

July Board Meeting
Monday, July 12, 2021 7:00 PM

Media Center, Amherst School
100 N. Sycamore
Amherst, NE 68812-0008

Agenda

1. Call meeting to order
 1. Pledge of Allegiance
2. Notice of adherence to the Open Meeting Law
3. Roll Call
 1. Excuse absent Board members
4. Approval of Minutes, Claims and Reports
 1. Review previous meeting minutes
 2. Review financial reports and monthly claims
 3. Board Action on consolidated motion for approving Minutes, Claims and Financial Reports
5. Reports and communications from patrons or staff
 1. Judy Derr - Proposed State Health Standards
6. Reports and communications from board members.
7. Principal's Report
8. Superintendent's Report
9. Old Business
10. New Business
 1. Letter to the State Board in opposition to the first draft of state health standards.
 2. ARP/ESSER III Return Plan Feedback
 3. 1st Reading of proposed changes to Board Policy 113: Anti-Harassment
 4. 1st reading of new Board Policy 441, Internal Controls
 5. 1st reading of proposed changes to Board Policy 607 Antidiscrimination,
 6. 1st reading of proposed changes to Board Policy 735, Equal Opportunity
 7. 1st reading of proposed changes to Board Policy 900: Special Education Policies
 8. Set lunch prices for the 2021-22 school year.
 9. Set salaries of Classified Employees for the 2021-2022 school year.
 10. Approve 2021/22 preschool and daycare rates.
 11. Approve 2021/22 substitute teacher pay rate.
11. Miscellaneous or non-action items
12. Executive Session
13. Adjourn

Regular Board of Education Meeting

June 14, 2021 7:00 PM
Media Room

Present Board Members: Terry Abbott, Les Adelung, Ryan Fisher, Karen Harmoney, Casey Mitchell, Jess Day

Visitors Present: Superintendent Moore, Principal Thomsen, Judy Derr, Jacob Sertich, Tobin Buchanan, Wayne Gallaway.

Motion to approve Minutes, Claims and financial Reports. Motion by Ryan Fisher and second by Terry Abbott.

Vote: Abbott - Yes, Adelung – Yes, Fisher – Yes, Harmoney – Yes, Mitchell - Yes, Day - Yes
Vote 6-0, motion carried

Motion to approve First National Capital Markets as the municipal advisor for the proposed building project. Motion by Ryan Fisher and second by Karen Harmoney

Vote: Abbott - Yes, Adelung – Yes, Fisher – Yes, Harmoney – Yes, Mitchell - Yes, Day - Yes
Vote 6-0, motion carried

Motion to approve Matt Gordon as Amherst Public Schools fiscal agent starting June 21, 2021. Motion by Terry Abbott and second by Jess Day

Vote: Abbott - Yes, Adelung – Yes, Fisher – Yes, Harmoney – Yes, Mitchell - Yes, Day - Yes
Vote 6-0, motion carried

Motion to adjourn at 8:52 PM. Motion by Casey Mitchell and second by Ryan Fisher.

Vote: Abbott - Yes, Adelung – Yes, Fisher – Yes, Harmoney – Yes, Mitchell - Yes, Day - Yes
Vote 6-0, motion carried

President Adelung began the Regular Board Meeting at 7:00 PM. President Adelung made known the posting of the "Open Meetings Law" poster, which is hanging on the Media Center's wall. Superintendent Moore discussed the 2021-22 budget, presented 2021-22 State Aid Certification and updated on current year expenses. Mr. Thomsen discussed opening the weight room for community use during the summer. President Adelung updated the Board on the building project. Judy Derr discussed the proposed State Health Standards. The Board thanks Klingelhoef Well Drilling for the donation of their services for the greenhouse.

Chairperson

Superintendent

FINANCIAL REPORT For June 30, 2021

Fund	Bank 06/30/21	Interest	Co. Treas 05/31/21	NSDLAF 06/30/21	Int.	TOTAL 06/30/21	Mo. Intr.	Balances 06/30/20
General	1,980,692.09	601.00	257,522.57	767.02	0.02	1,981,459.11	601.02	2,045,286.99
	CD					1,000,000.00		1,000,000.00
Lunch	43,682.75	1.62				4,621.40	1.62	4,621.40
Petty Cash	3,468.57					2,729.63		2,729.63
Activity	19,600.92	16.84				174,277.49	16.84	174,277.49
Retirement	39,270.66					36,607.73		36,607.73
Spe. Bld.	933,309.21	247.00	43,473.11	234.97	0.01	583,582.23	247.01	583,347.26
	CD					500,000.00		
Deprec./Handicp	598,134.72	162.19		941.44	0.01	572,294.31	162.20	571,352.87
Unemployment	9,049.48			2,221.52	0.05	11,281.00	0.05	9,059.48
Caf. Plan	7,536.86					7,536.66	0.00	7,536.66
Bond	84,015.97	21.60	8,432.34			534,490.61	21.60	534,490.61
TOTAL	3,718,761.23	1,050.25		4,164.95	0.09	5,408,880.17	1,050.34	4,969,310.12

interest.35% General fund

interest. .3 Bond fund, special Buildint Fund and Depreciation

interest .1% on Activity Fund

General Fund CD 20 month @ 2.1%, Special Building 11 month @.45

Consolidated Check Listing

Direct Dep.	Check	Check Date	Payable To	Amount
01 - GENERAL FUND				
	00033431	07/12/2021	Am. Family Life Assurance Co	1,737.69
	00033432	07/12/2021	Country Partners Cooperative	569.63
	00033433	07/12/2021	Amherst Post Office	330.00
	00033434	07/12/2021	DAS State Accounting - Central Finance	232.49
	00033435	07/12/2021	ASK Supply Co.	2,656.19
	00033436	07/12/2021	Heartland Bank	15.00
	00033437	07/12/2021	Blue Cross-Blue Shield	46,449.29
	00033438	07/12/2021	Buffalo Outdoor Power LLC	13.19
	00033439	07/12/2021	Builders How To	6,292.32
	00033440	07/12/2021	Business Education Publishing	329.70
	00033441	07/12/2021	Cascade School Supplies	99.48
	00033442	07/12/2021	Cash Drawer-amherst School	52.01
	00033443	07/12/2021	Cengage Learning	1,060.00
	00033444	07/12/2021	Computers Etc	15.50
	00033445	07/12/2021	Computer Hardware	160.00
	00033446	07/12/2021	Culligan of Kearney	187.00
	00033447	07/12/2021	Dawson Co Pub Power	3,259.64
	00033448	07/12/2021	DHHS Licensure Unit	25.00
	00033449	07/12/2021	Ecolab Pest Elimination	73.42
	00033450	07/12/2021	ESU 10	20,242.77
	00033451	07/12/2021	First Bankcard	1,993.10
	00033452	07/12/2021	Flinn Scientific Inc.	1,578.61
	00033453	07/12/2021	Frontier	456.71
	00033454	07/12/2021	Learning Without Tears	1,058.53
	00033455	07/12/2021	Heartland Bank	40,026.55
	00033456	07/12/2021	HireRight Solutions, Inc	67.30
	00033457	07/12/2021	Hometown Leasing	492.30
	00033458	07/12/2021	Horace Mann	24.66
	00033459	07/12/2021	Horace Mann	25.00
	00033460	07/12/2021	Island Supply Welding Co	19.52
	00033461	07/12/2021	IXL Learning	1,919.00
	00033462	07/12/2021	Lockmobile	876.80
	00033463	07/12/2021	Mcgraw-hill School Education Holdings, LLC	14,868.49
	00033464	07/12/2021	Menards - Kearney	295.10
	00033465	07/12/2021	EEA Technologies Inc (Methe)	118.69
	00033466	07/12/2021	Midwest Grads	585.05
	00033467	07/12/2021	Midwest Floor Specialists	620.30
	00033468	07/12/2021	T&T Mobile Washing	525.00
	00033469	07/12/2021	National Art & School Supplies Inc.	954.54
	00033470	07/12/2021	NCS Pearson, Inc	840.00
	00033471	07/12/2021	Nebraska Council of School Administrators	322.00

Consolidated Check Listing

Direct Dep.	Check	Check Date	Payable To	Amount
	00033472	07/12/2021	NE Rural Community Schools Assoc.	850.00
	00033473	07/12/2021	Platte Valley Communication	550.87
	00033474	07/12/2021	Principal Life	718.87
	00033475	07/12/2021	Pyramid School Products	1,461.56
	00033476	07/12/2021	Ravenna Sanitation	433.00
	00033477	07/12/2021	Really Good Stuff LLC	285.06
	00033478	07/12/2021	Retirement	33,946.85
	00033479	07/12/2021	Heartland Bank	6,137.12
	00033480	07/12/2021	Rochester 100 Inc.	74.25
	00033481	07/12/2021	Karla Rohde	23.73
	00033482	07/12/2021	S&S Worldwide, Inc	50.70
	00033483	07/12/2021	School Specialty, LLC	366.43
	00033484	07/12/2021	Black Hills Energy	267.49
	00033485	07/12/2021	Heartland Bank	3,351.68
	00033486	07/12/2021	Teacher Direct	59.64
	00033487	07/12/2021	The Library Store, Inc	271.30
	00033488	07/12/2021	Todd's Auto Repair	34.00
	00033489	07/12/2021	Trend Enterprises, Inc.	66.38
	00033490	07/12/2021	Trox - CDI Dallas Inc	21.91
	00033491	07/12/2021	Verizon Wireless	23.38
	00033492	07/12/2021	Village Of Amherst Water Dept	1,468.21
	00033493	07/12/2021	Kearney Winnelson Co.	105.42
01 - GENERAL FUND Totals:				202,035.42
06 - LUNCH FUND				
	00004308	07/12/2021	Heartland Bank	504.28
	00004309	07/12/2021	Pyramid School Products	14.90
	00004310	07/12/2021	Retirement	600.95
	00004311	07/12/2021	Heartland Bank	46.92
06 - LUNCH FUND Totals:				1,167.05
Report Total:				203,202.47

2021-2022 SCHEDULE...UPDATED 5-17-2021

Period 1	= 8:05-8:54	
Period 2	= 8:57-9:46	
Period 3	= 9:49-10:38	
Period 4	= 10:41-11:30	PRE-K -11:15-11:40
Period 5A	= 11:33-12:22	1 st lunch = 11:30-11:12
Period 5B	= 12:00-12:49	Elem lunch = 11:38-12:38
Period 6	= 12:52-1:41	2 nd lunch = 12:22-12:52
Period 7	= 1:44-2:33	
Period 8	= 2:36-3:37	(NO 8 TH PERIOD ON FRIDAYS)

ELEM Reading **Kdg, 1st, 2nd = 8:25 – 9:55 & 3rd, 4th, 5th, 6th = 10:00-11:30**

PE/Music Schedule

8:40 - 9:15	3 rd & 4 th	((M W F = PE = K 2 4 6))
9:25 - 9:55	5 th & 6 th	((T TH = PE = 1 3 5))
10:00 - 10:35	Kdg	
10:40 - 11:15	1 st & 2 nd	

5TH Band = Monday & Wednesday 2:40 - 3:10

6TH Band = Tuesday & Thursday 2:40 - 3:10

ELEM Art

Kdg	=	8:15 – 9:00	Tuesday
1st	=	9:55 – 10:40	Thursday
2nd	=	9:55 – 10:40	Monday
3rd	=	9:15 – 10:00	Tuesday
4th	=	9:15 – 10:00	Wednesday
5th	=	8:15 – 9:00	Thursday
6th	=	8:15 – 9:00	Wednesday

1st Lunch = All Junior High, 9-12 Band, Study Hall & Study Skills

ELEM Lunch = Pre-K 11:15 K 11:40 1ST 11:43 2ND 11:47
 = 3RD 11:50 4TH 11:53 5TH 11:56 6TH 11:59

2nd Lunch = All 9-12 (except 9-12 Band, Study Hall, & Study Skills)

ELEM Council

Tuesdays: 6th = 11:30-11:59 5th = 1:00-1:30 1ST = 1:40-2:10

Wednesdays: 3RD = 1:00 -1:30 2nd = 1:40-2:10

Thursdays: 4th = 1:00 -1:30 KDG = 1:40-2:10

5th Grade Keyboarding... 2:40-3:20 T / TH

8:00	WARNING BELL
8:05	START OF 1ST PERIOD
8:54	END OF 1ST PERIOD
8:57	START OF 2ND PERIOD
9:46	END OF 2ND PERIOD
9:49	START OF 3RD PERIOD
10:38	END OF 3RD PERIOD
10:41	START OF 4TH PERIOD
11:30	END OF 4TH / START OF 1 ST LUNCH
11:33	START OF 5TH "A" PERIOD
11:57	1 ST WARNING BELL
12:00	START OF 5TH "B" PERIOD
12:22	END OF 5A / START OF 2 ND LUNCH
12:49	END OF 5B/ 2 ND WARNING BELL
12:52	START OF 6TH PERIOD
1:41	END OF 6TH PERIOD
1:44	START OF 7TH PERIOD
2:33	END OF 7TH PERIOD
2:36	START OF 8TH PERIOD
3:37	END OF 8TH PERIOD
4:00	LAST BELL

July 2021 Superintendents Report

Preliminary Budget Numbers based on 20-21 Line items

2021-2022 Budget	\$5,105,044.36	
2020-2021 Budget	\$4,749,650.00	
Increase in 2021-22 budget	\$355,394.36	6.96%

Seven teachers farthing education

Planed increase in costs

Two additional Teachers

Possible update of transportation

Special Recognition

Thank you to Karla, Carleen, and Bev for helping me get started over the past few weeks.

July 12, 2021

Dear Members of the State Board of Education:

I write on behalf of the Board of Education of Amherst Public Schools. At the outset, I want to thank the State Board of Education, Commissioner Blomstedt, and the Department of Education for supporting our schools during the last year by developing guidance through the involvement of stakeholders across the state, encouraging local control, and affording schools the flexibility necessary to continue educating students in the most effective manners available. This approach proved to be one of the most effective in the country; our school district maintained in-person instruction uninterrupted throughout the entire school year. Indeed, our state has long benefited from a focus on local control that promotes community involvement and investment in policy and decision-making. That is why our Board was so troubled by the recently promulgated draft Nebraska Health Standards and why I am writing to address some of our concerns with these standards' contents.

While we recognize the importance of health education as a part of any student's public-school experience, the draft Standards for this area highlight issues which are incompatible with a uniform approach established at the state level. For instance, the proposal includes Standards providing for:

- Kindergarten students to learn the fundamental components of sexual health (HE.K.7.1)
- Kindergarten students to learn characteristics relating to sexuality (HE.K.7.2)
- Kindergarten students to discuss different kinds of family structures, including single-parent, blended, intergenerational, cohabitating, adoptive, foster, same-gender, and interracial. (HE.K.7.2a)
- First-grade students to learn the fundamental components of sexual health (HE.1.7.1)
- First-grade students to define gender, gender identity, and gender-role stereotypes (HE.1.7.2.d)
- Second-grade students to discuss how media influences thoughts, feelings, and beliefs, including bias, perceptions, social norms, spirituality, and gender roles (HE.2.6.4.b)
- Second-grade students to recognize genitalia differences (HE.2.7.1.a)
- Third-grade students to discuss stereotypes and racial bias in media and books (e.g., heroes, "bad guys," characteristics, roles) (HE.3.6.4.d)
- Third-grade students to discuss the range of ways people express their gender and how gender-role stereotypes may influence behavior (HE.3.7.2.c)
- Third-grade students to define sexual orientation (HE.3.7.2.e)
- Fourth-grade students to differentiate between sexual orientation and gender identity (HE.4.7.2.d)
- Fourth-grade students to distinguish between sex assigned at birth and gender identity and explain how they may or may not differ (HE.4.7.2.f)
- Fifth-grade students to explain how culture, media, and other factors influence perceptions about body image, gender roles, and attractiveness (HE.5.7.1.c)
- Fifth-grade students to describe the benefits of being sexually abstinent (HE.5.7.1.f)
- Fifth-grade students to explain that gender expression and gender identity exist along a spectrum (HE.5.7.2.f)
- Fifth-grade students to explain the significance of the physical changes in puberty and the potential role of hormone blockers on young people who identify as transgender (HE.5.7.3.e)
- Sixth-grade students to define and explain differences between cisgender, transgender, gender non-binary, gender expansive, and gender identity (HE.6.7.2.b)
- Sixth-grade students to define sexual identity and explain a range of identities related to sexual orientation, including heterosexual, bisexual, lesbian, gay, queer, two-spirit, asexual, pansexual (HE.6.7.2.c)
- Sixth-grade students to discuss the ways people express their gender and how gender-role stereotypes may limit behavior (HE.6.7.2.f)
- Seventh-grade students to define vaginal, oral, and anal sex and their relationship to STD/HIV transmission (HE.7.7.1.e)
- Eighth-grade students to develop a plan to eliminate or reduce the risk of unintended pregnancy and STDs, including HIV (HE.8.7.1.e)
- Eighth-grade students to assess the role hormones play in the physical, social, cognitive, and emotional changes during adolescence, including among people who are intersex and transgender (HE.8.7.3.a)

Each of these topics should be addressed with students in a manner consistent with the values of their families and communities at the time in their development that it is appropriate to do so. These discussions and decisions would and should vary from family to family and school district to school district if they are to be had honestly, productively, and in good faith.

I am concerned that the Board would spotlight any school or community's variance of discussion of or introduction to these issues if it approves the proposed standards in their current form. While such standards outside the core curriculum are not binding on a district, they express and establish expectations from the State Board that inevitably will be imposed upon schools irrespective of their advisory nature and sensitive subject matter. The State Board would be asking each school district to account for the State Board's decision and answer to groups of various interests and opinions as they question any adherence to or divergence from the proposed Standards.

As a result, the proposed Standards would undermine the buy-in of local citizens and their school boards in making curricular decisions consistent with community values. I am also concerned that such expectations would devolve into another unfunded mandate imposed upon public school districts and their communities. That the proposed standards do not reflect or defer to the judgment of the leaders of our families and communities is the result of a development process that focused on a top-down approach and failed to consider the input of all stakeholders. I would respectfully request that the State Board consider our concerns and the input of other stakeholders who were left out of this process prior to approving or adopting any standards related to these sensitive issues.

Yours truly,

Board President Les Adelung

Board Vice President Terry Abbott

Board Member Ryan Fisher

Board Member Karen Harmony

Board Member Casey Mitchell

Board Member Jess Day

Superintendent Matt Gordon

Amherst Public Schools

The purpose of this plan is to provide a framework for how Amherst Public Schools will respond to the COVID-19 pandemic during the 2020-2021 school year. The framework is structured to allow the district to respond to changing public health circumstances.

Scenario Description Rationale:

Scenario	Description	Rationale
A	School is in session All students and staff are in the classroom	<ul style="list-style-type: none"> In this scenario, the school has a plan to meet guidelines provided for the reopening of schools and local public health conditions warrant a return to school with appropriate safety precautions being made.
B	Altered School Calendar	<ul style="list-style-type: none"> In this scenario, the beginning/ending of school and/or vacation and/or PD days could be altered to meet instructional requirements as indicated in Rule 10.
C	School is in session (scenario A or B) with occasional short-term closures (2-5 days)	<ul style="list-style-type: none"> In this scenario, the district would anticipate providing educational continuity for students with occasional short-term closures that would be needed when a student or staff member, who has been on campus, tests positive for COVID-19. The purpose of the short-term closure (2-5 days) would be to contact trace, deep clean, and ensure the necessary exclusion of students and staff from campus for up to 14 days or as directed by public health officials.
D	Hybrid of in-person and remote learning instruction for social distancing purposes	<p>This plan would be used in the event that we have directed health measures that require social distancing in classrooms or limiting the number of students in a classroom.</p> <p>Examples could include...</p> <ul style="list-style-type: none"> Alternating days or half days Students remain in the classroom with teachers rotating to students. Assessments on campus during remote learning Serving Special Education and other select groups on campus Students remain in the classroom with teachers rotating to students. Students remain in the classroom to complete remote learning with support of a single teacher
E	Remote Learning	<ul style="list-style-type: none"> Necessary in the event of school building closure

Operational Zones

Tiered Responses			
The following factors will be considered for movement from one tier to the next.			
Green--DHM Phase IV	Yellow--DHM Phase III	Orange--DHM Phase II	Red--DHM Phase I
<ul style="list-style-type: none"> No confirmed cases within the School District (students, students' families, staff) No Directed Health Measures that limit the school building capacity 	<ul style="list-style-type: none"> Confirmed case(s) in School District (students, students' families, staff) Consultation with Health Department Directed Health Measures Governor or Commissioner of Education Guidance 	<ul style="list-style-type: none"> Confirmed case(s) in School District (students, students' families, staff) Consultation with Health Department Directed Health Measures Governor or Commissioner of Education Guidance 	<ul style="list-style-type: none"> Confirmed case(s) in School District (students, students' families, staff) Consultation with Health Department Directed Health Measures Governor or Commissioner of Education Guidance

District Procedures				
Green--DHM Phase IV --Low Risk		Yellow--DHM Phase III --Moderate Risk	Orange--DHM Phase II--Elevated Risk	Red--DHM Phase ---High Risk
School/Academic Plan	<ul style="list-style-type: none"> School conducted as normal. Buildings open Academic Plan Scenario A or B PK-12 classes will continue as normal. 	<ul style="list-style-type: none"> Increased social distancing Academic Plan Scenario A, B, or C as needed 7-12 will continue to attend regular classes but with restricted locker and hallway usage. PK-6 will stay in their classrooms except for PE and recess. 	<ul style="list-style-type: none"> Limited student contact Academic Plan Scenario D 7-12 are using one classroom for daily attendance and support for remote learning lessons. PK-6 will stay in classrooms. 	<ul style="list-style-type: none"> School buildings closed Remote learning for PK-12 students Academic Plan Scenario E
Temperature Checks	<p>Temperature checks will be conducted upon arrival.</p> <ul style="list-style-type: none"> 100.4 threshold (home 24 hours fever free w/o medication) PK/2 - In classrooms 3-6 - Old gym 7-12 - North door Temperatures for tardy students are taken in the office prior to going to class. Students with 100.4 temps will be sent to office to verify temperature before being sent home. <p>Staff Temperature Check:</p> <ul style="list-style-type: none"> Staff will take their own temp every morning. Above 100.4 staff will be required to go home Temps will be logged. 	<p>Temperature checks will be conducted upon arrival.</p> <ul style="list-style-type: none"> 100.4 threshold (home 48 hours fever free w/o medication) PK/2 - In classrooms 3-6 - Old gym 7-12 - North door Temperatures for tardy students are taken in the office prior to going to class. Students with 100.4 temps will be sent to office to verify temperature before being sent home <p>Staff Temperature Check:</p> <ul style="list-style-type: none"> Staff will take their own temp every morning. Above 100.4 staff will be required to go home Temps will be logged. 	<p>Temperature checks will be conducted upon arrival</p> <ul style="list-style-type: none"> 100.4 threshold (home 72 hours fever free w/o medication) PK/2 - In classrooms 3-12 - North door Temperatures for tardy students are taken in the office prior to going to class. Students with 100.4 temps will be sent to office to verify temperature before being sent home. <p>Staff Temperature Check:</p> <ul style="list-style-type: none"> Staff will take their own temp every morning. Above 100.4 staff will be required to go home Temps will be logged. 	
Custodial	<ul style="list-style-type: none"> Daily routine cleaning procedures of student attendance centers Routine infectious disease protocol <ul style="list-style-type: none"> Staff will comply with State and/or local health department requirements Staff will follow manufacturer's instructions regarding the use and maintenance of equipment & use & storage of chemicals for cleaning & sanitizing. Spray bottles with hand sanitizer/disinfectant provided for all PK-12 classrooms. 	<ul style="list-style-type: none"> Continue Level I procedures <u>plus</u> heightened disinfection of all areas. Administration will communicate with custodians the specific area(s), surface(s), schedule, procedure and product to be used for heightened disinfection. Custodians will provide heightened disinfection of touch points or areas of specific concern in student attendance centers identified by the Facilities Director. Administrators will determine routine cleaning schedules at each building and will require modification to meet heightened disinfection needs. 	<ul style="list-style-type: none"> Continue Level I and II services <u>plus</u> increase disinfection procedures. Administrators will communicate with custodians the areas of specific concern. Increased frequency and increased number of surfaces within classrooms to be disinfected to include daily midday disinfection of desktops and touch points or areas of specific concern identified by administration 	<ul style="list-style-type: none"> Securing affected buildings Building access prohibited by all user groups. Administration will determine which staff are allowed in the building. Affected building(s) will be cleaned as directed by the Health Department prior to students returning.
Lunch	<ul style="list-style-type: none"> PK-2 will eat in their classrooms. 3-12 will eat in the lunch room with social 	<ul style="list-style-type: none"> PK-2 will eat in their classrooms. 3-12 will eat in the lunch room with social 	<ul style="list-style-type: none"> All students will eat lunch in the classroom. 	<p>Grab and Go meals will be provided for families at designated schools.</p>

	<p>distancing.</p> <ul style="list-style-type: none"> Parents will be allowed to eat with their children. No salad bar 	<p>distancing.</p> <ul style="list-style-type: none"> Parents will not be allowed to eat with their children. Extra sanitation procedures will be used. 		
Recess	<ul style="list-style-type: none"> Normal recess with handwashing or hand sanitizer upon entry. 	<ul style="list-style-type: none"> Schedules will be modified to ensure max of one grade level on a play area at a time. Cleaning playground equipment will be completed daily. 	<ul style="list-style-type: none"> Schedules will be modified to ensure max of one grade level on a play area at a time. Cleaning playground equipment will be completed daily. No balls, jump ropes, or hula hoops available 	
PK-12 Field Trips	Regular field trip opportunities can be scheduled.	No off site field trips until further notice.	No field trips will be available.	
Specials	Students transition to music, art, PE, and media	Some specialist teachers transition to classrooms. <ul style="list-style-type: none"> PE will be held outside weather permitting. 	All specialist teachers transition to classrooms.	
Handwashing/Hand Sanitizer	<ul style="list-style-type: none"> PK-6 scheduled 3 times a day. Announcements supporting hand washing All students will use sanitizer upon entering the classroom. 	<ul style="list-style-type: none"> PK-6 scheduled 3 times a day. Announcements supporting hand washing. All students will use sanitizer upon entering the classroom. 	Same as yellow zone.	
Hallways	<ul style="list-style-type: none"> PK-6 students transition normally with staff support. 7-12 - Regular transitions with encouraged social distancing. 	<ul style="list-style-type: none"> PK-6 students transition and some specialists come to classrooms. 7-12 - Some areas of the building is off limits. Scheduled transitions. 	<ul style="list-style-type: none"> No PK-6 student transitions and all specialists come to classrooms. 7-12 students may be in isolated classrooms with only limited and scheduled hallway access. 	
Lockers	<ul style="list-style-type: none"> Lockers will be used normally. 	<ul style="list-style-type: none"> Buildings will implement a limited and staggered use of lockers. 	<ul style="list-style-type: none"> Buildings will implement a limited and staggered use of lockers. 	
Locker Rooms/Weight Room	<ul style="list-style-type: none"> Daily Cleaning Hand Sanitizer before and after entering Stress handwashing Educate students on Social Distancing 	<ul style="list-style-type: none"> Daily Cleaning Hand Sanitizer before and after entering Stress handwashing Educate students on Social Distancing Clothes go home daily Locker Rooms are supervised to enforce safe practices. 	<ul style="list-style-type: none"> Locker rooms and weight room will be closed. 	
Beginning of the day for staff	<p>PK-12</p> <ul style="list-style-type: none"> Teachers will report for duty as assigned. Aides and paras will be responsible for temperature checks at 7:45 am. 	<p>PK-12</p> <ul style="list-style-type: none"> Teachers should be in their room and ready to receive students by 7:45 am. Aides and paras will be responsible for temperature checks at 7:45 am. Students will enter the building when doors open at 7:45 am and go directly to their classrooms. Students in the building prior to 7:45 am need to be in an approved meeting/practice and be supervised by a teacher/coach/sponsor until the 7:45 am bell Students who are dropped off or arrive with a ride before 7:45 am should remain in the old gym/commons and social distancing practices will be followed. At 7:45 am, all students will be released from their practice/meeting/cafeteria and will report to their 	Teachers will report based on the schedule created and direction provided by the administration.	

		<p>classroom</p> <ul style="list-style-type: none"> Teachers should be in their rooms and ready to receive students by 7:45 am. 		
Beginning of the day for students	<ul style="list-style-type: none"> PK-2 students will report to their classrooms when they arrive at school. 3-6 students will report to old gym and sit in assigned seats when they arrive at school. 7-12 students will enter the building when doors open and go directly to their assigned areas as determined by principal. Students in the building prior to 7:45 am need to be in an approved meeting/practice and be supervised by a teacher/coach/sponsor until the 7:45 am bell. Students who are dropped off or arrive with a ride before 7:45 am should remain in the old gym/commons and social distancing practices will be followed. 	<ul style="list-style-type: none"> PK-12 students will enter the building when doors open at 7:45 am and go directly to their classroom. Students in the building prior to 7:45 am need to be in an approved meeting/practice and be supervised by a teacher/coach/sponsor until the 7:45 am bell. Students who are dropped off or arrive with a ride before 7:45 am should remain in the cafeteria /commons and social distancing practices will be followed. When the 7:45 am bell rings, all students will be released from their practice/meeting/cafeteria and will report to their classroom for temperature checks. 	Students will report based on the schedule created and direction provided by the administration.	
End of the day	<ul style="list-style-type: none"> Regular dismissal. All students will be required to leave the building at the end of the day unless they are participating in an approved activity or working with a teacher. 	Buildings may stagger or vary dismissal to a max of 10 minute difference from ending time.	<ul style="list-style-type: none"> Buildings will stagger dismissal to a max of 10 minute difference from ending time and dismiss from alternative locations. This will be based upon the needs of the alternate schedule being used. 	
Building Access	<ul style="list-style-type: none"> Temp checks for visitors that enter the building. Masks are not required but are encouraged with appropriate social distancing utilized when possible. Non-school events are at the discretion of the administration. Parents may eat lunch with their child when scheduled with the principal. 	<ul style="list-style-type: none"> Parents and visitors must be regularly scheduled Masks required for all visitors. Masks may be required at any sponsored events before or after school. Non-school events are at the discretion of administration. Parents will not be allowed to eat lunch with students. 	No outside visitors or user groups allowed in school.	No campus access available beyond required personnel.
Facemasks	<ul style="list-style-type: none"> Staff is required to wear masks or shields. Students are encouraged to wear masks or shields and will be required to wear a mask transitioning from class to class. Not required for sports practices 	<ul style="list-style-type: none"> Staff is required to wear masks or shields. Students are required to wear masks. Not required at sports practices 	<ul style="list-style-type: none"> Staff is required to wear masks. Students are required to wear masks 	
Restrooms	Normal	<ul style="list-style-type: none"> Restroom use during passing periods is discouraged. Students are encouraged to use the restroom with permission from their classroom teacher. 	Restroom use is prohibited during passing periods.	
Water Fountains	The Water Fountain is closed and students will need to bring individual water bottles.	The Water Fountain is closed and students will need to bring individual water bottles.	The Water Fountain is closed and students will need to bring individual water bottles.	
Classroom Seating/Materials Usage/Sanitization	<ul style="list-style-type: none"> Row Seating Social distancing will be utilized when possible. 	<ul style="list-style-type: none"> Row seating Required student individual supplies Minimize furniture and center items 	<ul style="list-style-type: none"> Students will be limited to specific classrooms. Locations in the building as determined and outlined in the alternate schedule. 	

	<ul style="list-style-type: none"> Regular classroom supply usage <ul style="list-style-type: none"> Encourage individual student supplies. Regular classroom cleaning 	<ul style="list-style-type: none"> PE and other equipment is cleaned between classes. Contaminated materials will be isolated for cleaning each day. 	<ul style="list-style-type: none"> Increased sanitization measures Some materials will not be allowed. Only necessary items will be allowed. 	
Transportation **We ask parents to take the temperature of their bus riding students prior to boarding. If the child's temperature is at or above 100.4, they will not be allowed on the bus.	<ul style="list-style-type: none"> Regular transportation schedule Buses will be sanitized twice daily. Seating charts will be required. 	<ul style="list-style-type: none"> Students will be required to wear a mask. Regular transportation schedule Buses will be sanitized twice daily. Seating charts will be required. 	<ul style="list-style-type: none"> Parents are encouraged to bring their children to school. Masks will be required. Buses will be sanitized twice daily. Seating charts with social distancing utilized. 	
Technology	<ul style="list-style-type: none"> IPads provided to all K-12 students. K-6 Ipads stay at school. 	<ul style="list-style-type: none"> IPads sent home daily K-12. Devices will be cleaned daily according to tech department guidance. 	<ul style="list-style-type: none"> IPads sent home daily K-12. Devices will be cleaned daily according to tech department guidance. 	IPads used to complete online/remote learning.
7-12 Activities	<ul style="list-style-type: none"> Activities and Athletics will be conducted in accordance with NSAA guidelines. Clubs and organization activities will continue as normal. 	<ul style="list-style-type: none"> Activities and Athletics will be conducted in accordance with NSAA guidelines. Clubs and organization activities will continue as normal. Wearing masks and social distancing will not be possible when participating in some activities 	<ul style="list-style-type: none"> Activities and Athletics will be conducted in accordance with NSAA guidelines. Club and organizations will be limited. 	Activities and Athletics will be conducted in accordance with NSAA guidelines.
Student Attendance	All students in grades PK-12 will attend school in person.	<ul style="list-style-type: none"> All students in grades PK-12 will attend school in person. Accommodations will be made for students in K-12 who are unable to attend in person to utilize synchronous online learning through Zoom and other remote learning tools. Synchronous means that students log on to receive instruction with their class at certain set times during the school day. Students will only have this option with a medical excuse provided by a doctor with a specified period of time notated. 	<ul style="list-style-type: none"> All students in grades PK-12 will attend school in person following a hybrid daily schedule. Details for the hybrid schedule will be provided prior to implementation. Accommodations will be made for students in K-12 who are unable to attend in person to utilize synchronous online learning through Zoom and other remote learning tools. Synchronous means that students log on to receive instruction with their class at certain set times during the school day. Students will only have this option with a medical excuse provided by a doctor with a specified period of time notated. 	
Staff Attendance	<ul style="list-style-type: none"> All staff will report as normal. Any questions or concerns relative to work expectations should be directed to administration. 	<ul style="list-style-type: none"> All staff will report as directed. Any questions or concerns relative to work expectations should be directed to administration. 	<ul style="list-style-type: none"> All staff will report as directed. Any questions or concerns relative to work expectations should be directed to Administration. 	
After School Daycare	<ul style="list-style-type: none"> Temperatures taken upon arrival. Handwashing upon arrival. Regular scheduled program activities. 	<ul style="list-style-type: none"> Temperatures taken upon arrival. Handwashing upon arrival. Students divided into small groups for activities. 	Daycare will not be offered.	Daycare will not be offered.

Movement between Zones/Consultation with Health Department

One or more confirmed case(s)* in the building of a student or staff member. A person is considered exposed if they spend 5 or more minutes within 6 feet of someone who is a confirmed case and neither person is wearing a mask.	<ul style="list-style-type: none"> A more restrictive environment will be implemented up to potential building closure. The District will communicate the situation to stakeholders. In the event of repeated confirmed cases, district officials will confer with the health department for a closure plan. Sanitization plan will be executed by the district custodial team. District will execute an immediate remote learning plan and schedule if the building is closed. Reopening communications will be provided to stakeholders from the district. 	
Confirmed case* of immediate household members of a staff member	<ul style="list-style-type: none"> Self-quarantine for 10-14 days for household members Teachers will teach virtually with a substitute in the classroom (unless unable due to caring for a family member). Teacher continues to teach to the class virtually by following the remote learning plan (based on the situation) and/or a sub may be provided. 	
Confirmed case* immediate household member of students	<ul style="list-style-type: none"> Self-quarantine for 10-14 days Teachers will provide remote learning opportunities. 	
Confirmed exposure* of staff	<ul style="list-style-type: none"> Self-quarantine for 10-14 days for household members Teachers will teach virtually with a substitute in the classroom. Teacher continues to teach to the class virtually by following the remote learning plan (based on the situation) and/or a sub may be provided. 	
Confirmed exposure* of students	<ul style="list-style-type: none"> Self-quarantine for 10-14 days Teachers will provide remote learning opportunities. 	
Visitor who has entered our building and is a confirmed case	<ul style="list-style-type: none"> A more restrictive environment could be implemented up to potential extended (6 days or more) building closure. The District will communicate the situation with building stakeholders. District officials will confer with the health department for a closure plan (if needed) Sanitization plan will be executed by the district facilities team. District will execute an immediate remote learning plan and schedule (if the building is closed). Reopening communications will be provided to stakeholders from the district. 	
*A case is considered "confirmed" when the individual has had a positive test conducted by a medical professional. *A confirmed exposure will be based on the continued tracing of the medical community.		
Short Term Closure	School building closed for up to 2-5 school days	<ul style="list-style-type: none"> Remote learning will be used by teachers.
Extended Building Closure	School building closed for 6 school days or more	<ul style="list-style-type: none"> Remote learning will be used by teachers.

Community RelationsPersonnel - All Employees and StudentsAnti-discriminationA. **Elimination of Discrimination.**

The policy of Amherst Public Schools is to not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, in admission or access to, or treatment with regard to employment or with regard to its programs and activities.

Amherst Public Schools and its staff shall comply with all state and federal laws prohibiting discrimination. The Board of Amherst Public Schools intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination and directs its staff to take all actions necessary to meet this objective.

The Superintendent shall be the Coordinator for anti-discrimination laws (including Title VI, Title IX; the Americans with Disabilities Act of 1990 (ADA), and Section 504 of the Rehabilitation Act of 1973 (Section 504)) and complaints or concerns involving discrimination or compliance with those laws should be addressed to said Coordinator.

B. **Preventing Harassment and Discrimination of Employees and Students.**

1. **Purpose:** Amherst Public Schools is committed to offering employment and educational opportunity to its employees and students based on ability and performance in a climate free of discrimination. Accordingly, unlawful discrimination or harassment of any kind by administrators, teachers, co-workers or other persons is prohibited. In addition, Amherst Public Schools will try to protect employees or students from reported discrimination or harassment by non-employees or others in the work place and educational environment.

For purposes of this policy, discrimination or harassment based on a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, is prohibited. The following are general definitions of what might constitute prohibited harassment.

- a. In general, ethnic or racial slurs or other verbal or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual

orientation or gender identity, or other protected status, constitutes harassment when they unreasonably interfere with the person's work performance or create an intimidating work, instructional or educational environment.

- b. Age harassment has been defined by federal regulations as a form of age discrimination. It can consist of demeaning jokes, insults or intimidation based on a person's age.
- c. Sexual harassment has been defined by federal and state regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual favors, or physical or verbal conduct of a sexual nature by supervisors or others in the work place, classroom or educational environment.

Sexual harassment may exist when:

- (a) Supervisors or managers make submission to such conduct either an explicit or implicit term and condition of employment (including hiring, compensation, promotion, or retention);
- (b) Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment related decisions such as promotion, performance evaluation, pay adjustment, discipline, work assignment, etc.
- (c) The conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working, class room or educational environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", "practical jokes", jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching or brushing against another's body.

2. **Procedures:**

- a. Employees or students should initially report all instances of discrimination or harassment to their immediate supervisor or teacher. However, if the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student is encouraged to go to the next level of supervision.
- b. If the report is not satisfactorily resolved within ten calendar days, or if the discrimination or harassment continues, please report your complaint to the Superintendent of Amherst Public Schools.

- c. If a satisfactory arrangement cannot be obtained through the Superintendent, the complaint may be processed to the Board of Education.
- d. The person to whom the complaint is made is to thoroughly investigate the complaint and work with the person filing the complaint to seek an appropriate resolution so the discrimination or harassment can be remedied and put to an end.
- e. Complaints of discrimination or harassment will be treated with the utmost confidence, consistent with resolution of the problem.
- f. Based on the results of the investigation, appropriate corrective action, up to and including discharge of offending employees, etc., may be taken.
- g. Under no circumstances will a supervisor or a teacher or the Board threaten or retaliate against a person for alleging discrimination or harassment.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;

Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.
Section 504 of the Rehabilitation Act of 1973 (Section 504)
Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.
Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: [Insert Date]

Business Operations

Internal Controls

The District will develop and maintain internal control procedures as required by law and in accordance with sound fiscal monitoring practices that will ensure appropriate oversight of state and federal funds. The following internal control procedures will be utilized for all federal grants:

Management requirements: The District will manage equipment (including replacement equipment), whether acquired in whole or in part under a federal award, until the District disposes of such equipment. The District will, as a minimum, meet the following requirements:

- 1) Maintain property records of the equipment (including equipment description, serial number or other identification number, source of funding, acquisition date, and the like);
- 2) Maintain a physical inventory procedure, with an inventory occurring at a minimum of every two years;
- 3) Implement a Control System procedure;
- 4) Continue to develop and implement adequate maintenance procedures for the equipment;
- 5) Continue to develop and implement sales procedures for the equipment; and
- 6) Continue to develop and implement disposition procedure for the equipment.

Legal Reference: 2 C.F.R. §§ 200.313 & 200.33.

Procurement: The District will use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the requirement standards imposed by law, including:

- 1) A procedure for micro-purchases (Under \$10,000);
- 2) A procedure for small purchases (between \$10,000 to \$250,000);
- 3) A procedure for sealed bids;
- 4) A procedure for competitive proposals; and
- 5) A procedure for noncompetitive bids.

Legal Reference: 2 C.F.R. §§ 200.317 through 200.326.

Cross-Reference: Policies 3130 & 3131.

Record Retention: Financial records, supporting documents, statistical records, and all other related records pertinent to a federal award will be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the federal awarding agency or pass-through entity in the case of a sub-recipient.

For all other records, the District will retain such records for the length of time as required by law.

Legal Reference: 2 C.F.R. § 200.333.

Suspension and Debarment: The District will not contract with any entity or individual who has been debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. Before entering into a contract regarding a federal award, the District will verify that a vendor has not been debarred, suspended or otherwise excluded, and the District will maintain a copy of said verification.

Legal Reference: 2 C.F.R. § 200.213.

Financial Management: The District will maintain financial management systems to account for the federal funds, including records documenting compliance with federal statutes, regulations, and the terms and conditions of the federal award. These records will be sufficient to permit the District to prepare reports required by general and program-specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. The financial management system will provide for the following:

- 1) Identifying all of the federal awards received and expended and the federal programs under which they were received;
- 2) Ensuring that accurate, current, and complete disclosure of the financial results of each federal award or program are maintained in accordance with reporting requirements;
- 3) Identifying adequately the source and application of funds for federally-funded activities;
- 4) Ensuring effective controls over and accountability for all funds, property, and other assets;
- 5) Comparing actual expenditures with budget amounts for each federal award;
- 6) Ensuring payments of federal funds are made in accordance with applicable law, including 2 CFR § 200.305; and
- 7) Determining the allowability of costs in accordance with applicable law and the conditions of the federal award.

Legal Reference: 2 C.F.R. § 200.302.

Program Income: The District will consult with the federal awarding agency and refer to the applicable law and federal program terms and conditions to determine how to account for, deduct and otherwise handle income from federal programs.

Legal Reference: 2 C.F.R. § 200.307.

Cost Sharing or Matching: For all federal awards, any shared costs or matching funds and all contributions, including cash and third party in-kind contributions, must be accepted as part of the District's cost sharing or matching, when such contributions meet all of the following criteria:

- 1) Are verifiable from the District's records;
- 2) Are not included as contributions for any other Federal award;

- 3) Are necessary and reasonable for accomplishment of project or program objectives;
- 4) Are allowable under the applicable Cost Principles requirements;
- 5) Are not paid by the Federal Government under another Federal award, except where the federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs;
- 6) Are provided for in the approved budget when required by the federal awarding agency; and
- 7) Conform to other provisions of the law or terms and conditions of the federal award, as applicable.

Legal Reference: 2 C.F.R. § 200.306.

Compensation: Compensation for personal services includes all remuneration for services of employees rendered during the period of performance under the federal award, including, but not limited to wages, salaries, and fringe benefits. Costs of compensation may be allowable under federal law and the federal grant to the extent that they satisfy the following requirements:

- 1) Is reasonable for the services rendered; and
- 2) Conforms to the established written expectations of the District, as applied consistently to both Federal and non-Federal activities.

If the District intends to charge compensation to federal awards, such charges will be based on records that accurately reflect the work performed, and will:

- 1) Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- 2) Be incorporated into the official records of the District;
- 3) Reasonably reflect the total activity for which the employee is compensated by the District, not exceeding 100% of compensated activities;
- 4) Encompass both federally-assisted and all other activities compensated by the District on an integrated basis, but may include the use of subsidiary records as defined in the District's written procedures;
- 5) Comply with the established accounting policies and practices of the District; and
- 6) Differentiate and account for the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.

Budget estimates will generally not be used to support charges to Federal awards but may be used for interim accounting purposes.

Legal Reference: 2 C.F.R. §§ 200.430 & 200.431.

Unexpected or Extraordinary Circumstances: For all federal awards, if the District does not currently have in place a sufficient policy that addresses extraordinary circumstances, such as

those caused by COVID-19, the District may amend or create a policy at a later date in order to put emergency contingencies in place for federal and non-federal similarly situated employees. If the conditions exist for charges to be made to the federal grant, then charges may also be made to any non-federal sources that are used by the District in order to meet a matching requirement. The District will take other steps to comply with federal award requirements in the event of unexpected or extraordinary circumstances.

Legal Reference: 2 C.F.R. §§ 200, et seq.

Date of Adoption: [Insert Date]

Personnel - All Employees (& Students)

Anti-discrimination, Anti-harassment, and Anti-retaliation

A. Elimination of Discrimination.

The Amherst Public Schools hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Amherst Public Schools does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. Reasonable accommodations will be provided to employees with disabilities and to those who are pregnant, have given birth, or have a related medical condition, as required by law. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students: Roger Thompson Principal, Amherst Public School, 100 North Sycamore, Amherst, NE 68812, 308-826-3131, rthompson@amherstbroncos.org

Employees and Others: Roger Thompson Principal, Amherst Public School, 100 North Sycamore, Amherst, NE 68812, 308-826-3131, rthompson@amherstbroncos.org

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office of Civil Rights in the U.S. Department of Education (OCR), please contact the OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.

1. Purpose:

The Amherst Public Schools is committed to offering employment and educational opportunities to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment or retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair

texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
- c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
- e. Inappropriate gestures,
- f. Graffiti or inappropriate written or electronic material,
- g. Visual displays, such as cartoons, posters, or electronic images,
- h. Threats or intimidating or hostile conduct,
- i. Physical acts of aggression, assault, or violence, or
- j. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,

- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled "Grievance Procedures," below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination. If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline.** Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.

- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.
- d. A review of the evidence using a "preponderance of the evidence" standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate such discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary,

and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent's determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent's determination. The Board of Education will review the appeal, the Superintendent's determination, the investigative documentation and decision, and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted.

5. Training:

The District will ensure that relevant District employees are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

In addition, the District shall ensure that employees designated to address or investigate discrimination, harassment, and retaliation, including designated compliance coordinators, receive training to promptly and effectively investigate and respond to

complaints and reports of discrimination, and to know the District's grievance procedures and the applicable confidentiality requirements.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.
- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each

building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Legal Reference: Title VI, 42 U.S.C. Sec. 2000d, Title VII, 42 U.S.C. Sec. 2000e, Title IX; 20 U.S.C. Sec. 1681, and the Nebraska Fair Employment Practices Act, Neb. Rev. Stat. Sec. 48-1101 et seq.
Age Discrimination in Employment Act (ADEA), the Older Workers Benefit Protection Act (OWBPA), 29 U.S.C. Sec. 621 et seq., and the Nebraska Age Discrimination in Employment Act, Neb. Rev. Stat. Sec. 48-1001 et seq.;
Americans with Disabilities Act (ADA), 42 U.S.C. Sec. 12101 et seq.
Section 504 of the Rehabilitation Act of 1973 (Section 504)
Pregnancy Discrimination Act, 42 U.S.C. Sec. 2000e(k)
Uniform Service Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Sec. 4301 et seq.
Neb. Rev. Stat. Sec. 79-2,115, et seq

Date of Adoption: [Insert Date]

Students (& Employees)Anti-discrimination, Anti-harassment, and Anti-retaliation**A. Elimination of Discrimination.**

The Amherst Public School District hereby gives this statement of compliance and intends to comply with all state and federal laws prohibiting discrimination. This school district intends to take any necessary measures to assure compliance with such laws against any prohibited form of discrimination.

The Amherst Public School District does not discriminate on the basis of sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle inquiries regarding the non-discrimination policies:

Students Roger Thompson Principal, Amherst Public School, 100 North Sycamore, Amherst, NE 68812, 308-826-3131, rthompson@amherstbroncos.org

Employees and Others: Roger Thompson Principal, Amherst Public School, 100 North Sycamore, Amherst, NE 68812, 308-826-3131, rthompson@amherstbroncos.org

Complaints or concerns involving discrimination or needs for accommodation or access should be addressed to the appropriate Coordinator. For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education (OCR), please contact OCR at One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Suite 320, Kansas City, Missouri 64106, (816) 268-0550 (voice), Fax (816) 268-0599, (800) 877-8339 (telecommunications device for the deaf), or ocr.kansascity@ed.gov.

B. Prohibited Harassment, Discrimination, and Retaliation of Employees, Students and Others.**1. Purpose:**

The Amherst Public School District is committed to offering employment and educational opportunity to its employees and students in a climate free of discrimination. Accordingly, unlawful discrimination, harassment and retaliation of any kind by District employees, including, co-workers, non-employees (such as volunteers), third parties, and others is strictly prohibited and will not be tolerated.

Harassment is a form of discrimination and includes verbal, non-verbal, written, graphic, or physical conduct relating to a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, that is sufficiently serious to deny, interfere with, or limit a person's ability to participate in or benefit from an educational or work program or activity, including, but not limited to:

- a. Conduct that is sufficiently severe or pervasive to create an intimidating, hostile, or abusive educational or work environment, or
- b. Requiring an individual to endure the offensive conduct as a condition of continued employment or educational programs or activities, including the receipt of aids, benefits, and services.

Educational programs and activities include all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere.

Discriminatory harassment because of a person's sex, disability, race (including skin color, hair texture and protective hairstyles), color, religion, veteran status, national or ethnic origin, age, marital status, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other protected status, may include, but is not limited to:

- a. Name-calling,
- b. Teasing or taunting,
- c. Insults, slurs, or derogatory names or remarks,
- d. Demeaning jokes,
- e. Inappropriate gestures,
- f. Graffiti or inappropriate written or electronic material,
- g. Visual displays, such as cartoons, posters, or electronic images,
- h. Threats or intimidating or hostile conduct,
- i. Physical acts of aggression, assault, or violence, or
- j. Criminal offenses

The following examples are additional or more specific examples of conduct that may constitute sexual harassment:

- a. Unwelcome sexual advances or propositions,
- b. Requests or pressure for sexual favors,
- c. Comments about an individual's body, sexual activity, or sexual attractiveness,
- d. Physical contact or touching of a sexual nature, including touching intimate body parts and inappropriate patting, pinching, rubbing, or brushing against another's body,
- e. Physical sexual acts of aggression, assault, or violence, including criminal offenses (such as rape, sexual assault or battery, and sexually motivated stalking), against a person's will or where a person is incapable of giving consent due to the victim's age, intellectual disability, or use of drugs or alcohol,
- f. Requiring sexual favors or contact in exchange for aids, benefits, or services, such as grades, awards, privileges, promotions, etc., or
- g. Gender-based harassment; acts of verbal, nonverbal, written, graphic, or physical conduct based on sex or sex-stereotyping, but not involving conduct of a sexual nature.

If the District knows or reasonably should know about possible harassment, including violence, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred (see section entitled “Grievance Procedures,” below), and take appropriate interim measures, if necessary. If the District determines that unlawful harassment occurred, the District will take prompt and effective action to eliminate the harassment, prevent its recurrence, and remedy its effects, if appropriate. If harassment or violence that occurs off school property creates a hostile environment at school, the District will follow this policy and grievance procedure, within the scope of its authority.

All District employees are expected to take prompt and appropriate actions to report and prevent discrimination, harassment, and retaliation by others. Employees who witness or become aware of possible discrimination, including harassment and retaliation, must immediately report the conduct to his or her supervisor or the compliance coordinator designated to handle complaints of discrimination (designated compliance coordinator).

2. Anti-retaliation:

The District prohibits retaliation, intimidation, threats, coercion, or discrimination against any person for opposing discrimination, including harassment, or for participating in the District's discrimination complaint process or making a complaint, testifying, assisting, or participating in any manner, in an investigation, proceeding, or hearing. Retaliation is a form of discrimination.

The District will take immediate steps to stop retaliation and prevent its recurrence against the alleged victim and any person associated with the alleged victim. These steps will include, but are not limited to, notifying students, employees, and others, that they are protected from retaliation, ensuring that they know how to report future complaints, and initiating follow-up contact with the complainant to determine if any additional acts of discrimination, harassment, or retaliation have occurred. If retaliation occurs, the District will take prompt and strong responsive action, including possible discipline, including expulsion or termination, if applicable.

3. Grievance (or Complaint) Procedures:

Employees or students should initially report all instances of discrimination, harassment or retaliation to their immediate supervisor or teacher or to the compliance coordinator designated to handle complaints of discrimination (designated coordinator). If the employee or student is uncomfortable in presenting the problem to the supervisor or teacher, or if the supervisor or teacher is the problem, the employee or student may report the alleged discrimination, harassment or retaliation (“discrimination”) to the designated coordinator, or in the case of students, to another staff person (such as a counselor or principal).

Other individuals may report alleged discrimination to the designated coordinator. If the designated coordinator is the person alleged to have committed the discriminatory act, then the complaint should be submitted to the Superintendent for assignment. A discrimination complaint form is attached to this grievance procedure and is available in the office of each District building, on the District's website, and from the designated coordinators.

Under no circumstances will a person filing a complaint or grievance involving discrimination be retaliated against for filing the complaint or grievance.

i. Level 1 (Investigation and Findings):

Once the District receives a grievance, complaint or report alleging discrimination, harassment, or retaliation, or becomes aware of possible discriminatory conduct, the District will conduct a prompt, adequate, reliable, thorough, and impartial investigation to determine whether unlawful harassment occurred. If necessary, the District will take immediate, interim action or measures to protect the alleged victim and prevent further potential discrimination, harassment, or retaliation during the pending investigation. The alleged victim will be notified of his or her options to avoid contact with the alleged harasser, such as changing a class or prohibiting the alleged harasser from having any contact with the alleged victim pending the result of the District's investigation. The District will minimize any burden on the alleged victim when taking interim measures to protect the alleged victim.

The District will promptly investigate all complaints of discrimination, even if an outside entity or law enforcement agency is investigating a complaint involving the same facts and allegations. The District will not wait for the conclusion or outcome of a criminal investigation or proceeding to begin an investigation required by this grievance procedure. If the allegation(s) involve possible criminal conduct, the District will notify the complainant of his or her right to file a criminal complaint, and District employees will not dissuade the complainant from filing a criminal complaint either during or after the District's investigation.

The District will aim to complete its investigation within **ten (10) working days** after receiving a complaint or report, unless extenuating circumstances exist. Extenuating circumstances may include the unavailability of witnesses due to illness or incapacitation, or additional time needed because of the complexity of the investigation, the need for outside experts to evaluate the evidence (such as forensic evidence), or multiple complainants or victims. If extenuating circumstances exist, the extended timeframe to complete the investigation will **not exceed ten (10) additional working days without the consent of the complainant, unless the alleged victim agrees to a longer timeline.** Periodic status updates will be given to the parties, when appropriate.

The District's investigation will include, but is not limited to:

- a. Providing the parties with the opportunity to present witnesses and provide evidence.
- b. An evaluation of all relevant information and documentation relating to the alleged discriminatory conduct.
- c. For allegations involving harassment, some of the factors the District will consider include: 1) the nature of the conduct and whether the conduct was unwelcome, 2) the surrounding circumstances, expectations, and relationships, 3) the degree to which the conduct affected one or more students' education, 4) the type, frequency, and duration of the conduct, 5) the identity of and relationship between the alleged harasser and the suspect or suspects of the harassment, 6) the number of individuals

involved, 7) the age (and sex, if applicable) of the alleged harasser and the alleged victim(s) of the harassment, 8) the location of the incidents and the context in which they occurred, 9) the totality of the circumstances, and 10) other relevant evidence.

- d. A review of the evidence using a “preponderance of the evidence” standard (based on the evidence, is it more likely than not that discrimination, harassment, or retaliation occurred?)

The designated compliance coordinator (or designated investigator) will complete an investigative report, which will include:

- a. A summary of the facts,
- b. Findings regarding whether discrimination, harassment or other inappropriate conduct occurred, and
- c. If a finding is made that discrimination, harassment or other inappropriate conduct occurred, the recommended remedy or remedies necessary to eliminate discrimination, harassment or other inappropriate conduct.

If someone other than the designated compliance coordinator conducted the investigation, the compliance coordinator will review, approve, and sign the investigative report. The District will ensure that prompt, appropriate, and effective remedies are provided if a finding of discrimination, harassment, or retaliation is made. The District will maintain relevant documentation obtained during the investigation and documentation supportive of the findings and any subsequent determinations, including the investigative report, witness statements, interview summaries, and any transcripts or audio recordings, pertaining to the investigative and appeal proceedings.

The District will send concurrently to the parties written notification of the decision (findings and any remedy) regarding the complaint within **one (1) working day** after the investigation is completed. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 11232g; 34 C.F.R. Part 99, permits the District to disclose relevant information to a student who was discriminated against or harassed.

ii. Level 2 (Appeal to the Superintendent):

If a party is not satisfied with the findings or remedies (or both) set forth in the decision, he or she may file an appeal in writing with the Superintendent within **five (5) working days** after receiving the decision. The Superintendent will review the appeal and the investigative documentation and decision, conduct additional investigation, if necessary, and issue a written determination about the appeal **within ten (10) working days** after receiving the appeal. The party who filed the appeal will be sent the Superintendent’s determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. [If the Superintendent is the subject of the complaint, the party will file the appeal directly with the Board.]

iii. Level 3 (Appeal to the Board):

If the party is not satisfied with the Superintendent’s determination, he or she may file an appeal in writing with the Board of Education **within five (5) working days** after receiving the Superintendent’s determination. The Board of Education will review the appeal, the Superintendent’s determination, the investigative documentation and decision,

and allow the party to address the Board at a Board meeting to present his or her appeal. The party will be allowed to address the Board at the Board's next regularly scheduled Board meeting (unless the Board receives the appeal within one week of the next regularly scheduled Board meeting) or at a time and date agreed to by the Board, designated compliance officer and the party. The Board will issue a written determination about the appeal **within thirty (30) days** after the party addresses the Board. The party who filed the appeal will be sent the Board's determination at the time it is issued, and a copy will be sent to the designated compliance coordinator. The Board's determination, and any actions taken, will be final on behalf of the District.

4. Confidentiality:

The identity of the complainant will be kept confidential to the extent permitted by state and federal law. The District will notify the complainant of the anti-retaliation provisions of applicable laws and that the District will take steps to prevent retaliation and will take prompt and strong responsive actions if retaliation occurs.

If a complainant requests confidentiality or asks that the complaint not be pursued, the District will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation, as long as doing so does not prevent the District from responding effectively to the harassment and preventing harassment of other students. If a complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the District will inform the complainant that its ability to respond may be limited. Even if the District cannot take disciplinary action against the alleged harasser, the District will pursue other steps to limit the effects of the alleged harassment and prevent its recurrence, if warranted,

5. Training:

The District will ensure that relevant District employees, including but not limited to officials, administrators, teachers, substitute teachers, counselors, nurses and other health personnel, coaches, assistant coaches, paraprofessionals, aides, bus drivers, and school law enforcement officers, are adequately trained so they understand and know how to identify acts of discrimination, harassment, and retaliation, and how to report it to appropriate District officials or employees.

6. Designated Compliance Coordinators:

Designated compliance coordinators will be responsible for:

- a. Coordinating efforts to comply with anti-discrimination, anti-harassment, and anti-retaliation laws and regulations.
- b. Coordinating and implementing training for students and employees pertaining to anti-discrimination, anti-harassment and anti-retaliation laws and regulations, including the training areas listed above.
- c. Investigating complaints of discrimination (unless the coordinator designates other trained individuals to investigate).
- d. Monitoring substantiated complaints or reports of discrimination, as needed (and with the assistance of other District employees, if necessary), to ensure discrimination or harassment does not recur, and that retaliation conduct does not occur or recur.

- e. Overseeing discrimination complaints, including identifying and addressing any patterns or systemic problems, and reporting such patterns or systemic problems to the Superintendent and the Board of Education.
- f. Communicating regularly with the District's law enforcement unit investigating cases and providing current information to them pertaining to anti-discrimination, anti-harassment, and anti-retaliation standards and compliance requirements.
- g. Reviewing all evidence in harassment or violence cases brought before the District's disciplinary committee or administrator to determine whether the complainants are entitled to a remedy under anti-discrimination laws and regulations that was not available in the disciplinary process.
- h. Ensuring that investigations address whether other students or employees may have been subjected to discrimination, including harassment and retaliation.
- i. Determining whether District employees with knowledge of allegations of discrimination, including harassment and retaliation, failed to carry out their duties in reporting the allegations to the designated compliance coordinator and responding to the allegations.
- j. Recommending changes to this policy and grievance procedure.
- k. Performing other duties as assigned.

The designated compliance coordinators will not have other job responsibilities that may create a conflict of interest with their coordinator responsibilities.

7. Preventive Measures:

The District will publish and widely distribute on an ongoing basis a notice of nondiscrimination (notice) in electronic and printed formats, including prominently displaying the notice on the District's website and posting the notice at each building in the District. The District also will designate an employee to coordinate compliance with anti-discrimination laws (see Designated Compliance Coordinator section, above, for further information on compliance coordinator), and widely publish and disseminate this grievance procedure, including prominently posting it on the District's website, at each building in the District, reprinting it in District publications, such as handbooks, and sending it electronically to members of the school community. The District will provide training to employees and students at the beginning of each academic year in the areas (B.6.a-g) identified in the Training section, above.

The District also may distribute specific harassment and violence materials (such as sexual violence), including a summary of the District's anti-discrimination, anti-harassment, and anti-retaliation policy and grievance procedure, and a list of victim resources, during events such as school assemblies and back to school nights, if recent incidents or allegations warrant additional education to the school community.

Date of Adoption: [Insert Date]

2019-20 LUNCH ASSESSMENT
AMHERST PUBLIC SCHOOLS

Expenditures include Summer Program

	2019-2020 (7/1/19-6/30/20)
STATE/FEDERAL AID	75062.68
Free and Reduced numbers	119
GENERAL FUND SUPPORT	0
INTEREST	28.35
REBATES, ETC	20
OUTSTANDING BALANCES	1596.56
PAID MEALS	73327.22
	150,034.81
 YTD EXPENDITURES	 159600.67 (9,565.86)

July Expenses not reflected on report

2019-2020 SERVING REPORT

Total Days Served	129
Paid adult meals eaten	291
Free student meals	8629
Reduced student meals	4173
Paid student meals	24889
	37982 (2018-2019 total was 49532 lunches served with 172 serving days)