriculum areas. The exception to this would be that a special education student with a specific disability area can be sixty percent (60%) proficient on sixty percent (60%) of the power standards in any class in the area of disability indicated on their MET without a personal curriculum.

Special Education students will need a personal curriculum to substitute credit requirements of the Michigan Merit Curriculum. Substitutions will only be allowed in the students' area of disability and may not modify more than forty percent (40%) of the total credits seven (7) required by the Michigan Merit Curriculum.

Revised 4/20/98

Revised 11/20/00

Revised 5/15/06

Revised 5/21/07

Revised 1/21/08

Revised 6/16/08

Revised 3/16/09

9 Revised 10/19/09

Revised 4/19/10

Revised 4/18/11
Revised 6/15/15

© Neola 2018

Legal

M.C.L. 380.1166, 380.1278a(1), 380.1278a(2), 380.1278a(4)(c), 380.1279b

M.C.L. 380.1278d, 380.1279h

20 U.S.C. 1400 et seq.

20 U.S.C. 1401 et seq.

29 U.S.C. 794

42 U.S.C. 12131 et seq.

Book	Policy Manual
Section	Board Review 39.2
Title	Copy of PERSONNEL FILES
Code	po8320
Status	
Adopted	February 20, 1995
Last Revised	November 16, 2021

8320 - PERSONNEL FILES

It is necessary for the orderly operation of the School District to prepare a personal information system for the retention of appropriate papers bearing upon an employee's duties and responsibilities to the District and the District's responsibilities to the employee.

The Board of Education requires that sufficient records exist to ensure an employee's qualifications for the job held; compliance with Federal, State, and local benefit programs; conformance with District rules; and evidence of completed evaluations. Such records will be kept in compliance with the laws of the State of Michigan.

~~The~~ Unless the District is required by law to provide this information to a third-party, the District shall not disclose an employee's home address or contact information to a third party without the employee's written authorization.

The Board delegates the maintenance of an employee personal information system to the Superintendent and/or Business Manager.

Only that information which pertains to the professional role of the employee and submitted by duly authorized school administrative personnel and the Board may be entered in the official record file. Employees shall provide necessary information for their personnel files. If providing the requested information is optional, employees shall be informed of their right to decline to supply the information.

Employee medical records, including, but not limited to, insurance forms, medical certifications by a physician, and requests for leave or accommodation, shall not be maintained in the employee's personnel file and shall instead be maintained in a confidential medical file.

A copy of each such entry shall be given to the employee upon request.

The employee may periodically review their file at reasonable intervals, generally not more than two (2) times in a calendar year or as otherwise provided by law or by a collective bargaining agreement.

Personnel records shall be available to Board members and school administrators as may be required in the performance of their jobs.

Any employee who inappropriately releases information, or uses confidential information for personal reasons, will be disciplined in accordance with established policies and procedures. If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information in accordance with applicable procedures or refer the requestor to the employee's immediate supervisor.

Personnel wishing to appeal material in their record as to its accuracy, completeness, relevance, or timeliness shall make a request in writing to the administrator delegated to maintain the records and specify therein name and date, material to be appealed, reason for appeal.

If the appeal does not resolve the disagreement, the employee may submit a written statement, not exceeding five (5) sheets of 8 1/2 inch by 11 inch paper, explaining the employee's position. This written statement shall be kept in the employee's file.

The Superintendent shall prepare administrative guidelines defining which personnel records are to be maintained and the procedures for their maintenance and review.

Records Retention

Generally, personnel files shall be maintained for the duration of the individual's employment with the District, plus six (6) years. Files maintained on employees who were cited for unprofessional conduct shall be maintained for the duration of employment plus fifty (50) years.

Medical files shall be maintained for the period during which the individual is employed by the District or receiving benefits, whichever is longer, plus seven (7) years.

Per the State of Michigan Records Retention and Disposal Schedule for Public Schools, 404A.

State of Michigan Records Retention and Disposal Schedule for Public Schools at 400A and 400B.

Revised 11/20/00

Revised 4/15/02

© Neola ~~2021~~25

Legal

M.C.L. 423.501 et seq

Book	Policy Manual
Section	Board Review 39.2
Title	Copy of WELLNESS
Code	po8510
Status	
Adopted	April 25, 2006
Last Revised	May 17, 2021

8510 - **WELLNESS**

As required by law, the Board of Education establishes the following wellness policy for the School District.

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the District's students. Furthermore, research concludes that there is a positive correlation between a student's health and well-being and the student's ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

The Board, however, believes this effort to support the students' development of healthy behaviors and habits with regard to eating and exercise cannot be accomplished by the schools alone. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits **with respect to eating and exercise**.

The Board sets the following goals in an effort to enable students to establish good health, **healthy nutrition, and physical activity habits**:

A. With regard to nutrition education, the District shall:

1. Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.
2. Nutrition education shall extend beyond the classroom by engaging and involving the school's food service staff.
3. Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.

B. With regard to physical activity, the District shall:

1. **Physical Education**

- a. A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the standards and benchmarks established by the State.
- b. Properly certificated, highly qualified teachers shall provide all instruction in physical education.

2. **Physical Activity**

Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.

C. With regard to other school-based activities:

Free drinking water shall be available to students during designated meal times and may be available throughout the school day.

1. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
2. The school shall provide attractive, clean environments in which the students eat.
3. Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.
4. Lawton Community Schools Food Service, as a participating member in the National School Lunch Program (NSLP) and Breakfast Program, will not sell or allow the consumption of pop and/or soda beverages, including energy drinks, in any and all buildings' lunch rooms/serving areas during the school day breakfast and lunch periods.

D. With regard to nutrition promotion, any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snack in School nutrition standards.

Additionally, the District shall encourage students to increase their consumption of healthful foods during the school day.

Furthermore, with the objectives of enhancing student health and well being, and reducing childhood obesity, the following guidelines are established:

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program.
- B. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).

The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.

- C. The sale of foods and beverages to students that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus during the school day is prohibited.
- D. All food items and beverages available for sale to students for consumption on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) between midnight and thirty (30) minutes after the close of the regular school day shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, including, but not limited to, competitive foods that are available to students a la carte or as entrees in the dining area (except entree items that were offered on the National School Lunch Program (NSLP) or School Breakfast Program (SBP) menu on the day of and the day after they are offered on the NSLP or SBP menu), as well as food items and beverages from vending machines, from school stores, or as fund-raisers, including those operated by student clubs and organizations, parent groups, or boosters clubs.
- E. All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, or from vending machines.
- F. All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include classroom snacks, for classroom parties, and at holiday celebrations) shall comply with the current USDA Dietary Guidelines for Americans.
- G. The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- H. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well regardless of unpaid meal balances and without stigma.

- I. The food service program shall be administered by a director (contact (269)624-7829) who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.

The Board designates the Superintendent as the individual charged with operational responsibility for verifying that the District meets the goals established in this policy.

The Superintendent shall appoint a District wellness committee that includes parents, students, representatives of the school food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the public and school administrators to oversee development, implementation, evaluation and periodic update of the wellness policy. The Wellness Committee shall be an ad hoc committee with members recruited and chosen annually. School-level health advisory teams may assist in the planning and implementation of these Wellness initiatives.

The Wellness Committee shall be responsible for:

- A. assessment of the current school environment;
- B. review of the District's wellness policy;
- C. presentation of the wellness policy to the school board for approval;
- D. measurement of the implementation of the policy;
- E. recommendation for the revision of the policy, as necessary.

Before the end of each school year the Wellness Committee shall recommend to the Superintendent any revisions to the policy it deems necessary and/or appropriate. In its review, the Wellness Committee shall consider evidence-based strategies in determining its recommendations.

The Superintendent shall report annually to the Board on the progress of the Wellness Committee and on its evaluation of policy implementation and areas for improvement, including status of compliance by individual schools and progress made in attaining goals of policy.

The Superintendent is also responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the Superintendent shall include information in the student handbook.

The District shall assess the Wellness Policy at least once every three (3) years on the extent to which schools in the District are in compliance with the District policy, the extent to which the District policy compares to model wellness policies, and the progress made in attaining the goals of the District Wellness Policy. The assessment shall be made available to the public on the School District's web site.

Revised 5/19/14

Revised 12/15/14

Revised 7/17/17

© Neola 2021

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture ("USDA") civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. The District's nondiscrimination statement below is complementary to the District's nondiscrimination policies, including Policy 2260 - Nondiscrimination and Access to Equal Opportunity and Policy 1422/Policy 3122/Policy 4122 - Nondiscrimination and Equal Employment Opportunity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the

Book	Policy Manual
Section	Board Review 39.2
Title	Vol. 39, No. 2 - February 2025 Rescind TRANSPORTATION FOR FIELD AND OTHER DISTRICT-SPONSORED TRIPS
Code	po8640
Status	
Adopted	February 20, 1995
Last Revised	May 20, 2019

Rescind Policy - Vol. 39, No. 2

~~8640 TRANSPORTATION FOR FIELD AND OTHER DISTRICT-SPONSORED TRIPS~~

~~It shall be the policy of the Board of Education to use regular or special purpose school vehicles for transportation on field and other District sponsored trips.~~

~~The transportation for all field and other District sponsored trips is to be by vehicles owned or approved by the District and driven by approved drivers. Exceptions must have the approval of the Superintendent.~~

~~The District shall assume transportation costs for~~

~~all field trips.~~

~~a certain number of approved field trips as specified in the Superintendent's administrative guidelines.~~

~~For all other trips including co-curricular, athletic, and other extra-curricular trips, the District:~~

~~A. will assume the transportation costs.~~

~~B. will assume the vehicle cost but the cost of the driver shall be paid~~

~~by the sponsoring organization.~~

~~from the designated fund.~~

~~C. will provide for the vehicles for all other trips but a mileage charge will be assessed to cover the cost of the driver and fuel.~~

~~This charge is to be paid~~

~~by the sponsoring organization.~~

~~from the designated fund.~~

~~Transportation may be limited by the availability of vehicles, drivers, and scheduling and will not be available when needed for general school purposes.~~

~~All field trips shall be supervised by members of the staff. All other District sponsored trips shall be supervised by either staff members or adults from the sponsoring organization. Any time students are on the vehicle, at least one (1) sponsor, chaperone, or staff member is expected to ride in the vehicle as well as to supervise students upon return to the District and while they are waiting for rides home.~~

~~All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception.~~

~~[] District students not affiliated with the trip activity, nondistrict students, and/or children of preschool age shall not be permitted to ride on the trip vehicle.~~

~~() without the approval of the principal.~~

~~[] No student is allowed to drive on any trip. An exception may be made by the principal on an individual basis provided the student has written parental permission.~~

~~() and does not transport any other student.~~

~~The Superintendent shall prepare administrative guidelines to ensure that all transportation is in compliance with Board policy on use of District vehicles and/or use of private vehicles.~~

~~© Neola 2019~~

TO: Board of Education
FROM: Ben Bandfield
DATE: April 21, 2025
SUBJECT: Neola Policy Adoption

RECOMMENDED BOARD ACTION:

"RESOLVED, that the Lawton Community Schools Board of Education adopts the Neola Board Policies Vol. 39, No. 2 with the exception of policy 8500."

Book	Policy Manual
Section	Board Review 39.2
Title	Copy of NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2264
Status	
Adopted	August 19, 2024

~~2264~~ **NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES**

~~This policy pertains to sex discrimination, including sex based harassment, which occurs on or after August 1, 2024. Allegations of sex based harassment, that occur on or before July 31, 2024, shall be addressed pursuant to Policy 2266. Throughout this policy, unless expressly stated otherwise, reference to "Title IX" includes and incorporates the 2024 Title IX regulations (also known as the "2024 Final Rule"). The Title IX regulations are found at 34 CFR Part 106. References solely to Title IX (20 U.S.C. §§ 1681—1688) are denoted as "Title IX (Statute)." In this policy, unless the context otherwise requires, words importing the singular include the plural and vice versa.~~

NONDISCRIMINATION

Overview:

~~The Board of Education of the Lawton Community School District (hereinafter referred to as "the Board" or "the District") does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.~~

~~Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.~~

~~The Board is committed to maintaining an education and work environment that is free from sex discrimination (including sex based harassment), responding promptly and effectively when it has knowledge of conduct that reasonably may constitute sex discrimination, and addressing sex discrimination in its education program or activity. Persons who commit sex based harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced sex based harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education program or activity.~~

KEY DEFINITIONS

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

Complainant means:

- ~~A. a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or~~
- ~~B. a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.~~

~~**Complaint** means: an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX.~~

~~**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).~~

Disciplinary sanctions means: consequences imposed on a respondent following a determination under Title IX that the respondent violated the Board's prohibition on sex discrimination.

Education program or activity refers to: all the District's operations including, but not limited to, in person and online/remote educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes events and circumstances that take place off school property/grounds but over which the District asserts disciplinary authority.

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

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

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

Parental status means: the status of a person who, with respect to another person who is under the age of eighteen (18) or who is eighteen (18) or older but is incapable of self care because of a physical or mental disability, is:

- A. a biological parent;
- B. an adoptive parent;
- C. a foster parent;
- D. a stepparent;
- E. a legal custodian or guardian;
- F. in loco parentis with respect to such a person; or
- G. actively seeking legal custody, guardianship, visitation, or adoption of such a person.

Party means: a complainant or respondent.

Peer retaliation means: retaliation by a student against another student.

Pregnancy or related conditions means:

- A. pregnancy, childbirth, termination of pregnancy, or lactation;
- B. medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
- C. recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

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

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

Respondent means: a person who is alleged to have violated the Board's prohibition on sex discrimination.

Retaliation means: intimidation, threats, coercion, or discrimination against any person by the District, a student, a Board employee, or any other person authorized by the Board to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the 2024 Title IX regulations.

Sex-based harassment prohibited under this policy and the 2024 Title IX regulations is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex—including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity—that is:

- A. **Quid pro quo harassment.** An employee, agent, or other person authorized by the Board to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

OR

- B. **Hostile environment harassment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
1. the degree to which the conduct affected the complainant's ability to access the District's education program or activity;
 2. the type, frequency, and duration of the conduct;
 3. the parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 4. the location of the conduct and the context in which the conduct occurred; and
 5. other sex-based harassment in the District's education program or activity.

OR

- C. **Specific offenses.**

1. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
2. Dating violence meaning violence committed by a person:
 - a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 1. the length of the relationship;
 2. the type of relationship; and
 3. the frequency of interaction between the persons involved in the relationship.
3. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - a. is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction in which the District is located, or a person similarly situated to a spouse of the victim;
 - b. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - c. shares a child in common with the victim; or
 - d. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the applicable jurisdiction.
4. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- a. fear for the person's safety or the safety of others; or
- b. suffer substantial emotional distress.

Student means: a person eligible to enroll in, attend, or participate in an elementary (including preschool) or secondary school in the District and who is enrolled in, attending, or participating in, or is seeking/attempting to enroll in, attend, or participate, in the District's education program or activity.

Student with a disability means: a student who is an individual with a disability as defined under Section 504 of the Rehabilitation Act of 1973, as amended ("Section 504"), or a child with a disability as defined under the Individuals with Disabilities Education Improvement Act ("IDEA").

Supportive measures means: individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- A. restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or the District's educational environment; or
- B. provide support during the Board's grievance procedures or an informal resolution process.

Parental, Family, or Marital Status

The Board will not adopt or apply any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats such student differently on the basis of sex.

Pregnancy or Related Conditions

Students:

The Board prohibits discrimination in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. A student who is pregnant or experiencing related conditions shall receive comparable treatment to those with temporary medical conditions.

The District will not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the District's class, program, or extracurricular activity unless:

- A. the certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- B. the District requires such certification of all students participating in the class, program, or extracurricular activity; and
- C. the information obtained is not used as a basis for discrimination prohibited by Title IX or this Policy.

District's Responsibilities with Respect to a Student's Pregnancy or Related Conditions

When a Board employee is informed of a student's pregnancy or related conditions by the student or a person who has a legal right to act on behalf of the student, the employee shall promptly provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's education program or activity, unless the employee reasonably believes the Title IX Coordinator has already been notified.

Once a student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions, the Title IX Coordinator shall promptly take the following specific actions to effectively prevent sex discrimination and ensure equal access to the District's education program or activity:

- A. Inform the student and, if applicable, the person who notified the Title IX Coordinator of the District's obligations to:
 - 1. prohibit sex discrimination under this policy, including sex-based harassment;

2. provide the student with the option of reasonable modifications to the Board's policies, practices, or procedures because of pregnancy or related conditions;
 3. allow access, on a voluntary basis, to any separate and comparable portion of the District's education program or activity;
 4. allow a voluntary leave of absence;
 5. provide lactation space; and
 6. maintain grievance procedures that provide for the prompt and equitable resolution of complaints of sex discrimination, including sex-based harassment.
- B. Provide the student with voluntary reasonable modifications to the Board's policies, practices, or procedures because of pregnancy or related conditions.
- C. Allow the student to take a voluntary leave of absence from the District's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a Board maintains a leave policy for students that allows a greater period of time than the medically necessary period, the Board shall permit the student to take leave under that policy instead if the student so chooses. When the student returns to the District's education program or activity, the student will be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the leave began.
- D. Provide lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

See Policy 5751—Parental Married Status of Students

Employees:

The Board will not adopt or implement any policy, practice, or procedure, or take any employment action, on the basis of sex:

- A. concerning the current, potential, or past parental, family, or marital status of an employee or applicant for employment, which treats persons differently; or
- B. that is based upon whether an employee or applicant for employment is the head of household or principal wage earner in such employee's or applicant's family unit.

The Board also will not make a pre-employment inquiry as to the marital status of an applicant for employment, including whether such applicant is a "Miss or Mrs."

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

If an employee has insufficient leave or accrued employment time to qualify for leave under the Board's leave policy, the Board will treat pregnancy or related conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status held when the leave began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

The Board will provide reasonable break time for an employee to express breast milk or breastfeed as needed and will provide the employee with access to a lactation space, which must be a space other than a bathroom that is clean, shielded from view, free from intrusion from others, and may be used by an employee for expressing breast milk or breastfeeding as needed. See Board Policy 6700—Fair Labor Standards Act.

TITLE IX COORDINATOR(S)

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Title IX:

High School Principal

~~101 Blue Pride Dr.
Lawton, MI 49065
titleixcoordinator@lawtoncs.org
269-624-7801~~

~~Middle School Principal
100 Blue Pride Dr.
Lawton, MI 49065
titleixcoordinator@lawtoncs.org
269-624-7601~~

~~The Board designates High School Principal as the coordinator who is ultimately responsible for oversight over the Board's compliance with its responsibilities under Title IX.~~

~~The Title IX Coordinator may delegate specific duties to one (1) or more designees.~~

~~The Title IX Coordinator shall report directly to the Superintendent except when the Superintendent is a party to a complaint (i.e., either the complainant or the respondent). Under such circumstances, the Title IX Coordinator shall report directly to the Board President or the Board's Legal Counsel until the matter in which the Superintendent is a party is concluded.~~

~~Questions about this policy and Policy 2266 should be directed to the Title IX Coordinator.~~

~~The Title IX Coordinator shall monitor the District's education programs and activities for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX, and take steps reasonably calculated to address such barriers.~~

~~Notice of Nondiscrimination~~

~~The Superintendent shall provide a notice of nondiscrimination to students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the Superintendent shall post the notice of discrimination on the District's website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to the persons listed above, or which are otherwise used in connection with the recruitment of students or employees.~~

~~GRIEVANCE PROCEDURES~~

~~Overview:~~

~~The Board adopts the following grievance procedures to provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the District's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX.~~

~~These grievance procedures shall be used for all complaints of sex discrimination, including sex-based harassment, involving conduct alleged to have occurred on or after August 1, 2024. These grievance procedures also may be used, at the discretion of the Title IX Coordinator, to investigate, address, and remedy (as necessary) conduct alleged to have occurred before August 1, 2024, that does not involve sex-based harassment, but some other form of sex discrimination prohibited by Title IX (Statute)—e.g., claims of unequal athletic opportunities, admissions discrimination, discrimination in courses or academic programs (i.e., excluding students from certain classes or programs based on their sex), pregnancy discrimination, unequal treatment based on parental, family, or marital status, discrimination in employment (including in hiring, promotion, and compensation), and retaliation. If the Title IX Coordinator elects not to use these grievance procedures to investigate and resolve such claims, the Title IX Coordinator will still need to implement some procedures to assess—in a prompt, effective, and equitable manner—whether Title IX (Statute) was violated, and, if it was, how best to end the sex discrimination in the District's education program or activity, prevent its recurrence, and remedy its effects.~~

~~Reports and Formal Complaints of "Sexual Harassment" (as defined in Policy 2266) involving conduct alleged to have occurred prior to August 1, 2024, are subject to the grievance procedures outlined in Policy 2266.~~

~~Under all circumstances, the Title IX Coordinator shall offer and coordinate supportive measures, as appropriate, in accordance with this policy or Policy 2266, if the Report or Formal Complaint involves "Sexual Harassment" alleged to have occurred prior to August 1, 2024.~~

If the conduct giving rise to a report or complaint of sex discrimination is alleged to have occurred both before **and** after August 1, 2024 (i.e., is part of a pattern of sex discrimination), the Title IX Coordinator shall determine whether to use the grievance procedures contained in this policy or the grievance procedures contained in Policy 2266. The Title IX Coordinator will notify, in writing, the parties of the determination and the rationale for it. Under no circumstances, however, will a party be denied the due process to which the party is entitled based on the U.S. Department of Education issued regulations in effect at the time the conduct alleged to violate Title IX (Statute) took place. Nothing herein shall prevent the Title IX Coordinator from using a hybrid grievance procedure that contains aspects of the grievance procedures contained in both this policy and Policy 2266, so that the parties receive all of the due process to which they are entitled.

Complaints:

The following people may make a complaint of sex discrimination— i.e., request that the District investigate and make a determination about whether sex discrimination as prohibited under Title IX occurred:

- A. a "complainant," which includes:
 1. a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
 2. a person other than a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the District's education program or activity;
- B. a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant;
- C. the District's Title IX Coordinator.

A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person who was subjected to the sex-based harassment, or if the Title IX Coordinator initiates a complaint consistent with the requirements of the 2024 Title IX regulations.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- A. any student or employee of the District; or
- B. any person other than a student or employee who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.

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

Basic Requirements:

The District will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects of Policy 2264, including the Title IX Coordinator, the investigator, the decisionmaker, and the appeal decisionmaker, shall be free from any conflicts of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

The Title IX Coordinator may serve simultaneously as an investigator and/or a decisionmaker.

If the Title IX Coordinator does not intend to serve as the investigator and decisionmaker in a specific case, the Title IX Coordinator shall designate one (1) or more administrators who are appropriately trained to serve in the role. Likewise, the Title IX Coordinator shall appoint an appeal decisionmaker when an appeal is filed.

In circumstances when the Title IX Coordinator and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons that impair the Title IX Coordinator and other trained administrators from serving as an investigator and/or decisionmaker in a specific case, the Title IX Coordinator shall, in consultation with and approval of the Superintendent or Board President (as appropriate), secure one (1) or more

independent third parties to serve as the investigator and/or decisionmaker. Similarly, the Title IX Coordinator has authority, in consultation with and approval of the Superintendent or Board President (as appropriate), to secure an independent third party to serve as the appeal decisionmaker.

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

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

- A. **Evaluation**—The Title IX Coordinator will determine whether to dismiss a complaint or investigate it within ten (10) days of receiving the complaint.
- B. **Investigation**—The Title IX Coordinator, or designated investigator, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) within thirty (30) days of the Title IX Coordinator determining the charges require investigation. If, however, the Title IX Coordinator, or designated investigator, determines that the investigation is going to take longer, the Title IX Coordinator will so notify the parties and the Superintendent and will thereafter keep the parties and the Superintendent informed of the status of the matter on a regular basis. Once the Title IX Coordinator, or designated investigator, provides the parties with “access” to either the relevant and not otherwise impermissible evidence and/or an accurate description of the evidence, the parties will have five (5) days to respond to the evidence or the description of the evidence unless the Title IX Coordinator approves a party’s written request for more time. If the Title IX Coordinator approves such a request, both parties will be afforded an equal amount of time to submit their response.
- C. **Determination**—After the parties either submit responses to the evidence/description of the evidence, or the deadline for submitting such responses expires, the Title IX Coordinator, or designated decisionmaker, will consider the relevant and otherwise not impermissible evidence and issue a determination as to whether sex discrimination occurred. The determination shall be issued within ten (10) days of the deadline for the parties to submit responses to the evidence/description of the evidence unless the Superintendent or Title IX Coordinator approves an extension of time, which must be communicated in writing to the parties.
- D. **Appeal**—A party filing an appeal of the Title IX Coordinator’s decision to dismiss a complaint must do so within five (5) days of receiving the Dismissal.

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

The District will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consulting with their family members, confidential resources, or advisors; or otherwise preparing for or participating in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

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

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

- A. evidence that is protected under a privilege recognized by Federal or State law unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- B. a party’s or witness’s records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness unless the District obtains that party’s or witness’s voluntary, written consent for use in its grievance procedures; and
- C. evidence that relates to the complainant’s sexual interests or prior sexual conduct, unless evidence about the complainant’s prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant’s prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent shall not by itself demonstrate or imply the complainant’s consent to the alleged sex-based harassment or preclude a determination that sex-based harassment occurred.

Notice of Allegations:

Upon initiation of the Board's grievance procedures, the Title IX Coordinator shall notify the parties of the following:

- A. the Board's Title IX grievance procedures and informal resolution process;
- B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- C. retaliation is prohibited; and
- D. the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the Title IX Coordinator, or designated investigator, provides the parties with a description of the evidence, any party may request access to the relevant and not otherwise impermissible evidence. The Title IX Coordinator will provide the requesting party with the relevant and not otherwise impermissible evidence in a timely manner.

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

Dismissal of a Complaint:

The Title IX Coordinator may dismiss a complaint of sex discrimination if:

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

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

The Title IX Coordinator will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

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

If the dismissal is appealed, the Title IX Coordinator will:

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

- C. ensure that the appeal decisionmaker did not take part in an investigation of the allegations or dismissal of the complaint;
- D. ensure that the appeal decisionmaker has been trained consistent with the 2024 Title IX regulations;
- E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- F. notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the Title IX Coordinator will, at a minimum:

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

Informal Resolution Process:

In lieu of resolving a complaint through the Board's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. The District will not offer an informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Adding Allegations and/or Consolidating Complaints:

If, in the course of an investigation, the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the original Notice of Allegations provided or that are included in a complaint that is consolidated, the Title IX Coordinator will notify the parties of the additional allegations.

Investigation:

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

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

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

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

The District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- A. the District will provide the parties with an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence;

If the Title IX Coordinator, or designated investigator, provides a description of the evidence, the Title IX Coordinator, or designated investigator, will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

- B. the District will provide a reasonable opportunity to the parties to respond to the evidence or the accurate description of the evidence; and
- C. the District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Questioning the Parties and Witnesses:

The investigator should refrain from including in the investigator's notes/file the investigator's opinion about each party's or witness's credibility since the assessment of credibility is solely the responsibility of the decisionmaker.

If the investigator and decisionmaker are two (2) separate individuals, the decisionmaker will have an opportunity to question the parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one (1) or more allegations of sex discrimination.

If the investigator and the decisionmaker are the same person, the decisionmaker will have an opportunity to question the parties and witnesses in individual meetings as part of the investigation.

Before concluding the Investigation, the investigator may allow each party to propose/submit in writing relevant questions that the party wants asked of any party or witness and the investigator will review any questions submitted by the parties and ask those questions of the specific party or witness that the investigator determines—in the investigator's sole discretion—may lead to probative evidence that will assist the decisionmaker in determining whether sex discrimination occurred. The investigator's decision to ask or not ask a specific question proposed by a party is not subject to review. Any questions asked must be relevant and not otherwise impermissible.

After the parties have an opportunity to review the relevant and not otherwise impermissible evidence, or an accurate description of this evidence, the decisionmaker may allow each party to propose/submit in writing relevant questions that the party wants asked of any party or witness and the decisionmaker will review any relevant and not otherwise impermissible questions submitted by the parties and ask those questions of the specific party or witness that the decisionmaker determines—in the decisionmaker's sole discretion—may lead to probative evidence that will assist the decisionmaker in determining whether sex discrimination occurred. The decisionmaker's decision to ask or not ask a specific question proposed by a party is not subject to review. Any questions asked must be relevant and not otherwise impermissible.

Determination of Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Title IX Coordinator or designated decisionmaker will:

- A. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that sex discrimination occurred, regardless of the quantity of the evidence, the decisionmaker will not determine that sex discrimination occurred.
- B. Notify the parties, in writing, of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal.
- C. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- D. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 1. coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education program or activity limited or denied by sex discrimination;
 2. coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 3. take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity.
- E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred.

Appeal of Determinations:

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

A party may appeal a Determination on the following bases:

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

The complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed.

If a party appeals the decisionmaker's determination, the Title IX Coordinator will:

- A. notify the parties of any appeal;
- B. implement appeal procedures equally for the parties;
- C. designate an appeal decisionmaker, who will be a person who did not conduct the Investigation or render the Determination, and is appropriately trained:
 1. the Title IX Coordinator will designate the Superintendent to be the appeal decisionmaker, provided the Superintendent has not been otherwise involved in the grievance procedures (i.e., did not serve as the investigator, decisionmaker, or informal resolution process facilitator) and is appropriately trained;
 2. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the decisionmaker's determination;
 3. provide the appeal decisionmaker with the relevant and not otherwise impermissible evidence along with the accurate description of the relevant evidence (if one was prepared and shared with the parties), any responses the parties submitted to the investigator related to the evidence and/or the description of the evidence (if one was prepared), and the decisionmaker's determination; and
 4. notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale for the outcome.

Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Determination

After a party files an appeal, both parties will have five (5) days to submit to the appeal decisionmaker a statement in support of their position that they want the appeal decisionmaker to consider in rendering a decision. Once the decisionmaker receives each parties' statement, or the timeline for submitting such statements expires, the appeal decisionmaker will have ten (10) days to issue a decision on the appeal.

No new or additional evidence may be submitted during the appeal process.

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

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

Supportive Measures:

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

The Title IX Coordinator shall determine appropriate supportive measures on a case by case basis. Supportive measures may vary depending on what the Title IX Coordinator deems to be reasonably available. Supportive measures may include, but are not limited to: counseling; extensions of deadlines or other course related adjustments; school/campus escort services; increased security and monitoring of certain areas of the campus (including school buildings and facilities); restrictions on contact between the parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; training and education programs related to sex-based harassment.

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

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

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

The District will provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures as set forth in the Key Definitions section of this policy.

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

The District will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the District's education program or activity, or as otherwise permitted pursuant to the 2024 Title IX regulations.

If the complainant or respondent is an elementary or secondary student with a disability, the Title IX Coordinator shall consult with one (1) or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one (1) or more members, as appropriate, of the student's Section 504 team, if any, to determine how to comply with the requirements of the IDEA and/or Section 504, in the implementation of supportive measures.

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

Disciplinary Sanctions and Remedies:

Following a determination that sex-based harassment occurred, the District may impose disciplinary sanctions, which may include:

For Students**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 extracurricular activity(ies), including athletics;~~
3. ~~emergency removal;~~
4. ~~suspension for up to ten (10) school days;~~
5. ~~expulsion for up to eighty (80) school days or the number of school days remaining in a semester, whichever is greater;~~
6. ~~expulsion for up to one (1) year;~~
7. ~~permanent exclusion; and~~
8. ~~any other sanction authorized by the Student Code of Conduct.~~

For Employees-

- A. ~~oral or written warning;~~
- B. ~~written reprimands;~~
- C. ~~required counseling;~~
- D. ~~required training or education;~~
- E. ~~demotion;~~
- F. ~~suspension with pay;~~
- G. ~~suspension without pay;~~
- H. ~~termination and any other sanction authorized by any applicable Board Policy, Employee/Administrator Handbook, and/or collective bargaining agreement.~~

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

~~With respect to student respondents, the Title IX Coordinator will notify the Superintendent of the recommended remedies (including disciplinary sanctions/consequences), 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, Expulsion, and Permanent Exclusion 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 ("Section 504"), and their respective implementing regulations.~~

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

Retaliation

~~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 or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a code of conduct violation that does not involve sex discrimination but arises out of the same facts and circumstances as a complaint or information reported about possible sex discrimination, for the purpose of interfering with the exercise of any right or privilege secured by Title IX constitutes retaliation. Peer retaliation is also prohibited. Retaliation against a person for making a complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

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

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

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination that sex discrimination occurred, 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 complaint of sex discrimination, 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 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 (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the complainant's and respondent's receipt of the information to which they are entitled related to the investigation and determination of whether sex discrimination occurred).

Application of the First Amendment

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

Training

All employees, investigators, decisionmakers, facilitators of informal resolution process, the Title IX Coordinator(s) and designees, and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under Title IX and this Policy. The training shall be provided promptly upon hiring or change of position that alters their duties under Title IX or this policy, and annually thereafter. The training shall not rely on sex stereotypes.

Training materials must be made available for inspection upon request by members of the public.

Recordkeeping

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

- A. for each complaint of sex discrimination, records documenting the informal resolution process and/or the grievance procedures followed and the resulting outcome;
- B. for each notification that the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX, including notifications under 34 C.F.R. § 106.44(c)(1) or (2), records documenting the actions the District took to meet its obligations under 34 C.F.R. §106.44; and
- C. all materials used to provide the required training.

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, decisionmaker, appeal decisionmaker, or facilitator of the informal resolution process.

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

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

Discretion in Application

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

~~Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible 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 2024

Legal	20 U.S.C. 1092(F)(6)(A)(v)
	20 U.S.C. 1232g
	20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
	20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)
	29 C.F.R. Part 1636
	34 C.F.R. Part 99
	34 C.F.R. Part 106
	34 U.S.C. 12291(a)(8)
	34 U.S.C. 12291(a)(10)
	34 U.S.C. 12291(a)(30)
	42 U.S.C. 1983
	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. 2000gg
	OCR's Revised Sexual Harassment Guidance (2001)

Book	Policy Manual
Section	Board Review 39.2
Title	Copy of NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES (The Board's Policy and Grievance Procedures for Responding to Sexual Harassment Alleged to Have Occurred Prior to 8/1/2024)
Code	po2266
Status	
Adopted	September 21, 2020
Last Revised	August 19, 2024

2266 - NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES (~~The Board's Policy and Grievance Procedures for Responding to Sexual Harassment Alleged to Have Occurred Prior to 8/1/2024~~)

~~Effective August 1, 2024, this policy shall only pertain to Reports or Formal Complaints of Sexual Harassment that are based on conduct alleged to have occurred on or before July 31, 2024.~~

Introduction

The Board of Education of the Lawton Community 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. 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 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 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 (1) 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, and the "nonforcible" sex offenses of Incest and Statutory Rape. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

1. *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.
 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. *Incest* is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
 5. *Statutory Rape* is sexual intercourse with a person who is under the statutory age of consent as defined by State law.
 6. *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.
 7. *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.
- 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 the 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 the 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), 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:

Middle School Principal
269-624-7601
100 Blue Pride Dr.
Lawton, MI 49065
titleixcoordinator@lawtoncs.org

High School Principal
269-624-7801
101 Blue Pride Dr.
Lawton, MI 49065
titleixcoordinator@lawtoncs.org

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 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 Lawton Community 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:

Middle School Principal
269-624-7601
100 Blue Pride Dr.
Lawton, MI 49065
titleixcoordinator@lawtoncs.org

High School Principal
269-624-7801
101 Blue Pride Dr.
Lawton, MI 49065
titleixcoordinator@lawtoncs.org

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 provides 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: <https://go.boarddocs.com/mi/law/Board.nsf/Public?open&id=policies>. 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 the 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).

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. 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.

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 and/or administrative guidelines, 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. 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 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 eighteen (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 purpose 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.

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. 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.

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 make false statements or knowingly submit 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.

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.

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.

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 and/or this policy that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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 (1) 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 (1) 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:

- 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 employed 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 (1) Respondent, or by more than one (1) Complainant against one (1) or more Respondents, or by one (1) 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 (1) Complainant or more than one (1) Respondent, references in this policy to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

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 sexually harassed a student.

The informal resolution process is not available to resolve allegations involving a sexual assault involving a student Complainant and a student Respondent.

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. The decision-maker(s) is charged with considering the totality of all available evidence from all relevant sources.

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.

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, 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 one (1) days' notice with respect to investigative interviews and other meetings and three (3) days' notice with respect to hearings.

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 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.

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 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).

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.

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.

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;
- 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.

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 the 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 the 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;
- 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).

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 ⁸⁸ written appeal to the Title IX Coordinator within three (3) 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.

Nothing herein shall prevent the Superintendent from implementing appropriate remedies, however, excluding 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.

The decision-maker(s) for the appeal shall determine when each party's written statement is due.

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(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 sixty (60) days of when the parties' written statements were submitted.

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 is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance 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 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 (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, 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.

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, 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, decision-makers, 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 (2) 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, ⁹⁰investigator, 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.

Discretion in Application

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

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible 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.

Revised 5/17/21

© Neola 2024

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