

**Minutes for
Heartland Community Schools
Board of Education Regular Meeting**

Monday, September 14, 2020 8:10 PM
Conference Room
1501 Front Street
Henderson, NE 68371-8929

MISSION STATEMENT: Heartland Community Schools - Henderson/Bradshaw is dedicated to educating all students by providing challenging opportunities to learn according to individual needs.

Mr. Kent Allen: Present
Mr. Gary Braun: Present
Mr. Paul Brune: Present
Mr. Glen Ott: Present
Tammy Ott: Present
Mr. Steve Stebbing: Present

1. Preliminary Procedures

1. Call to Order

2. Public Notice of the Meeting

3. Roll Call

2. Public Comments on Agenda Items

There were no public comments on agenda items.

3. Public Comments on Topics Not on the Agenda

Heartland FFA Advisor, Mrs. Miller and FFA student, Lauren Quiring were present to request approval for a new FFA activity/fundraiser. The activity is a virtual race called the "Harvest Hustle." In this activity participants can choose to do a 5k walk/run, 50 mile walk/run, 10k or a 100 mile bike ride. Benefits of the fundraiser activity will be connecting students and participants, raising money for the FFA, and promoting Harvest safety.

4. Reports

1. Superintendent's Report

Mr. Best presented his written report. In addition he stated that there was one Covid-19 case in school that resulted in several students being quarantined. He reported that the Staff and Students were doing a good job following protocols to keep others safe.

2. Principals' Reports

Mrs. Reinke presented her written report. Highlights included recognizing many volunteers and expressing appreciation for their contributions. Highlights in Mr. Carr's report included recognizing the number of participants in the various student activities, and accomplishments of FFA and FBLA members in state contests.

5. Discussion Items

1. School Improvement Meetings

Mr. Best gave an update on the school improvement meetings. NASB is ready to resume the process of helping with school improvement.

2. NASB Virtual Area Meetings & State Conference

The NASB area membership meetings will be virtual this year. Board members will be able to participate online. The State NASB conference will be limited to 500 people attending in person. All members will be able to attend virtually.

6. Old Business

7. New Business

1. 2020-21 Budget

Mr. Best presented the 2020-2021 budget.

Motion to approve the proposed budget for the 2020-21 school year. Passed with a motion by Mr. Paul Brune and a second by Mr. Kent Allen.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

2. 2020-21 Tax Asking

Mr. Best presented the tax request resolution.

Motion to approve the tax request resolution as proposed. Passed with a motion by Mr. Kent Allen and a second by Mr. Steve Stebbing.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

3. Recognize HEA as Negotiation Representatives for 2021-22 Contract Year

The Board recognized HEA as the bargaining unit for the teachers.

Motion to recognize the HEA organization as the bargaining unit representing teachers in negotiations for the 2021-22 school year. Passed with a motion by Mr. Kent Allen and a second by Tammy Ott.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

4. New Title IX Policies and Additions of Title IX Language to Current Policies

Motion to approve and waive second readings for policies 404.12, 504.24, and accompanying regulations related to the new Title IX regulations. Passed with a motion by Mr. Paul Brune and a second by Mr. Steve Stebbing.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

5. Addition of New Federal Discrimination Statement to Various Policies

Motion to approve the language changes and waive final readings for Policies 103.00, 402.01, 404.06, 501.00, & 504.18. Passed with a motion by Mr. Kent Allen and a second by Mr. Paul Brune.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

6. Update Policies Regarding Meeting Notices and Minutes

Motion to approve the language and waive final reading for changes in Policies 204.07 & 204.11. Passed with a motion by Mr. Paul Brune and a second by Tammy Ott.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

7. Update Policy 402.15 - Staff Conduct with Students

Motion to approve changes and waive final reading for Policy 402.15. Passed with a motion by Mr. Steve Stebbing and a second by Mr. Kent Allen.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

8. Future Agenda Items

Future agenda items include:

- Negotiations with HEA

9. Consent Agenda

Motion to approve the consent agenda. Passed with a motion by Mr. Paul Brune and a second by Tammy Ott.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

1. Approval of Minutes

2. Approval of Treasurer's Report

3. Approval of Claims

4. Financial Reports

5. Out of State Travel Requests

10. Adjournment

The next scheduled meeting to be held on October 12 at 8:00 P.M.

Motion to adjourn the meeting at 9:10 P.M. Passed with a motion by Mr. Kent Allen and a second by Mr. Steve Stebbing.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Tammy Ott: Yea, Mr. Steve Stebbing: Yea

Board President

Board Secretary

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

Heartland Community Schools (93-0096) in York County, Nebraska

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 14th day of September, 2020 at 8:00 o'clock, P.M., at Heartland Community Schools for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget and to consider amendments relative thereto. The budget detail is available at the office of the Clerk/Secretary during regular business hours.

| FUNDS | Actual Disbursements & Transfers | Actual/Estimated Disbursements & Transfers | Budgeted Disbursements & Transfers | Necessary Cash Reserve | Total Available Resources Before Property Taxes | Total Personal and Real Property Tax Requirement |
|---------------------------------------|----------------------------------|--|------------------------------------|------------------------|---|--|
| | 2018-2019 (1) | 2019-2020 (2) | 2020-2021 (3) | | | |
| General | \$ 4,843,265.00 | \$ 4,944,888.00 | \$ 6,586,526.00 | \$ 300,000.00 | \$ 2,968,128.00 | \$ 3,957,978.00 |
| Depreciation | \$ 365,396.00 | \$ 156,638.00 | \$ 717,897.00 | | \$ 717,897.00 | |
| Employee Benefit | \$ - | \$ - | \$ 2,992.00 | \$ - | \$ 2,992.00 | |
| Contingency | \$ - | \$ - | \$ - | | \$ - | |
| Activities | \$ 136,590.00 | \$ 148,150.00 | \$ 250,000.00 | \$ - | \$ 250,000.00 | |
| School Nutrition | \$ 168,034.00 | \$ 185,229.00 | \$ 208,343.00 | \$ - | \$ 208,343.00 | |
| Bond | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Special Building | \$ 3,000.00 | \$ 87,964.00 | \$ 430,738.00 | | \$ 367,738.00 | \$ 63,636.00 |
| Qualified Capital Purpose Undertaking | \$ 62,462.00 | \$ - | \$ - | \$ - | \$ - | \$ - |
| Cooperative | \$ - | \$ - | \$ - | \$ - | \$ - | |
| Student Fee | \$ 20,000.00 | \$ - | \$ 20,000.00 | \$ - | \$ 20,000.00 | |
| | \$ - | \$ - | \$ - | \$ - | \$ - | |
| TOTALS | \$ 5,598,747.00 | \$ 5,522,869.00 | \$ 8,216,496.00 | \$ 300,000.00 | \$ 4,535,098.00 | \$ 4,021,614.00 |

| | | | |
|---------------------------|---------------|-------------------|-----------------|
| | Bond Purposes | Non-Bond Purposes | Total |
| Breakdown of Property Tax | \$ - | \$ 4,021,614.00 | \$ 4,021,614.00 |

Notice of Special Hearing To Set Final Tax Request

Heartland Community Schools (93-0096) in York County, Nebraska

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 14th day of September 2020 at 8:05 o'clock P.M., at Heartland Community Schools for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request.

| | 2019-2020 | 2020-2021 | Change |
|---------------------|-------------|-------------|--------|
| Property Valuations | 792,747,675 | 792,699,097 | 0% |

2019/20 Budget Information

2020/21 Budget Information

| Fund | 2019-2020 Operating Budget | 2019-2020 Property Tax Request | 2019 Tax Rate | Property Tax Rate (2019-2020 Request Divided By 2020 Valuation) | 2020-2021 Operating Budget | 2020-2021 Proposed Property Tax Request | Proposed 2020 Tax Rate | Change in Tax Rate | Change in Operating Budget |
|--|-------------------------------|--------------------------------------|------------------|--|-------------------------------|---|------------------------------|--------------------------|----------------------------------|
| General Fund | 6,379,022.00 | 3,869,206.00 | 0.488075 | 0.488105 | 6,586,526.00 | 3,957,978.00 | 0.499304 | 2% | 3% |
| Bond Fund(s) K - 12 | | | 0.000000 | 0.000000 | - | - | 0.000000 | #DIV/0! | #DIV/0! |
| Bond Fund(s) K - 8 | | | 0.000000 | 0.000000 | | | 0.000000 | #DIV/0! | #DIV/0! |
| Bond Fund(s) 9 - 12 | | | 0.000000 | 0.000000 | | | 0.000000 | #DIV/0! | #DIV/0! |
| Bond Fund | | | 0.000000 | 0.000000 | | | 0.000000 | #DIV/0! | #DIV/0! |
| Special Building Fund | 454,584.00 | 63,636.00 | 0.008027 | 0.008028 | 430,738.00 | 63,636.00 | 0.008028 | 0% | -5% |
| Qualified Capital Purpose Undertaking Fund K - 12 | | | 0.000000 | 0.000000 | - | - | 0.000000 | #DIV/0! | #DIV/0! |
| Qualified Capital Purpose Undertaking Fund K - 8 | | | 0.000000 | 0.000000 | | | 0.000000 | #DIV/0! | #DIV/0! |
| Qualified Capital Purpose Undertaking Fund 9 - 12 | | | 0.000000 | 0.000000 | | | 0.000000 | #DIV/0! | #DIV/0! |
| Total | 6,833,606.00 | 3,932,842.00 | 0.496102 | 0.496133 | 7,017,264.00 | 4,021,614.00 | 0.507332 | 2% | 3% |

PROPERTY TAX RESOLUTION

2020/2021 TAX REQUEST RESOLUTION FOR YORK COUNTY SCHOOL DISTRICT 93-0096

WHEREAS, public was given at least five days in advance of a Special Public Hearing called for the purpose of discussing and approving or modifying the District's Tax Requests for the 2020/2021 school fiscal year for the General Fund, Bond Fund, Special Building Fund, and Qualified Capital Purpose Undertaking Fund of York County School District 93-0096 and,

WHEREAS, such Special Public Hearing was held before the Board of Education (hereinafter "the Board") of York County School District 93-0096 (hereinafter "the District") at the time, date, and place announced in the notice published in a newspaper of general circulation, a copy of which notice and proof of publication of which is attached hereto as Exhibit A, all as required by law; and,

WHEREAS, the Board provided an opportunity to receive comment, information and evidence from persons in attendance at such Special Hearing; and,

WHEREAS, the total assessed value of the property differs from last year's total assessed value by 0%; the tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be \$0.496102 per \$100 of assessed value; the Heartland School District proposes to adopt a property tax requests that will cause its tax rate to be \$0.507332 per \$100 of assessed value.

WHEREAS, based on the proposed property tax request and changes in other revenue, the total operating budget of Heartland Community Schools will exceed last year's by 1% percent.

WHEREAS, the Board, after having reviewed the District's Tax Requests for each said fund, and after public consideration of the matter, has determined that the Final Tax Requests as listed below are necessary in order to carry out the functions of the District, as determined by the Board for the 2020/2021 school fiscal year.

NOW BE IT THEREFORE RESOLVED that (1) the Tax Request for the General Fund should be, and hereby is set at \$3,957,978 (2) the Tax Request for the Bond Fund should be, and hereby is set at \$0 (3) the Tax Request for the Special Building Fund should be, and hereby is set at \$63,636 and (4) the Tax Request for the Qualified Capital Purpose Undertaking Fund should be, and hereby is set at \$0.

It is so moved by (Name of Board Member) and seconded by (Name of Board Member) this 14th day of September, 2020.

Roll Call vote as follows:

| | | |
|-----------------|-----|----|
| Gary Braun | YES | NO |
| Paul Brune | YES | NO |
| Kent Allen | YES | NO |
| Glen Ott | YES | NO |
| Tammy Ott | YES | NO |
| Steven Stebbing | YES | NO |

The undersigned herewith certifies, as Secretary of the Board of Education of York County School District 93-0096 that the above Resolution was duly adopted by a majority of said Board at a duly constituted public meeting of said Board.

_____, Secretary

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

Physical or sexual abuse of students, including inappropriate and intentional sexual behavior, by employees will not be tolerated. The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by school district employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when requested to provide information and to maintain the confidentiality of the reporting and investigation process.

The superintendent will appoint an investigator and alternate investigator of opposite sexes. The investigator will pass the findings on to the superintendent who will complete any further investigations as deemed necessary and take appropriate final action.

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing abuse of students investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of this policy.

The superintendent is responsible for implementing this policy and for organizing employee training when needed relating to this policy. Procedures shall be reviewed periodically for adequacy and accuracy.

Cross Reference: 403.02 Child Abuse Reporting
 404.06 Harassment by Employees
 505.06 Corporal Punishment

Approved _____ Reviewed _____ Revised _____

TITLE IX SEXUAL HARASSMENT

It is the the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Regional Office of Civil Rights of the Department of Education, or both.

The Board encourages students, employees and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the Title IX Coordinator or building principal, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination with the Title IX Coordinator.

The Board designates the following individual to serve as the District's Title IX Coordinator and may or may not have the same person serve as Compliance Coordinator:

Title: Mr. Erik Wetjen, Athletic Director

Office address: Heartland Community Schools, 1501 Front St., Henderson, NE 68371

Email: ewetjen@heartlandschools.net

Phone number: 402-723-4434

Other district employees filling key roles for implementing Title IX sexual harassment procedures include investigator(s), decision-maker(s), individuals to handle appeals, and individuals to facilitate an informal resolution process. Specific individuals filling these roles may vary from complaint to complaint as appropriate.

The Director of the Regional Office of Civil Rights can be contacted at the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, by email to OCR.KansasCity@ed.gov.

The district is committed to providing a nondiscriminatory workplace for employees. It is committed to the maintenance of a safe, positive learning environment for all students by providing student course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of employees and students and the educational and programmatic goals of the district and is prohibited at or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

Approved _____ Reviewed _____ Revised _____

The student's parents/guardian or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal. A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "Title IX sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events, or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

When the alleged harassment or discrimination does not meet the Title IX definition of sexual harassment, the Title IX Coordinator directs the individual to the applicable process for investigation.

Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, or acted in opposition to practices the person reasonably believes to be discriminatory, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising under the regulations.

Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and the union(s) holding collective bargaining agreements with the district with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including examination of evidence, handling hearings, appeals and informal resolution processes, when applicable, how to address complaints that do not qualify as Title IX sexual harassment, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest

and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and judgments of formal complaints of sexual harassment and are made publicly available on the District's website.

Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in the accompanying regulation. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

Other Title IX Coordinator Duties

The Title IX Coordinator, along with the Compliance Coordinator, shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks, and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.

4. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
5. Student Access - Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
6. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.
7. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
8. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

Legal Reference: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amend. of 1972, Title IX; 20 USC 1681 et seq.
Exec. Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
34 CFR part 106

Cross Reference: 103.00 Equal Educational Opportunity
402.01 Equal Opportunity Employment
402.15 Staff Conduct with Students
403.02 Child Abuse Reporting
403.03 Abuse of Students by School District Employees
404.06 Harassment by Employees
405.00 Employee Conduct and Appearance
501.00 Objectives for Equal Educ. Opportunities for Students
504.03 Student Conduct
504.14 Hazing, Initiation, Secret Societies or Gang Activity
504.18 Harassment by Students
504.20 Bullying Prevention
504.21 Dating Violence Prevention
505.03 Suspension and Expulsion of Students
612.05 Individualized Education Program
612.10 Procedural Safeguards

TITLE IX REPORTING FORM

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Title: Mr. Erik Wetjen, Athletic Director
Office address: Heartland Community Schools, 1501 Front St., Henderson, NE 68371
Email: ewetjen@heartlandschools.net
Phone number: 402-723-4434

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

***Note:** For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.*

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

- Student Parent/Guardian Employee Volunteer Visitor
- Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

- The alleged victim is: Your Child Another Student A District Employee
- Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Bullying, Hazing, Harassing or Other Discrimination You are Reporting

Please record the name(s) of the individual(s) you believe to be responsible for the conduct you are reporting.

Name(s):

The reported individual(s) is/are:

- Student(s) Employee(s)
- Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

Yes No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

Signature of Person Making the Report

Date

Received By

Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 404.12. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

- Student Parent/Guardian Employee Volunteer Visitor
 Other _____ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

- The alleged victim is: Reporter's Child Another Student Another Employee
 Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

- Student(s) Employee(s)
- Other _____ (please explain relationship to the district)

III. Level of Report:

- Informal Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

- Title IX Sexual Harassment Discrimination Retaliation Bullying
- Hazing Dating Violence Other _____

Nature of the Report (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Creed |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Sexual Harassment (Title IX) |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Handicap/Disability | <input type="checkbox"/> Bullying |
| <input type="checkbox"/> Hazing | <input type="checkbox"/> Dating Violence |
| <input type="checkbox"/> Veteran Status | <input type="checkbox"/> Genetic Background |

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Is it being repeated? Yes No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

No.

Yes, please identify the student with a disability and contact the Director of Special Education.

Director of Special Education was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

VI. Safety Concerns

Are there safety concerns that may require Emergency Removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

No.

Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

No

Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

- Policy 103.00 Equal Educational Opportunity
- Policy 402.01 Equal Opportunity Employment
- Policy 404.06 Harassment (Employees)
- Policy 404.12 Title IX Sexual Harassment
- Policy 247. Hazing
- Policy 249. Bullying
- Policy 252. Dating Violence
- Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

Yes

No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

- A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
- Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

- No further action at this time. Reason:
- Policy 103.00 Equal Educational Opportunity
- Policy 402.01 Equal Opportunity Employment
- Policy 404.06 Harassment (Employees)
- Policy 404.12 Title IX Sexual Harassment
- Policy 247. Hazing
- Policy 249. Bullying
- Policy 252. Dating Violence
- Other _____

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.
5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

Yes

No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Title IX Sexual Harassment Formal Complaint for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

TITLE IX SEXUAL HARASSMENT PROCEDURES

The Board requires the following procedures to be followed for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

Definitions

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of sexual harassment to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and the context in which the sexual harassment occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

For purposes of this policy and the grievance process, “Title IX sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or

Reviewed _____ Revised _____

3. “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8) or “stalking” as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.
- A. “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:
- i. Length of relationship.
 - ii. Type of relationship.
 - iii. Frequency of interaction between the persons involved in the relationship.
- B. “Domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
- C. “Sexual assault” means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- D. “Stalking,” under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:
- i. Fear for their safety or the safety of others.
 - ii. Suffer substantial emotional distress.

District Requirements

When the District has actual knowledge of sexual harassment in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex discrimination process for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive

measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling or employee assistance program, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, assistance from domestic violence or rape crisis programs, assistance from community health resources, changes in work locations and other similar measures.

For students, supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District. The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;
2. An explanation of the District's investigation procedures, including any informal resolution process;
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence and
5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Emergency Response Measures

Nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. Nor does it preclude the District from placing a non-student employee Respondent on administrative leave while awaiting the determination of the complaint procedures. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;
6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;
7. Objectively evaluate all relevant evidence without relying on sex stereotypes;
8. Ensure that Title IX Coordinators, investigators, decision-makers and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
9. Not make credibility determinations based on the individual's status as Complainant, Respondent or witness;
10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. A Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. The Respondent is no longer enrolled or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up

questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant and
6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

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

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may

implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement.

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with school policies and regulations, which may include but is not limited to loss of school privileges, permanent transfer to another school building, classroom or school bus, exclusion from school-sponsored activities, detention, suspension, expulsion, or referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.

Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome;
and
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

Informal resolution process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that

does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
 - A. The allegations;
 - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint and
 - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and its result;
3. Any informal resolution and its result; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its

response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

EMPLOYEE CONDUCT AND APPEARANCE

Employees are role models for the students who come in contact with them during and after school hours. The board recognizes the positive effect employees can have on students in this capacity. To this end, the board strongly suggests and encourages employees to dress themselves, groom themselves and conduct themselves in a manner appropriate to the educational environment.

Employees shall conduct themselves in a professional manner. Employees shall dress in attire appropriate for their position. Clothing should be neat, clean, and in good taste. Discretion and common sense call for an avoidance of extremes which would interfere with or have an effect on the educational process.

Certificated employees of the school district shall follow the code of ethics for their profession as established by the Nebraska Professional Practices Commission.

Every report of alleged violations of employee conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing employee conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of employee conduct policies.

Legal Reference: NDE Rule 27

Cross Reference: 305 Administrative Code Of Ethics
402.02 Employee Orientation
404.06 Harassment by Employees
404.07 Substance-Free Workplace
408 Certificated Employee Termination of Employment
414 Support Staff Termination of Employment

Approved _____ Reviewed _____ Revised _____

STUDENT CONDUCT

The board believes inappropriate student conduct causes serious disruption to the learning environment, interferes with the rights of others, and threatens the health and safety of students, employees and the public. The Superintendent and staff will develop and implement age-appropriate student codes of conduct to facilitate the educational process.

Students shall conduct themselves in a manner fitting to their age level and maturity and with respect and consideration for the rights of others while on school district property or on property within the jurisdiction of the school district. This policy will also apply while on school owned, operated or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

Students who violate this policy and the administrative regulations supporting it will be subject to disciplinary measures including, but not limited to, removal from the classroom, detention, suspension, probation and expulsion. The codes of conduct will include measures to prevent or discourage behavior which interferes with the educational program, behavior which disrupts the orderly and efficient operation of the school or the functioning of school activities, behavior which interferes with the maintenance of a learning environment, behavior that is violent or destructive, or behavior which interferes with the rights of other students to pursue their education. Procedures will be available to allow rights of due process for all students.

Every report of alleged violations of student conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing student conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of student conduct policies.

This disciplinary process is designed to create the expectation that the degree of discipline imposed by the school will be proportionate to the severity of the behavior of the particular student, the previous discipline history of the student and other relevant factors. It will also include parental involvement processes designed to enable parents, guardians, teachers and school administrators to work together to improve and enhance appropriate student behavior and academic performance. All student codes of conduct shall be submitted to the board for approval or review.

Approved

Reviewed

Revised

HAZING, INITIATION, SECRET SOCIETIES OR GANG ACTIVITIES

Hazing or initiation by any school organizations, groups, clubs, teams or individuals are prohibited unless specifically approved by the administration. Anyone engaging in hazing or initiation behavior will be subject to disciplinary action up to and including expulsion.

Hazing is any activity by which a person intentionally or recklessly endangers the physical or mental health or safety of an individual for the purpose of initiation into, admission into, affiliation with, or continued membership with any school organization. Such hazing activity includes whipping, beating, branding, an act of sexual penetration, an exposure of the genitals of the body done with intent to affront or alarm any person, a lewd fondling or caressing of the body of another person, forced and prolonged calisthenics, prolonged exposure to the elements, forced consumption of any food, liquor, beverage, drug, or harmful substance not generally intended for human consumption, prolonged sleep deprivation, or any brutal treatment or the performance of any unlawful act which endangers the physical or mental health or safety of any person or the coercing of any such activity.

Every report of alleged hazing or initiation that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing hazing or initiation investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing or initiation.

The Board of Education prohibits the organization of school-sponsored fraternities, sororities or secret organizations wherein membership is determined by members themselves rather than on the basis of free choice. The Board considers those organizations or memberships in those organizations detrimental to the good conduct and discipline of the school. Interference with the instructional program of the district by those groups will not be condoned, and no organizational activities are permitted under the sponsorship of the school district or its personnel.

In addition, the use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of grooming which, by virtue of its color, arrangement, trademark, symbol, or any other attribute which indicates or implies membership or affiliation with such a group, is disruptive of a positive learning environment and will not be tolerated.

Legal Reference: Neb. Statute 79-2,101 to 2,102
Cross Reference: 505 Student Discipline
506 Student Activities

Approved _____ Reviewed _____ Revised _____

BULLYING PREVENTION

The board recognizes the negative impact that bullying has on student health, welfare, safety, and the school's learning environment and prohibits such behavior. Bullying is defined as any ongoing pattern of physical, verbal, or electronic abuse on school grounds, in a vehicle owned, leased, or contracted by a school being used for a school purpose by a school employee or his or her designee, at a designated school bus stop, or at school-sponsored activities or school-sponsored athletic events.

Bullying may constitute grounds for detention, suspension, expulsion or mandatory reassignment, subject to state and federal statutes and the district's student discipline and due process procedures.

Every report of alleged bullying that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing bullying investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.

It shall be the responsibility of the superintendent to implement appropriate programs or procedures for the purpose of educating students regarding bullying prevention.

This policy shall be reviewed annually.

Legal Reference: Neb. Statute 79-2,137

Cross Reference: 505 Student Discipline

Approved _____ Reviewed _____ Revised _____

DATING VIOLENCE PREVENTION

The board prohibits behavior that has a negative impact on student health, welfare, safety, and the school's learning environment. Incidents of dating violence will not be tolerated on school grounds, in district vehicles, or at school sponsored activities or school-sponsored athletic events.

Dating violence is defined as a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. Dating partner means any person, regardless of gender, involved in an intimate relationship with another person primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

The district will provide appropriate training to staff and incorporate within its educational program age-appropriate dating violence education that shall include, but not be limited to, defining dating violence, recognizing dating violence warning signs, and identifying characteristics of healthy dating relationships.

Every report of alleged dating violence that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing dating violence investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged dating violence.

This policy shall be published in the student handbook.

Legal Reference: Neb. Statute 79-2,141

Approved _____ Reviewed _____ Revised _____

TITLE IX SEXUAL HARASSMENT

It is the the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Regional Office of Civil Rights of the Department of Education, or both.

The Board encourages students, employees and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the Title IX Coordinator or building principal, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination with the Title IX Coordinator.

The Board designates the following individual to serve as the District's Title IX Coordinator and may or may not have the same person serve as Compliance Coordinator:

Title: Mr. Erik Wetjen, Athletic Director

Office address: Heartland Community Schools, 1501 Front St., Henderson, NE 68371

Email: ewetjen@heartlandschools.net

Phone number: 402-723-4434

Other district employees filling key roles for implementing Title IX sexual harassment procedures include investigator(s), decision-maker(s), individuals to handle appeals, and individuals to facilitate an informal resolution process. Specific individuals filling these roles may vary from complaint to complaint as appropriate.

The Director of the Regional Office of Civil Rights can be contacted at the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, by email to OCR.KansasCity@ed.gov.

The district is committed to providing a nondiscriminatory workplace for employees. It is committed to the maintenance of a safe, positive learning environment for all students by providing student course offerings, counseling, assistance, services, employment, athletics, and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of employees and students and the educational and programmatic goals of the district and is prohibited at or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

Approved _____ Reviewed _____ Revised _____

The student's parents/guardian or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal. A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.

Any person may report sex discrimination, including sexual harassment, at any time, including during non-business hours. Such a report may be made in person, by mail, by telephone or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

For purposes of this policy and the grievance process, "Title IX sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
3. "Sexual assault" as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8) or "stalking" as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events, or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

When the alleged harassment or discrimination does not meet the Title IX definition of sexual harassment, the Title IX Coordinator directs the individual to the applicable process for investigation.

Retaliation Prohibited

The District prohibits intimidation, threats, coercion or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation proceeding or hearing, or acted in opposition to practices the person reasonably believes to be discriminatory, if applicable. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

Confidentiality

The District must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been alleged to be the victim or perpetrator of conduct that could constitute sexual harassment, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA) or as required by law, or to carry out the purposes of the Title IX regulations, including the conduct of any investigation, hearing or judicial proceeding arising under the regulations.

Notice Requirements

The District provides notice to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees and the union(s) holding collective bargaining agreements with the district with the name or title, office address, email address and telephone number of the Title IX Coordinator and notice of the District grievance procedures and process, including how to report or file a complaint of sex discrimination, how to file a formal complaint of sexual harassment and how the District will respond. The District also posts the Title IX Coordinator's contact information and Title IX policies and procedures in a prominent location on the District website and in all handbooks made available by the District.

Training Requirements

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receives training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including examination of evidence, handling hearings, appeals and informal resolution processes, when applicable, how to address complaints that do not qualify as Title IX sexual harassment, and how to serve impartially including by avoiding prejudgment of the facts at issue, conflicts of interest

and bias. The District also ensures that decision-makers and investigators receive training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant as set forth in the formal procedures that follow, and training on any technology to be used at a live hearing, if applicable. Investigators also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. All materials used to train individuals who receive training under this section must not rely on sex stereotypes and must promote impartial investigations and judgments of formal complaints of sexual harassment and are made publicly available on the District's website.

Conflict of Interest and Bias

The District ensures that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process do not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Determination of Responsibility

The individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment is presumed not responsible for alleged conduct. A determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation in accordance with the process outlined in the accompanying regulation. No disciplinary sanctions will be imposed unless and until a final determination of responsibility is reached.

Other Title IX Coordinator Duties

The Title IX Coordinator, along with the Compliance Coordinator, shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas, as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks, and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.

4. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
5. Student Access - Review of programs, activities, and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
6. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas.
7. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
8. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

Legal Reference: Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, Title VII; 42 USC 2000e et seq.
Education Amend. of 1972, Title IX; 20 USC 1681 et seq.
Exec. Order 11246, as amended by Executive Order 11375
Equal Pay Act; 29 USC 206
34 CFR part 106

Cross Reference: 103.00 Equal Educational Opportunity
402.01 Equal Opportunity Employment
402.15 Staff Conduct with Students
403.02 Child Abuse Reporting
403.03 Abuse of Students by School District Employees
404.06 Harassment by Employees
405.00 Employee Conduct and Appearance
501.00 Objectives for Equal Educ. Opportunities for Students
504.03 Student Conduct
504.14 Hazing, Initiation, Secret Societies or Gang Activity
504.18 Harassment by Students
504.20 Bullying Prevention
504.21 Dating Violence Prevention
505.03 Suspension and Expulsion of Students
612.05 Individualized Education Program
612.10 Procedural Safeguards

TITLE IX REPORTING FORM

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from bullying, hazing, dating violence, sexual harassment and other discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. The Title IX Coordinator's contact information is:

Title: Mr. Erik Wetjen, Athletic Director

Office address: Heartland Community Schools, 1501 Front St., Henderson, NE 68371

Email: ewetjen@heartlandschools.net

Phone number: 402-723-4434

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

***Note:** For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.*

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

- Student Parent/Guardian Employee Volunteer Visitor
 Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

- The alleged victim is: Your Child Another Student A District Employee
 Other: _____ (please explain relationship to the alleged victim)

II. Information About the Person(s) You Believe is/are Responsible for the Bullying, Hazing, Harassing or Other Discrimination You are Reporting

Please record the name(s) of the individual(s) you believe to be responsible for the conduct you are reporting.

Name(s):

The reported individual(s) is/are:

- Student(s) Employee(s)
 Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

Yes No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

Signature of Person Making the Report

Date

Received By

Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 504.24. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

- Student Parent/Guardian Employee Volunteer Visitor
 Other _____ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

- The alleged victim is: Reporter's Child Another Student Another Employee
 Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

- Student(s) Employee(s)
- Other _____ (please explain relationship to the district)

III. Level of Report:

- Informal Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

- Title IX Sexual Harassment Discrimination Retaliation Bullying
- Hazing Dating Violence Other _____

Nature of the Report (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Creed |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Sexual Harassment (Title IX) |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Handicap/Disability | <input type="checkbox"/> Bullying |
| <input type="checkbox"/> Hazing | <input type="checkbox"/> Dating Violence |

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Is it being repeated? Yes No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

No.

Yes, please identify the student with a disability and contact the Director of Special Education.

Special Education Director was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

VI. Safety Concerns

Are there safety concerns that may require Emergency Removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

No.

Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

No

Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

- Policy 103.00 Equal Educational Opportunity
- Policy 501.00 Equal Opportunity
- Policy 504.14 Hazing and Initiation
- Policy 504.18 Harassment (Students)
- Policy 504.24 Title IX Sexual Harassment
- Policy 504.20 Bullying
- Policy 504.21 Dating Violence
- Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus.

Did the incident occur during a during a school program or activity involving a person in the United States?

Yes

No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

- A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
- Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

- No further action at this time. Reason:
- Policy 103.00 Equal Educational Opportunity
- Policy 501.00 Equal Opportunity
- Policy 504.14 Hazing and Initiation
- Policy 504.18 Harassment (Students)
- Policy 504.24 Title IX Sexual Harassment
- Policy 504.20 Bullying
- Policy 504.21 Dating Violence
- Other _____

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.
5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

Yes

No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Title IX Sexual Harassment Formal Complaint for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____

TITLE IX SEXUAL HARASSMENT PROCEDURES

The Board requires the following procedures to be followed for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited as sexual harassment by Title IX. The Board directs the process to be published in accordance with all statutory and regulatory requirements.

Definitions

The following definitions apply for Title IX policies and procedures:

“Actual knowledge:” notice of sexual harassment or allegations of sexual harassment to the District’s Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary or secondary school.

“Education program or activity:” includes locations, events or circumstances over which the District exercised substantial control over both the individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and the context in which the sexual harassment occurs.

“Complainant:” an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent:” an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Formal complaint:” a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the District investigate the allegation of sexual harassment.

“Supportive measures:” non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

For purposes of this policy and the grievance process, “Title IX sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

1. A District employee conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or

Reviewed _____ Revised _____

3. “Sexual assault” as defined in 20 USC 1092(f)(6)(A)(v), “dating violence” as defined in 34 USC 12291(a)(10), “domestic violence” as defined in 34 USC 12291(a)(8) or “stalking” as defined in 34 USC 12291(a)(30). These definitions are included in the procedures to this policy.
- A. “Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:
- i. Length of relationship.
 - ii. Type of relationship.
 - iii. Frequency of interaction between the persons involved in the relationship.
- B. “Domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
- C. “Sexual assault” means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- D. “Stalking,” under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:
- i. Fear for their safety or the safety of others.
 - ii. Suffer substantial emotional distress.

District Requirements

When the District has actual knowledge of sexual harassment in an education program or activity of the District, the District will respond promptly in a manner that is not deliberately indifferent. When the harassment or discrimination on the basis of sex does not meet the definition of sexual harassment, the Title IX Coordinator will direct the individual to the applicable sex discrimination process for investigation.

The District treats individuals who are alleged to be the victim (Complainant) and perpetrator (Respondent) of conduct that could constitute sexual harassment equitably by offering supportive

measures. Supportive measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling or employee assistance program, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the District's property, campus escort services, assistance from domestic violence or rape crisis programs, assistance from community health resources, changes in work locations and other similar measures.

For students, supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Upon the receipt of a complaint, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. If the District does not provide the Complainant with supportive measures, then the District must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Timelines

The District has established reasonably prompt time frames for the conclusion of the grievance process, including time frames for filing and resolving appeals and informal resolution processes. The grievance process may be temporarily delayed or extended for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. In the event the grievance process is temporarily delayed for good cause, the District will provide written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action.

Response to a Formal Complaint

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, or other means designated by the District. The District must follow the formal complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures.

Upon receipt of a formal complaint, the District must provide written notice to the known parties including:

1. Notice of the allegations of sexual harassment, including information about the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, the date and location of the alleged incident, and any sufficient details known at the time. Such notice must be provided with sufficient time to prepare a response before any initial interview;
2. An explanation of the District's investigation procedures, including any informal resolution process;
3. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made by the decision-maker at the conclusion of the investigation;
4. Notice to the parties that they may have an advisor of their choice who may be, but is not required to be, an attorney, and may inspect and review any evidence and
5. Notice to the parties of any provision in the District's code of conduct or policy that prohibits knowingly making false statements or knowingly submitting false information.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice initially provided, notice of the additional allegations must be provided to known parties.

The District may consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Emergency Response Measures

Nothing in this policy precludes the District from removing a Respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. Nor does it preclude the District from placing a non-student employee Respondent on administrative leave while awaiting the determination of the complaint procedures. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Investigation of a Formal Complaint

When investigating a formal complaint and throughout the grievance process, the District must:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not the parties;
2. Provide an equal opportunity for the parties to present witnesses and evidence;
3. Not restrict either party's ability to discuss the allegations under investigation or to gather and present relevant evidence;
4. Allow the parties to be accompanied with an advisor of the party's choice who may be, but is not required to be, an attorney. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
5. Provide written notice of the date, time, location, participants, and purpose of any interview or meeting at which a party is expected to participate, with sufficient time for the party to prepare to participate;
6. Provide the parties equal access to review all the evidence collected which is directly related to the allegations raised in a formal complaint and comply with the review periods outlined in this process;
7. Objectively evaluate all relevant evidence without relying on sex stereotypes;
8. Ensure that Title IX Coordinators, investigators, decision-makers, and individuals who facilitate an informal resolution process, do not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent;
9. Not make credibility determinations based on the individual's status as Complainant, Respondent or witness;
10. Not use questions or evidence that constitute or seek disclosure of privileged information unless waived.

Dismissal of Formal Complaints

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under this policy.

The Title IX Coordinator also may dismiss the formal complaint or any allegations therein at any time during the investigation or hearing, if applicable, when any of the following apply:

1. A Complainant provides written notification to the Title IX Coordinator that the Complainant would like to withdraw the formal complaint or any allegations therein;
2. The Respondent is no longer enrolled or employed by the District; or
3. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal, the Title IX Coordinator promptly sends written notice of the dismissal and the reasons for dismissal simultaneously to both parties.

Evidence Review

The District provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence provided by the District must include evidence that is directly related to the allegations in the formal complaint, evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or other source. Prior to completion of the investigative report, the Title IX Coordinator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties have 10 calendar days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completion of the investigative report.

Investigative Report

The investigator must prepare an investigative report that fairly summarizes relevant evidence and send the report to the Title IX Coordinator. The Title IX Coordinator must send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. The parties have 10 calendar days to submit a written response to the Title IX Coordinator.

Decision-Maker's Determination

The investigative report is submitted to the decision-maker. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator. The decision-maker cannot hold a hearing or make a determination regarding responsibility until 10 calendar days from the date the Complainant and Respondent receive the investigator's report.

Prior to reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up

questions from each party. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Questions must be submitted to the Title IX Coordinator within three calendar days from the date the Complainant and Respondent receive the investigator's report.

The decision-maker must issue a written determination regarding responsibility based on a preponderance of the evidence standard. The decision-maker's written determination must:

1. Identify the allegations potentially constituting sexual harassment;
2. Describe the procedural steps taken, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Include the findings of fact supporting the determination;
4. Draw conclusions regarding the application of any District policies and/or code of conduct rules to the facts;
5. Address each allegation and a resolution of the complaint including a determination regarding responsibility, the rationale therefor, any recommended disciplinary sanction(s) imposed on the Respondent, and whether remedies designed to restore or preserve access to the educational program or activity will be provided by the District to the Complainant and
6. The procedures and permissible bases for the Complainant and/or Respondent to appeal the determination.

A copy of the written determination must be provided to both parties simultaneously, and generally will be provided within 60 calendar days from the District's receipt of a formal complaint.

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

Where a determination of responsibility for sexual harassment has been made against the Respondent, the District will provide remedies to the Complainant that are designed to restore or preserve equal access to the District's education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Following any determination of responsibility, the District may

implement disciplinary sanctions in accordance with State or Federal law and or/the negotiated agreement.

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with school policies and regulations, which may include but is not limited to loss of school privileges, permanent transfer to another school building, classroom or school bus, exclusion from school-sponsored activities, detention, suspension, expulsion, or referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.

Appeals

Either the Complainant or Respondent may appeal the decision-maker's determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time that could affect the outcome;
and
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent that affected the outcome.

The request to appeal must be made in writing to the Title IX Coordinator within seven calendar days after the date of the written determination. The appeal decision-maker must not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent and cannot be the Title IX Coordinator, the investigator, or the decision-maker from the original determination.

The appeal decision-maker must notify the other party in writing when an appeal is filed and give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging, the outcome. After reviewing the evidence, the appeal decision-maker must issue a written decision describing the result of the appeal and the rationale for the result. The decision must be provided to both parties simultaneously, and generally will be provided within 10 calendar days from the date the appeal is filed.

Informal resolution process

Except when concerning allegations that an employee sexually harassed a student, at any time during the formal complaint process and prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that

does not involve a full investigation and determination of responsibility, provided that the District:

1. Provides to the parties a written notice disclosing:
 - A. The allegations;
 - B. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the Title IX formal complaint process with respect to the formal complaint and
 - C. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process.

The informal resolution process generally will be completed within 30 calendar days unless the parties and the Title IX Coordinator mutually agree to temporarily delay or extend the process. The formal grievance process timelines are stayed during the parties' participation in the informal resolution process. If the parties do not reach resolution through the informal resolution process, the parties will resume the formal complaint grievance process, including timelines for resolution, at the point they left off.

Recordkeeping

The District must maintain for a period of seven years records of:

1. Each sexual harassment investigation, including any determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the District's education program or activity;
2. Any appeal and its result;
3. Any informal resolution and its result; and
4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website.

The District must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the District must document the basis for its conclusion that its

response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity.

SUSPENSION AND EXPULSION OF STUDENTS

The authority to suspend for a "short term" and to propose an "extended term" suspension and/or expulsion is delegated to the principal or his or her designee. A short-term suspension shall mean the exclusion of a student from school attendance for a period not to exceed five school days. A long-term suspension means the exclusion of a student from school attendance for a period exceeding five school days but less than twenty school days.

The provisions of this section apply to all pupils enrolled in the school district. When considering possible courses of action for special education students in regard to alleged violations of school rules, policies, and regulations, procedural due process rights guaranteed under applicable Federal and State statutes are applicable. The school district is obligated to see that every special education student is provided an appropriate educational program without cost to the parent. Conversely, schools are not required to maintain pupils who are a danger to themselves or others in regular attendance centers.

Suspension from classes or school will not be carried out unless the student while subject to school authority:

1. uses violence, force, threat or intimidation in a manner causing substantial interference with school purposes; or
2. causes or attempts to cause substantial damage to school or private property or steals or attempts to steal school or private property of substantial value; or
3. causes or attempts to cause physical injury to another person except in self-defense; or threatens or intimidates any student for the purpose or intent of obtaining something of value from the student; or
4. possesses or transmits any firearm, knife, explosive or other dangerous object that is ordinarily considered a weapon; or
5. engages in the unlawful possession, selling, dispensing, or use of a controlled substance or an imitation controlled substance, as defined in section 28-401, a substance represented to be a controlled substance, or alcoholic liquor as defined in section 53-103 or being under the influence of a controlled substance or alcoholic liquor; or
6. commits public indecency as defined in Nebraska statute 28-806 if that student is at least twelve years of age but less than nineteen years of age; or
7. commits or attempts to commit sexual assault against any person if a complaint has been filed by a prosecutor alleging the incident as required in Nebraska statute 79-267.8; or
8. engages in bullying as defined in section 79-2,137; or
9. engages in any other illegal activity which constitutes a danger to other students or interferes with school purposes; or
10. repeatedly violates the policies, rules and standards of student conduct established by the district.

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A given suspension will be for a period of time not to exceed 5 school days. A student will be informed of the charges against him or her and, if the student denies them, an explanation of the evidence will be given and the student will be given an opportunity to refute the charges. No time delay is necessary between the time a pupil is notified of the charges and the time of the hearing before the principal.

Guidelines to ensure that students are afforded due process during a suspension or proposed suspension from school will be developed. The procedural rules, regulations and guidelines will be approved by the Board of Education and made known to students, parents and school staff.

Every report of alleged violations of student conduct policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing student conduct investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of student conduct policies.

Administrative procedures complying with the Student Discipline Act shall also be in place to ensure due process to the student should the principal decide to administer a long-term suspension, expulsion, or mandatory reassignment.

Emergency Exclusion: Any student may be excluded from school in the following circumstances:

- 1) If the student has a dangerous communicable disease transmissible through normal school contacts and poses an imminent threat to the health or safety of the school community; or
- 2) If the student's conduct presents a clear threat to the physical safety of himself, herself, or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

Such an emergency exclusion shall be based upon a clear factual situation warranting it and shall last not longer than is necessary to avoid the dangers described above.

If the emergency exclusion will be for five days or less, the procedures for a short-term suspension shall be followed. If the superintendent or his or her designee determines that such emergency exclusion shall extend beyond five days, a hearing will be held and a final determination made within ten school days after the initial date of exclusion. Such procedure shall substantially comply with the procedures set forth in state statutes 79-266 to 287 for a long-term suspension or expulsion and be modified only to the extent necessary to accomplish the hearing and determination within this shorter time period.

The principal should make a reasonable effort to contact the parent(s) or guardian(s) of a suspended student by telephone or to communicate to them directly regarding the specific

act(s) for which the suspension is ordered and the length of the suspension. If personal contact cannot be made then a notice will be mailed to parents within 24 hours stating the specific act(s) for which the suspension is ordered and the length of the suspension.

All records and documentation regarding suspension will be destroyed within three years of the student's continuous absence from school. No information regarding a suspension will be communicated to any person not directly involved in the disciplinary proceedings.

The right of appeal to the Board of Education in cases involving student suspension described in this policy does not extend to a suspension from a student extracurricular activities program or other disciplinary action affecting participation in an extracurricular activities program.

For the purposes of this policy and as defined in the Student Discipline Act, expulsion shall mean exclusion from attendance in all schools within the district for a period of time as defined in Nebraska statute 79-283.

Students may be expelled for violations of board policy, school rules or the law. It shall be within the discretion of the administrator to discipline a student by using an expulsion for a single offense or for a series of offenses depending on the nature of the offense and the circumstances surrounding the offense.

The superintendent will develop procedural rules, regulations and guidelines governing expulsions. These shall be approved by the Board of Education and made known to students, parents and school staff. The principal shall keep records of all expulsions.

All cases of expulsion shall be preceded by short-term suspension and its related procedures or by the condition of emergency exclusion which applies only when a student (a) has a dangerous communicable disease transmissible through normal school contacts and poses an immediate threat to the health and safety of the school community; or (b) exhibits conduct which presents a clear threat to the physical safety of himself/herself or others, or is so extremely disruptive as to make temporary removal necessary to preserve the rights of other students to pursue an education.

When a student is expelled, the student shall be provided with:

1. Notice of the standard of conduct allegedly violated, acts the student is alleged to have committed and a summary of the evidence to be presented against the student;
2. The penalty, if any, which the principal has recommended in the charge and any other penalty to which the student may be subject;
3. A statement that the student has a right to a hearing, upon request, on the specified charges;

4. A description of the hearing procedures, along with procedures for appealing any decision rendered at the hearing;
5. A statement the principal, legal counsel for the school, the student, the student's parent or representative or guardian has the right;
 - A. to examine the student's academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and;
 - B. to know the identity of the witnesses to appear at the hearing and the substance of their testimony;
6. A form on which the student or the student's parent/guardian may request a hearing.

Violations of Law Relating to Suspensions or Expulsions

1. Student violations or suspected violations of Nebraska law will be reported to law enforcement as soon as possible. Conduct to be reported for law enforcement referral includes conduct that may constitute a felony, conduct which may constitute a threat to the safety or well-being of students or others in school programs and activities, and conduct that the legal system is better equipped to address than school officials. Student violations of school policy that are not apparent violations of law will be addressed by school administrators without reporting them to law enforcement. Administrators should consider the student's maturity, and known behavioral, emotional or mental disorders, if applicable. It will be the responsibility of the referring administrator to contact the student's parent that a referral to legal authorities has been or will be made, if applicable.

On or before August 1 the school board will annually review the reporting guidelines above with the County Attorney. These shall be distributed to all parents and guardians and their students at the beginning of each school year, or at the time of enrollment if during the school year. The guidelines shall also be posted conspicuously in each school during the school year.

2. Except in instances of suspected child abuse, when a principal or designee releases a minor student to a law enforcement officer for the purpose of removing the minor from the school premises, immediate steps shall be taken to notify the parent, guardian, or other relative having control of the minor about the minor's release to the officer and about the place to which the minor is reportedly being taken. In cases of suspected child abuse, the principal or designee will provide the law enforcement officer with the address and telephone number of the minor's parents or guardian.

Supplemental to these procedures, a special education student must be provided with additional procedures. A determination should be made of whether the student is actually guilty of the misconduct. A staffing team should determine whether the student's behavior is caused by the student's disability and whether the conduct is the result of inappropriate placement. Discussions and conclusions of this meeting should be recorded.

INDIVIDUALIZED EDUCATION PROGRAM AND FAMILY SERVICES PLAN

The district ensures that an Individualized Education Program (IEP), or an Individualized Family Service Plan (IFSP) is developed, reviewed, and revised for each child with a disability in accordance with 92 NAC 51-007.

Every report of alleged violations of the district’s special education policies that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of these policies, potential issues of sexual harassment or discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged sexual harassment or discrimination as well as the incidents of alleged violations of the special education policies.

NDE document “Supporting Document to Checklist of Required Special Education Policies, Procedures and practices for Part B of the IDEA” shall serve as an administrative procedure to this policy. The entire document can be found at <http://www.education.ne.gov/sped/regulations.html>.

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EQUAL EDUCATIONAL OPPORTUNITY

The board requires all persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

The district does not discriminate on the basis of race, color, religion, national origin, sex, disability, or marital status, sexual orientation or gender identity in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Name and/or Title: _____

Address: _____

Telephone No.: _____

The board affirms the right of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm and harassment. Harassment or discriminatory behavior that denies civil rights or access to equal educational opportunities includes comments, name-calling, physical conduct or other expressive behavior directed at an individual or group that intentionally demeans the race, color, national origin, sex, disability, age or marital status of the individual or individuals or creates an intimidating, hostile or demeaning environment for education.

Legal Reference: Neb. Statute 79-2,114-2,124
 20 U.S.C. §§ 1221 et seq.
 20 U.S.C. §§ 1681 et seq.
 20 U.S.C. §§ 1701 -1721
 29 U.S. C. § 794
 42 U.S.C. §§ 12101 et seq.
 28 C.F.R. Pt. 35.1
 34 C.F.R. Pt. 100
 34 C.F.R. Pt. 104
 34 C.F.R. Pt. 106

Cross Reference 102 Educational Philosophy of the District
 402.01 Equal Employment Opportunity
 404.06 Harassment by Employees
 501 Objectives for Equal Educational Opportunities for
 Students
 504.18 Harassment by Students

Approved _____ Reviewed _____ Revised _____

EQUAL OPPORTUNITY EMPLOYMENT

The _____ School District shall provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and non-discrimination laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. Employees will support and comply with the district's established equal employment opportunity and non-discrimination policies. Employees shall be given notice of this policy annually. The board shall appoint an employee to serve as non-discrimination compliance coordinator.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Nebraska Department of Education for the position for which they apply. In employing individuals, the district will not discriminate in any aspect of employment with regard to race, color, religion, national or ethnic origin, sex, disability, age, marital status, genetic background, veteran status, pregnancy, ~~or~~ childbirth or related medical condition, or sexual orientation or gender identity.

Advertisements and notices for vacancies within the district shall contain the following statement: "The _____ School District is an equal opportunity employer (EOE)." The statement shall also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and non-discrimination laws and policies, including but not limited to complaints of discrimination, shall be directed to:

Name and/or Title: _____

Address: _____

Telephone No.: _____

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and non-discrimination laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, the Nebraska Equal Opportunity Commission, State Office Building, 301 Centennial Mall South, 5th floor, P.O. Box 94394, Lincoln, NE 68509-4934, (402) 471-2024 or (800) 642-6112 or by email to OCR.KansasCity@ed.gov.

This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

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Further information and procedures for filing a complaint are available at the website of the Nebraska Equal Opportunity Commission, <http://www.neoc.ne.gov/comp/comp.htm>.

Legal Reference: 29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e et seq. (1994).
42 U.S.C. §§ 12101 et seq. (1994).
Neb. Statute 48-1101 et seq. (Nebr. Fair Employment Practice Act)

Cross Reference: 103 Equal Educational Opportunity
404.06 Harassment by Employees
406.02 Certificated Employee Qualifications, Recruitment
and Selection
412.02 Support Staff Qualifications, Recruitment and
Selection

HARASSMENT BY EMPLOYEES

Harassment of employees, students, volunteers or visitors will not be tolerated in the school district. School district includes school district facilities, school district property, or property within the jurisdiction of the school district; while on school-owned or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the district.

Harassment includes, but is not limited to, race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other prohibited status. Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Employees whose behavior is alleged to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, discharge or other appropriate action. Other individuals whose behavior is alleged to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the superintendent or board.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education, or participation in school programs or activities;
- submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's employment or education; or
- such 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 or learning environment.

Sexual harassment as set out above, may include, but is not limited to the following:

- verbal or written harassment or abuse, or unwelcome communication implying sexual motives or intentions;
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- unwelcome and offensive public sexual display of affection;
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's job, promotions, recommendations, etc.

Harassment on the basis of race, religion, national or ethnic origin, color, marital status,

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disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, or other prohibited status means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble individuals when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs, activities or employment;
- submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or
- creating an intimidating, offensive or hostile learning or work environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical or written harassment or abuse;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at an individual.

Employees, students, volunteers or visitors who believe they have suffered harassment shall report such matters to the investigator for harassment complaints. However, claims regarding harassment may also be reported to the alternate investigator for harassment complaints.

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the investigator to promptly and reasonably investigate claims of harassment and to pass the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as appropriate. It is the intention of the district to complete its investigation within ten (10) working days after receiving a complaint unless extenuating circumstances such as unavailability of a witness or needing additional time because of the complexity of the investigation or the need to involve outside experts. The extended timeframe for investigation due to extenuating circumstances shall not exceed ten (10) days without the consent of the complainant, unless the alleged victim agrees to a longer time limit. Information regarding an investigation of harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

No one shall retaliate against an employee or student because they have filed a harassment complaint, assisted or participated in a harassment investigation, proceeding, or hearing regarding a harassment charge or because they have opposed language or conduct that violates this policy. This policy should be used when an employee is the alleged harasser or the alleged victim. It is strongly recommended the investigator and alternate investigator be of opposite sexes.

It shall also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop administrative rules regarding this policy. The superintendent or superintendent's designee shall also be responsible for organizing training programs to educate employees, students and others involved with the school district about harassment and the school district's policy prohibiting harassment. The training shall include how to recognize harassment and what to do in case an individual is harassed. The employee training will be documented in personnel files to ensure a record of training for each employee.

Legal Reference: 42 U.S.C. §§ 2000e et seq. (1994).
29 C.F.R. Pt. 1604.11 (1996).

Cross Reference: 103 Equal Educational Opportunity
402.01 Equal Opportunity Employment
402.05 Employee Grievances
403.03 Abuse of Students by School District Employees
405 Employee Conduct and Appearance
504.18 Harassment By Students
505 Student Discipline

OBJECTIVES FOR EQUAL EDUCATIONAL OPPORTUNITIES FOR STUDENTS

This section of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student shall have an opportunity to obtain an education in compliance with the policies in this series. It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students enrolled in the school district. Each student attending school will have the opportunity to use it and its education program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunity.

The board supports the delivery of the education program and services to students free of discrimination on the basis of race, color, national origin, sex, disability, religion or marital status, sexual orientation or gender identity and provides equal access to the Boy Scouts and other designated youth groups. This concept of equal educational opportunity serves as a guide for the board and employees in making decisions relating to school district facilities, employment, selection of educational materials, equipment, curriculum, and regulations affecting students.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned, operated, or chartered transportation; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and educational processes of the school district.

This section of the board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual shall mean the legal parents. It shall also mean the legal guardian or custodian of a student and students who have reached the age of majority or are otherwise considered an adult by law.

Inquiries by students regarding compliance with equal educational opportunity laws and policies, including but not limited to complaints of discrimination, shall be directed to the superintendent or his or her designee.

Inquiries may also be directed in writing to the Director of the Kansas Office of Civil Rights, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, Suite 320, Kansas City, MO 64106, (816) 268-0550, the Nebraska Equal Opportunity Commission, State Office Building, 301 Centennial Mall South, 5th floor, P.O. Box 94394, Lincoln, NE 68509-4934, (402) 471-2024 or (800) 642-6112 or by email to OCR.KansasCity@ed.gov. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available in

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the school district's central administrative office and the administrative office in each attendance center.

Legal Reference: Sect. 504 of the Rehabilitation Act of 1973
 20 U.S.C. §1681 et seq. (1994)
 34 C.F.R. §104 et seq.
 34 C.F.R. §160 et seq.
 Neb. Statute 79-2,114 et seq. (Neb. Equal Opportunity in
 Education Act).

Cross Reference: 100 District Organization and Basic Commitments

HARASSMENT BY STUDENTS

Harassment of students, staff or visitors by other students will not be tolerated in the school district. This policy is in effect while students are on school grounds, school district property, or on property within the jurisdiction of the school district; while on school-owned and/or school-operated transportation; while attending or engaged in school activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school district.

Harassment includes, but is not limited to, race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, sexual orientation or gender identity, or other prohibited status. Harassment by board members, administrators, employees, parents, vendors, and others doing business with the school district is prohibited. Students whose behavior is found to be in violation of this policy will be subject to the investigation procedure which may result in discipline, up to and including, suspension and expulsion.

Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, offensive or hostile learning or work environment.

Sexual harassment as set out above, may include, but is not limited to the following:

- verbal or written harassment or abuse, or unwelcome communication implying sexual motives or intentions;
- pressure for sexual activity; repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- unwelcome and offensive public sexual display of affection;
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, achievements, etc.

Harassment on the basis of race, religion, national or ethnic origin, color, marital status, disability, sex, veteran status, age, pregnancy, childbirth or related medical condition, or

Approved _____ Reviewed _____ Revised _____

other prohibited status means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble individuals when:

- submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of an individual's participation in school programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's performance or
- creating an intimidating, offensive or hostile learning or work environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical or written harassment or abuse;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at an individual.

The district will promptly and reasonably investigate allegations of harassment. The building principal will be responsible for handling all complaints by students alleging harassment.

Upon receiving a complaint, the investigator shall confer with the complainant to obtain an understanding and a statement of the facts. It shall be the responsibility of the investigator to promptly and reasonably investigate claims of harassment and to pass the findings on to the superintendent who shall complete such further investigation as deemed necessary and take such final action as appropriate. It is the intention of the district to complete its investigation within ten (10) working days after receiving a complaint unless extenuating circumstances such as unavailability of a witness or needing additional time because of the complexity of the investigation or the need to involve outside experts. The extended timeframe for investigation due to extenuating circumstances shall not exceed ten (10) days without the consent of the complainant, unless the alleged victim agrees to a longer time limit. Information regarding an investigation of harassment shall be confidential to the extent possible, and those individuals who are involved in the investigation shall not discuss information regarding the complaint outside the investigation process.

Retaliation against an individual because the individual has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding is also prohibited. A student who is found to have retaliated against an individual in violation of this policy will be subject to discipline, up to and including, suspension and expulsion.

It shall also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop administrative rules regarding this policy. These rules will be printed and distributed to students and parents in the student handbook. The

superintendent shall also be responsible for organizing training programs for students and employees. The training shall include how to recognize harassment and what to do in case an individual is harassed. The employee training will be documented in personnel files to ensure a record of training for each employee.

Legal References: 20 U.S.C. §§ 1221-1234i (1994)
 20 U.S.C. § 1681 et seq.
 29 U.S.C. § 794 (1994)
 42 U.S.C. § 1983
 42 U.S.C. §§ 2000d-2000d-7 (1994).
 42 U.S.C. §§ 12101 et. seq. (1994).

Cross References: 404.06 Harassment by Employees
 505 Student Discipline
 507 Student Records

MEETING MINUTES

The board shall keep and maintain permanent records of the board including, but not limited to, records of the minutes of board meetings, documentation received or disclosed in open session of the meetings, and other required records of the board. The minutes may be kept as an electronic record.

It shall be the responsibility of the board secretary to keep the minutes of the board meetings. The minutes of each board meeting shall record when and where the meeting notice was published. They shall also include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member, and the schedule of bills allowed shall be attached. In addition, they~~The minutes shall also~~ include all required information regarding any closed sessions as stated in policy 204.06. This information shall be available within 10 days of the board meeting or prior to the next convened meeting, if earlier. Minutes shall be forwarded to the newspaper designated as the official newspaper for publication. The schedule of bills allowed may be published on a once monthly basis in lieu of publication with the minutes. The permanent records of the board minutes may include more detail than is required for the publication of the minutes.

Minutes awaiting approval at the next board meeting will be available for inspection at the central office of the district after the office transcribes the notes into a document which has been proofread for errors and corrected.

Legal Reference: Neb. Statute 79-577
 79-580
 84-712
 84-1408 to 1414

Cross Reference: 1003 Public Examination of District Records
 1004 Press, Radio and Television News Media

Approved _____ Reviewed _____ Revised _____

STAFF CONDUCT WITH STUDENTS

The Board expects all staff members, including teachers, coaches, counselors, administrators, and others to maintain the highest professional, moral, and ethical standards in their conduct with students. For the purposes of this policy, staff members also include school volunteers. The term “students” excludes a staff member’s immediate family members.

The interactions and relationships between staff members and students should be based upon mutual respect and trust; an understanding of the appropriate boundaries between adults and students in and outside of the educational setting; and consistency with the educational mission of the schools.

Staff members are expected to be sensitive to the appearance of impropriety in their conduct with students. Staff members are encouraged to discuss issues with their building administrator or supervisor whenever they are unsure whether particular conduct may constitute a violation of this policy.

Unacceptable Conduct

Examples of unacceptable conduct by staff members include but are not limited to the following:

- Any type of sexual or inappropriate physical contact with students or any other conduct that might be considered harassment under the Board's policy on Harassment By Employees;
- Singling out a particular student or students for personal attention and friendship beyond the normal teacher-student relationship;
- Associating with students in any situation or activity that includes the presence of alcohol, drugs, or tobacco or that could be considered sexually suggestive;
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to be supportive but to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands;
- Sexual banter, allusions, jokes, or innuendos with students;
- Asking a student to keep a secret;

Approved _____ Reviewed _____ Revised _____

- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students with terms of endearment, pet names, or otherwise in an overly familiar manner; and
- Permitting students to address you by your first name, nickname or otherwise in an overly familiar manner.
- Being alone with individual students by closing a room door except when dealing with issues of health by appropriate personnel, or being alone with individual students outside of normal school hours;
- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business);
- Exchanging personal gifts (beyond the customary student teacher gifts); and/or
- Socializing or spending time with students (including but not limited to activities such as going out for meals or movies, shopping, traveling, and recreational activities) outside of school sponsored events or except as participants in organized community activities.

Students and/or their parents/guardians are strongly encouraged to notify the principal if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to notify promptly the principal or superintendent if they become aware of a situation that may constitute a violation of this policy.

Staff violations of this policy may result in disciplinary action up to and including dismissal. Violations involving sexual or other abuse will also result in referral to the Department of Health and Human Services and/or law enforcement in accordance with the Board's policy on Child Abuse Reporting.

Every report of alleged violations of this policy that can be interpreted at the outset to fall within the protections of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of an ongoing investigation of this policy, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged violations of this policy.

This policy shall be included in future employee, student and volunteer handbooks.

**Minutes for
Heartland Community Schools
Board of Education Budget Work Session**

Tuesday, August 25, 2020 7:30 PM

Conference Room

1501 Front Street

Henderson, NE 68371-8929

MISSION STATEMENT: Heartland Community Schools - Henderson/Bradshaw is dedicated to educating all students by providing challenging opportunities to learn according to individual needs.

Mr. Kent Allen: Present

Mr. Gary Braun: Present

Mr. Paul Brune: Present

Mr. Glen Ott: Present

Mrs. Tammy Ott: Present

Mr. Steve Stebbing: Present

1. Preliminary Procedures

1.1. Call to Order

Declare meeting to be open, legal, and properly advertised with all members having been informed of the nature of the meeting and having received related information. Announce the Open Meetings Act as posted in the front of the conference room.

1.2. Public Notice of the Meeting

The meeting was published in the Henderson News on August 20th, 2020.

1.3. Roll Call

2. Discussion Items

2.1. 2020-21 Budget Discussion

Mr. Best opened the budget discussion by reviewing the final expense summary for the 2019-2020 school year. Final expenditures to finish the year were at 92% of budgeted amounts. Mr. Best reviewed the ending balances in the general fund, activity fund, lunch fund, depreciation fund and the building fund.

The anticipated tax asking will be 2.3 % higher than last year. The total tax asking is anticipated to be \$4,021,614. The total proposed levy would be 50.73 cents per \$100 of valuation, an increase of 1.12 cents.

3. New Business

3.1. Final Claims for 2019-20

Motion to approve the final claims for the 2019-20 school year. Passed with a motion by Mr. Paul Brune and a second by Mr. Kent Allen.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Mrs. Tammy Ott: Yea, Mr. Steve Stebbing: Yea

4. Adjournment

The next scheduled meeting to be held on September 14 at 8:00 P.M.

Motion to adjourn the meeting at 8:25 P.M. Passed with a motion by Mr. Steve Stebbing and a second by Mrs. Tammy Ott.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Mrs. Tammy Ott: Yea, Mr. Steve Stebbing: Yea

Board President

Board Secretary

**Minutes for
Heartland Community Schools
Board of Education Regular Meeting**

Monday, August 10, 2020 8:00 PM

Via Video Conferencing

1501 Front Street

Henderson, NE 68371-8929

MISSION STATEMENT: Heartland Community Schools - Henderson/Bradshaw is dedicated to educating all students by providing challenging opportunities to learn according to individual needs.

Mr. Kent Allen: Present

Mr. Gary Braun: Present

Mr. Paul Brune: Present

Mr. Glen Ott: Present

Mrs. Tammy Ott: Present

Mr. Steve Stebbing: Present

1. Preliminary Procedures

[Open Meetings Act](#)

[Join Virtual Meeting](#)

1.1. Call to Order

1.2. Public Notice of the Meeting

1.3. Roll Call

2. Public Comments on Agenda Items

There were no public comments on agenda items.

3. Public Comments on Topics Not on the Agenda

There were no public comments on items not on the agenda.

4. Public hearing on bullying prevention, parent involvement, and student fee policies

Mr. Best opened the hearing on bullying prevention, parent involvement and student fee policies. There were no comments so Mr. Best declared the hearing closed.

5. Reports

5.1. Superintendent's Report

Mr. Best presented his written report. In addition he made comments on procedures for social distancing at extra-curricular activities. Health directives need to be met and the number of people attending these events may have to be limited.

5.2. Principals' Reports

Mr. Carr and Mrs. Reinke shared some highlights from the NCSA state conference. They also thanked the Staff for all of their hard work in preparing for this year.

6. Discussion Items

6.1. 2020-21 Budget Review

Mr. Best led the discussion on the 20-21 budget review. He stated that there were lower expenditures from last years budget due to the shortened school year. These savings can be applied to this years budget. Currently in the preliminary budget there is little change in the general fund tax request. A more finalized budget will be presented next month.

6.2. Area membership meeting

In person area membership meetings are postponed for this year to a later date.

6.3. Advertising Agreement Parameters

Mr. Best led the discussion on what the parameters should be for outside businesses to advertise in the school. Several board members stated that they were not interested in promoting one business over another.

6.4. Set date for budget workshop

The budget workshop is scheduled for August 25 at 7:30 P.M.

7. Old Business

7.1. Consideration of classified staff insurance contribution

Mr. Best led the discussion on considering whether the classified staff should contribute more to their insurance. Currently the staff contributes \$55 per month or about 5% of the lowest yearly income of the group. Setting a percentage would allow for automatic increases based upon increased income and premiums.

Motion to set the classified staff insurance contribution at 5% of the lowest yearly income for this group. Passed with a motion by Mr. Paul Brune and a second by Mr. Steve Stebbing.

Mr. Glen Ott: Abstain (With Conflict), Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mrs. Tammy Ott: Yea, Mr. Steve Stebbing: Yea

7.2. Second and final reading of Policy 205.08-Temporary Waiver

Motion to approve the second and final reading of Policy 205.08 Passed with a motion by Mr. Kent Allen and a second by Mrs. Tammy Ott.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Mrs. Tammy Ott: Yea, Mr. Steve Stebbing: Yea

7.3. Second and final reading of Policy 607.10-Classroom Environment

Motion to approve final reading of policy 607.10. Passed with a motion by Mr. Paul Brune and a second by Mr. Kent Allen.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Mrs. Tammy Ott: Yea, Mr. Steve Stebbing: Yea

8. New Business

8.1. Event admissions for JH and track

Mr. Best led the discussion on whether to charge admission for Jr. high activities and both high-school and jr. high invitational track meets. The consensus of the the Board to not collect admission to jr. high events, but charge admission to high school track meets.

9. Future Agenda Items

Future agenda items include:

- Legislative items
- Title nine regulations
- Budget items
- Covid related items

10. Consent Agenda

Motion to approve the consent agenda. Passed with a motion by Mr. Paul Brune and a second by Mrs. Tammy Ott.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Mrs. Tammy Ott: Yea, Mr. Steve Stebbing: Yea

10.1. Approval of Minutes

10.2. Approval of Treasurer's Report

10.3. Approval of Claims

10.4. Financial Reports

10.5. Out of State Travel Requests

11. Adjournment

The next scheduled meeting to be held on September 14 at 8:00 P.M.

Motion to adjourn the meeting at 9:13 P.M. Passed with a motion by Mr. Kent Allen and a second by Mr. Steve Stebbing.

Mr. Kent Allen: Yea, Mr. Gary Braun: Yea, Mr. Paul Brune: Yea, Mr. Glen Ott: Yea, Mrs. Tammy Ott: Yea, Mr. Steve Stebbing: Yea

Board President

Board Secretary

HEARTLAND COMMUNITY SCHOOLS-HENDERSON/BRADSHAW
General Fund Treasurer's Statement for
Month Ending August 31, 2020

| | CHECKING | SAVINGS | TOTAL |
|---------------------------------|-----------------------|-----------------------|-----------------------|
| Balance August 1, 2020 | \$1,200,713.68 | \$2,972,320.41 | \$4,173,034.09 |
| Receipts: | | | |
| York/Fillmore/Hamilton Co Taxes | \$43,108.01 | | \$43,108.01 |
| State of Nebraska: | | | |
| - SPED Reimbursement | | | \$0.00 |
| - TEEOSA | | | \$0.00 |
| - Medicaid Reimbursement | \$8,930.23 | | \$8,930.23 |
| - SPED Transportation | | | \$0.00 |
| | | | \$0.00 |
| | | | \$0.00 |
| Other: | | | |
| - Interest | \$138.05 | \$1,252.85 | \$1,390.90 |
| - Preschool Tuition | \$16.50 | | \$16.50 |
| - Rental of Facilities | | | \$0.00 |
| | | | \$0.00 |
| | | | \$0.00 |
| | | | \$0.00 |
| | | | \$0.00 |
| | | | \$0.00 |
| | | | \$0.00 |
| Subtotal: | \$52,192.79 | \$1,252.85 | \$53,445.64 |
| Transfer to MMA | | | |
| Total Funds Available: | \$1,252,906.47 | \$2,973,573.26 | \$4,226,479.73 |
| Less Disbursements | \$529,459.09 | | \$529,459.09 |
| Balance August 31, 2020 | \$723,447.38 | \$2,973,573.26 | \$3,697,020.64 |

| <u>Check #</u> | <u>Vendor Name</u> | <u>Vendor Description</u> | <u>Amount</u> |
|-----------------|---|------------------------------|---------------|
| Checking | 1 | | |
| Checking | 1 | Fund: 01 GENERAL FUND | |
| 28501 | A-MAY-ZING CONSTRUCTION & PLUMBING SERVICES LLC | | 2,822.50 |
| 28502 | AMAZON CAPITAL SERVICES | SUPPLIES | 709.53 |
| 28503 | AMPLIFY EDUCATION | RENEWAL | 2,533.00 |
| 28504 | AURORA MALL | SUPPLIES | 80.37 |
| 28505 | BEST, BRADLEY | REIMBURSEMENT | 100.31 |
| 28506 | BLACK HILLS ENERGY | NATURAL GAS | 219.08 |
| 28507 | BURTON ENTERPRISES | TRASH REMOVAL | 190.00 |
| 28508 | CENGAGE LEARNING | SUPPLIES | 766.98 |
| 28509 | CENTRAL VALLEY AG | SERVICES | 2,594.10 |
| 28510 | CHEMSEARCH | SUPPLIES | 546.00 |
| 28511 | CITY OF HENDERSON | WATER/SEWER | 495.00 |
| 28512 | DAS STATE ACCT-CENTRAL FINANCE OCIO | STATE REPORTING | 232.49 |
| 28513 | DIETZE MUSIC HOUSE | SUPPLIES | 113.40 |
| 28514 | EAKES OFFICE SOLUTIONS | SUPPLIES | 186.25 |
| 28515 | ESU 6 | SERVICES | 351.25 |
| 28516 | FASTENAL | SUPPLIES | 23.55 |
| 28517 | FILLMORE COUNTY HOSPITAL | SERVICES | 3,833.33 |
| 28518 | FOLLETT SCHOOL SOLUTIONS, INC | BOOKS | 120.35 |
| 28519 | GRAINGER | SUPPLIES | 333.33 |
| 28520 | HENDERSON FOOD MART | SUPPLIES | 395.29 |
| 28521 | HENDERSON MOTORS | SERVICES | 1,196.94 |
| 28522 | HERFF JONES LLC | AWARDS/SUPPLIES | 11.15 |
| 28523 | HOME DEPOT PRO, THE | SUPPLIES | 1,348.26 |
| 28524 | HOMETOWN LEASING | COPY MACHINE LEASE | 945.19 |
| 28525 | INTEGRATED SECURITY SOLUTIONS | INSPECTIONS | 1,619.00 |
| 28526 | KOLTERMAN, CLARK | REGISTRATION | 50.00 |
| 28527 | KSB SCHOOL LAW | LEGAL SERVICES | 50.00 |
| 28528 | MAINSTAY COMMUNICATIONS | TELEPHONE | 359.04 |
| 28529 | MCI | TELEPHONE | 73.87 |
| 28530 | MEAD LUMBER & RENTAL CENTER | SUPPLIES | 198.00 |
| 28531 | MEMORIAL COMMUNITY HEALTH | SERVICES | 300.00 |
| 28532 | MENARDS | SUPPLIES | 464.34 |
| 28533 | MENARDS | SUPPLIES | 171.55 |
| 28534 | MVP LOGO MASKS | SUPPLIES | 2,334.80 |
| 28535 | NAMI QUIZ BOWL | REGISTRATION | 50.00 |
| 28536 | NEBRASKA FEDERATION OF WOMEN'S CLUB | REGISTRATION | 100.00 |
| 28537 | NUNNENKAMP ELECTRIC LLC | SERVICES | 230.57 |
| 28538 | OGORZOLKA, TODD | RENTAL | 800.00 |
| 28539 | ONE SOURCE | BACKGROUND CHECK | 20.00 |
| 28540 | OTT, TAMMY | REIMBURSEMENT | 60.71 |
| 28541 | PAYFLEX | CAFETERIA 125 PLAN | 125.00 |
| 28542 | PERENNIAL PUBLIC POWER DISTRICT | ELECTRICITY | 5,769.37 |
| 28543 | PERRY GUTHERY HAASE & GESSFORD PC | LEGAL SERVICES | 150.00 |
| 28544 | QUILL | SUPPLIES | 385.17 |

| <u>Check #</u> | <u>Vendor Name</u> | <u>Vendor Description</u> | <u>Amount</u> |
|--------------------------------|-------------------------|---------------------------|------------------|
| 28545 | QUIRING, MATTHEW | REIMBURSEMENT | 250.00 |
| 28546 | RIDER CLASSROOM SPANISH | SERVICES | 4,400.00 |
| 28547 | SCHOOL SPECIALTY | SUPPLIES | 68.53 |
| 28548 | SERVICE PRESS | SERVICES | 180.26 |
| 28549 | TIME MANAGEMENT SYSTEMS | SERVICES | 124.00 |
| 28550 | TRI COUNTY AUTO | SERVICES | 2,823.02 |
| 28551 | UNITE PRIVATE NETWORKS | SERVICES | 554.00 |
| 28552 | VERIZON WIRELESS | TELEPHONE | 112.28 |
| 28553 | YORK NEWS TIMES | SERVICES | 500.00 |
| Fund Total: | | | 42,471.16 |
| Checking Account Total: | | | 42,471.16 |

Checking 6

| <u>Checking</u> | <u>Fund: 06</u> | <u>SCHOOL LUNCH/MILK FUND</u> | |
|--------------------------------|-------------------------|-------------------------------|------------------|
| 4058 | AMAZON CAPITAL SERVICES | SUPPLIES | 309.44 |
| 4059 | HENDERSON FOOD MART | SUPPLIES | 22.27 |
| 4060 | HILAND DAIRY | SUPPLIES | 1,572.23 |
| 4061 | US FOODS | SUPPLIES | 8,172.56 |
| Fund Total: | | | 10,076.50 |
| Checking Account Total: | | | 10,076.50 |

Checking 8

| <u>Checking</u> | <u>Fund: 08</u> | <u>SPECIAL BUILDING FUND</u> | |
|--------------------------------|------------------------------------|------------------------------|-------------------|
| 1041 | LOVE SIGNS OF GRAND ISLAND, L.L.C. | SERVICES | 3,613.00 |
| 1042 | PERENNIAL PUBLIC POWER DISTRICT | ELECTRICITY | 993.06 |
| 1043 | WY-AD UTILITY CONTRACTORS | SERVICES | 179,059.65 |
| Fund Total: | | | 183,665.71 |
| Checking Account Total: | | | 183,665.71 |

HEARTLAND COMMUNITY SCHOOLS

Fund Account Balances

| | August 31, 2019 | August 31, 2020 | |
|--------------------------------|-----------------|-----------------|---------------------------------|
| General Fund | \$3,952,904.20 | \$3,697,020.64 | |
| Activity Fund | \$94,722.94 | \$125,059.73 | *rolled in Ott Scholarship acct |
| School Lunch Fund | \$36,419.50 | \$49,509.45 | \$32,607.15 |
| Depreciation Fund | \$872,092.80 | \$717,993.54 | |
| Unemployment Fund | \$2,991.95 | \$2,996.43 | |
| Qualified Capital Purpose Fund | \$0.00 | \$0.00 | |
| Special Building Fund | \$391,583.56 | \$367,737.71 | |

Activity Fund Balance Report - Summary - Exclude Encumbrances

09/2019 - 08/2020

Regular; Beginning Month 09/2019; Processing Month 08/2020; Active Chart of Account Number True; Fund Number 05

Fund: 05 ACTIVITIES FUND

| <u>Chart of Account Number</u> | <u>Chart of Account Description</u> | <u>Beginning Balance</u> | <u>Expenses</u> | <u>Revenues</u> | <u>Balance Change</u> | <u>Balance</u> |
|--------------------------------|-------------------------------------|--------------------------|-----------------|-----------------|-----------------------|----------------|
| 05 704 0101 | FOOTBALL | 0.00 | 3,628.10 | 3,628.10 | 0.00 | 0.00 |
| 05 704 0102 | VOLLEYBALL | 0.00 | 5,880.60 | 5,880.60 | 0.00 | 0.00 |
| 05 704 0103 | BOYS BASKETBALL | 0.00 | 4,570.00 | 4,570.00 | 0.00 | 0.00 |
| 05 704 0104 | GIRLS BASKETBALL | 0.00 | 3,878.00 | 3,878.00 | 0.00 | 0.00 |
| 05 704 0105 | TRACK | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0107 | GENERAL ATHLETICS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0110 | JH FOOTBALL | 0.00 | 499.00 | 499.00 | 0.00 | 0.00 |
| 05 704 0111 | JH VOLLEYBALL | 0.00 | 652.00 | 652.00 | 0.00 | 0.00 |
| 05 704 0112 | JH BOYS BASKETBALL | 0.00 | 373.00 | 373.00 | 0.00 | 0.00 |
| 05 704 0113 | JH GIRLS BASKETBALL | 0.00 | 458.00 | 458.00 | 0.00 | 0.00 |
| 05 704 0114 | JH TRACK | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0116 | SEASON PASS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0117 | GIRLS GOLF | 0.00 | 335.00 | 335.00 | 0.00 | 0.00 |
| 05 704 0118 | BOYS GOLF | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0119 | DISTRICT ACCOUNT | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0120 | CONFERENCE ACCOUNT | 0.00 | 450.00 | 450.00 | 0.00 | 0.00 |
| 05 704 0129 | COACH - FB | 521.68 | 368.91 | 875.07 | 0.00 | 1,027.84 |
| 05 704 0130 | COACH - VB | 2,226.73 | 2,091.57 | 968.99 | 0.00 | 1,104.15 |
| 05 704 0131 | COACH - GIRLS BB | 3,030.26 | 388.44 | 409.15 | 0.00 | 3,050.97 |
| 05 704 0132 | COACH - BOYS BB | 2,174.44 | 0.00 | 430.19 | 0.00 | 2,604.63 |
| 05 704 0133 | COACH - JH BB | 392.32 | 0.00 | 0.00 | 0.00 | 392.32 |
| 05 704 0135 | COACH - GIRLS GOLF | 306.15 | 40.00 | 476.97 | 0.00 | 743.12 |
| 05 704 0136 | COACH - BOYS GOLF | 45.27 | 367.27 | 322.00 | 0.00 | 0.00 |
| 05 704 0137 | COACH - TRACK | 500.99 | 0.00 | 1,091.95 | 0.00 | 1,592.94 |
| 05 704 0138 | COACH - JH VB | 336.93 | 260.00 | 23.97 | 0.00 | 100.90 |
| 05 704 0200 | BAND UNIFORMS | 444.69 | 367.49 | 0.00 | 0.00 | 77.20 |
| 05 704 0201 | BAND | 221.10 | 248.73 | 0.00 | 0.00 | (27.63) |
| 05 704 0202 | CHORUS | 324.92 | 0.00 | 0.00 | 0.00 | 324.92 |
| 05 704 0203 | MARCHING SHOES | 2.92 | 504.92 | 0.00 | 0.00 | (502.00) |
| 05 704 0204 | VOCAL CLINIC | 1,550.83 | 7,712.62 | 9,092.00 | 0.00 | 2,930.21 |
| 05 704 0206 | MUSIC TRIP | 3,448.84 | 7,550.00 | 3,781.98 | 0.00 | (319.18) |
| 05 704 0207 | DISTRICT MUSIC | 1,447.13 | 0.00 | 0.00 | 0.00 | 1,447.13 |
| 05 704 0301 | ART | 2,144.64 | 634.98 | 1,006.46 | 0.00 | 2,516.12 |
| 05 704 0302 | MUSICAL | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0304 | ALL SCHOOL PLAY | 647.94 | 1,195.21 | 758.00 | 0.00 | 210.73 |
| 05 704 0305 | ONE ACT | 0.00 | 0.00 | 244.54 | 0.00 | 244.54 |
| 05 704 0403 | FBLA | 4,107.70 | 2,048.88 | 2,675.36 | 0.00 | 4,734.18 |

Regular; Beginning Month 09/2019; Processing Month 08/2020; Active Chart of Account Number True; Fund Number 05

Fund: 05 ACTIVITIES FUND

| <u>Chart of Account Number</u> | <u>Chart of Account Description</u> | <u>Beginning Balance</u> | <u>Expenses</u> | <u>Revenues</u> | <u>Balance Change</u> | <u>Balance</u> |
|--------------------------------|-------------------------------------|--------------------------|-----------------|-----------------|-----------------------|----------------|
| 05 704 0404 | IND TECH/AG PROJECTS | (147.50) | 1,389.11 | 1,631.31 | 0.00 | 94.70 |
| 05 704 0405 | FFA | 4,096.11 | 19,708.14 | 23,802.12 | 0.00 | 8,190.09 |
| 05 704 0407 | SCIENCE CLUB | 1,229.12 | 0.00 | 0.00 | 0.00 | 1,229.12 |
| 05 704 0408 | BIOLOGY/ENGLISH TRIP | 367.20 | 0.00 | 0.00 | 0.00 | 367.20 |
| 05 704 0409 | QUIZ BOWL/MATH CLUB | 220.64 | 42.00 | 570.13 | 0.00 | 748.77 |
| 05 704 0410 | COACH - JH ROBOTICS | 289.64 | 340.92 | 268.08 | 0.00 | 216.80 |
| 05 704 0411 | COACH - HS ROBOTICS | 0.00 | 0.00 | 702.15 | 0.00 | 702.15 |
| 05 704 0450 | JH ROBOTICS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0451 | GRANT - HS ROBOTICS | 1,573.53 | 1,573.53 | 0.00 | 0.00 | 0.00 |
| 05 704 0500 | CLASS OF 2020 | 3,048.72 | 2,578.01 | (470.71) | 0.00 | 0.00 |
| 05 704 0501 | CLASS OF 2021 | 2,949.18 | 0.00 | 450.05 | 0.00 | 3,399.23 |
| 05 704 0502 | CLASS OF 2022 | 2,230.97 | 0.00 | 3,166.14 | 0.00 | 5,397.11 |
| 05 704 0503 | CLASS OF 2023 | 2,249.00 | 0.00 | 1,545.00 | 0.00 | 3,794.00 |
| 05 704 0504 | CLASS OF 2024 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0505 | CLASS OF 2025 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0506 | CLASS OF 2026 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0507 | CLASS OF 2027 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0508 | CLASS OF 2028 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0509 | CLASS OF 2029 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 05 704 0601 | NATIONAL HONOR SOCIETY | 699.89 | 464.96 | 483.35 | 0.00 | 718.28 |
| 05 704 0701 | HCS CUSTOMS | 1,339.39 | 2,752.92 | 1,413.53 | 0.00 | 0.00 |
| 05 704 0709 | YEARBOOK | 0.00 | 4,700.00 | 4,700.00 | 0.00 | 0.00 |
| 05 704 0801 | STUDENT COUNCIL | 1,150.64 | 630.37 | 1,042.21 | 0.00 | 1,562.48 |
| 05 704 0802 | CONCESSIONS | (197.18) | 19,804.88 | 21,014.05 | 0.00 | 1,011.99 |
| 05 704 0804 | INTEREST ON ACT ACCT | 3.12 | 0.00 | (2.39) | 0.00 | 0.73 |
| 05 704 0805 | LOCKERS PROJECT | 12,401.58 | 0.00 | 0.00 | 0.00 | 12,401.58 |
| 05 704 0806 | ELEM STUDENT COUNCIL | 148.55 | 495.30 | 1,394.03 | 0.00 | 1,047.28 |
| 05 704 0810 | JH HOMEROOM | 86.55 | 0.00 | 265.91 | 0.00 | 352.46 |
| 05 704 0913 | REVOLVING - SECONDARY | 33.50 | 33.50 | 0.00 | 0.00 | 0.00 |
| 05 704 0914 | REVOLVING - ELEMENTARY | 0.00 | 299.70 | 500.00 | 0.00 | 200.30 |
| 05 704 0918 | JOHN BAYLOR TEST PREP | 2,200.00 | 0.00 | 0.00 | 0.00 | 2,200.00 |
| 05 704 0924 | OTT SCHOLARSHIP | 34,031.54 | 1,500.00 | 75.61 | 0.00 | 32,607.15 |
| 05 704 0930 | MONSANTO/BAYER GRANT | 2,500.00 | 0.00 | 0.00 | 0.00 | 2,500.00 |
| 05 704 0936 | FIELD TRIP GRANT | 4,500.00 | 0.00 | 0.00 | 0.00 | 4,500.00 |
| 05 704 0937 | CIRCLE OF FRIENDS AUTISM GRANT | 828.84 | 0.00 | 0.00 | 0.00 | 828.84 |
| 05 704 0938 | IF KIDS COULD CURE GRANT | 9,776.06 | 404.57 | 0.00 | 0.00 | 9,371.49 |
| 05 704 0939 | GIRLS ON THE RUN | 657.75 | 0.00 | 0.00 | 0.00 | 657.75 |

Activity Fund Balance Report - Summary - Exclude Encumbrances

09/2019 - 08/2020

Regular; Beginning Month 09/2019; Processing Month 08/2020; Active Chart of Account Number True; Fund Number 05

Fund: 05 ACTIVITIES FUND

| <u>Chart of Account Number</u> | <u>Chart of Account Description</u> | <u>Beginning Balance</u> | <u>Expenses</u> | <u>Revenues</u> | <u>Balance Change</u> | <u>Balance</u> |
|--------------------------------|-------------------------------------|--------------------------|-------------------|-------------------|-----------------------|-------------------|
| 05 704 0940 | HUSKIE BEEF | (165.72) | (165.72) | 0.00 | 0.00 | 0.00 |
| 05 704 0950 | COMPUTER DEPOSITS | 14,931.65 | 13,517.11 | 4,650.00 | 0.00 | 6,064.54 |
| 05 704 0951 | STAFF LOUNGE ACCOUNT | 1,846.23 | 2,443.99 | 2,010.50 | 0.00 | 1,412.74 |
| 05 704 0952 | EHA ELEVATE PROGRAM | 0.00 | 4,355.14 | 5,585.00 | 0.00 | 1,229.86 |
| Fund Total: 05 | | <u>128,754.48</u> | <u>121,371.15</u> | <u>117,676.40</u> | <u>0.00</u> | <u>125,059.73</u> |

| Function Number | | Revised Budget | Activity During Month | Activity to Date | Balance at EOM | % of Budget |
|--------------------|---|----------------|-----------------------|------------------|----------------|-------------|
| Expenditure | | | | | | |
| 01 | GENERAL FUND | | | | | |
| 1100 | REGULAR INSTRUCTION | 2,295,904.00 | 213,261.02 | 2,207,601.56 | 88,302.44 | 96.15 |
| 1200 | SPED - SA | 664,118.21 | 11,951.54 | 549,436.86 | 114,681.35 | 82.73 |
| 1291 | SPED - 3-5 | 148,878.71 | (7,108.17) | 61,018.19 | 87,860.52 | 40.99 |
| 1292 | SPED - 0-2 | 10,643.90 | (3,361.26) | 5,469.54 | 5,174.36 | 51.39 |
| 1300 | SUMMER SCHOOL | 3,000.00 | 0.00 | 514.84 | 2,485.16 | 17.16 |
| 2110 | ATTENDANCE & SOCIAL WORK SVCS | 7,100.00 | 0.00 | 9,225.92 | (2,125.92) | 129.94 |
| 2120 | GUIDANCE SERVICES | 91,217.38 | 8,969.46 | 104,137.83 | (12,920.45) | 114.16 |
| 2130 | HEALTH SERVICES - GEN ED | 2,350.56 | 0.00 | 11.37 | 2,339.19 | 0.48 |
| 2141 | PSYCHOLOGICAL SVCS - SPED SA | 55,000.00 | 6,052.00 | 52,428.72 | 2,571.28 | 95.32 |
| 2143 | PSYCHOLOGICAL SVCS - SPED 0-2 | 0.00 | 0.00 | (0.79) | 0.79 | 0.00 |
| 2151 | SPEECH PATH & AUDIOLOGY SVCS - SPED SA | 102,680.65 | 9,317.04 | 104,094.10 | (1,413.45) | 101.38 |
| 2153 | SPEECH PATH & AUDIOLOGY SVCS - SPED 0-2 | 1,000.00 | 484.50 | 2,267.30 | (1,267.30) | 226.73 |
| 2161 | OCCUPATIONAL THERAPY SVCS - SPED SA | 11,000.00 | 1,250.52 | 32,888.03 | (21,888.03) | 298.98 |
| 2162 | OCCUPATIONAL THERAPY SVCS - SPED 3-5 | 0.00 | 427.24 | 2,705.04 | (2,705.04) | 0.00 |
| 2163 | OCCUPATIONAL THERAPY SVCS - SPED 0-2 | 3,000.00 | 990.00 | 5,577.08 | (2,577.08) | 185.90 |
| 2171 | PHYSICAL THERAPY SVCS - SPED SA | 12,000.00 | 1,014.90 | 13,687.38 | (1,687.38) | 114.06 |
| 2173 | PHYSICAL THERAPY SVCS - SPED 0-2 | 2,000.00 | 165.00 | 1,047.98 | 952.02 | 52.40 |
| 2181 | VISION SERVICES - SPED SA | 7,000.00 | 0.00 | 11,085.24 | (4,085.24) | 158.36 |
| 2183 | VISION SERVICES - SPED 0-2 | 500.00 | 0.00 | 0.00 | 500.00 | 0.00 |
| 2213 | INSTRUCTIONAL STAFF TRAINING | 15,000.00 | 292.30 | 3,251.94 | 11,748.06 | 21.68 |
| 2220 | LIBRARY/MEDIA SERVICES | 174,766.11 | 11,454.52 | 164,585.91 | 10,180.20 | 94.17 |
| 2230 | INSTRUCTION-RELATED TECHNOLOGY | 34,987.47 | 4,037.61 | 37,838.24 | (2,850.77) | 108.15 |
| 2310 | BOARD OF EDUCATION | 95,360.52 | 8,660.05 | 86,256.74 | 9,103.78 | 90.45 |
| 2320 | EXECUTIVE ADMINISTRATION | 268,269.62 | 23,300.08 | 263,625.30 | 4,644.32 | 98.27 |
| 2330 | DISTRICT LEGAL SERVICES | 5,000.00 | 168.00 | 2,692.50 | 2,307.50 | 53.85 |
| 2410 | OFFICE OF THE PRINCIPAL | 333,772.51 | 26,005.16 | 318,034.86 | 15,737.65 | 95.28 |
| 2490 | SCHOOL ADMINISTRATION - OTHER | 7,522.60 | 679.49 | 7,558.63 | (36.03) | 100.48 |
| 2510 | FISCAL SERVICES | 41,950.00 | 2,778.40 | 37,413.62 | 4,536.38 | 89.19 |
| 2580 | ADMINISTRATIVE TECHNOLOGY SERVICES | 34,987.47 | 3,116.94 | 34,886.49 | 100.98 | 99.71 |
| 2610 | OPERATION OF BUILDINGS | 383,087.49 | 75,067.53 | 313,338.40 | 69,749.09 | 81.79 |
| 2620 | MAINTENANCE OF BUILDINGS | 56,661.40 | 12,750.31 | 71,335.15 | (14,673.75) | 125.90 |
| 2650 | VEHICLE OP/MAINT/PURCH - NON STUDENT | 5,600.00 | 285.43 | 5,502.11 | 97.89 | 98.25 |
| 2710 | VEHICLE OPERATION & PURCH - GEN ED | 128,550.49 | 13,228.43 | 113,698.59 | 14,851.90 | 88.45 |
| 2712 | VEHICLE OPERATION & PURCH - SPED SA | 46,541.69 | 2,301.62 | 36,757.65 | 9,784.04 | 78.98 |
| 2713 | VEHICLE OPERATION & PURCH - SPED 3-5 | 7,400.00 | 742.22 | 6,746.46 | 653.54 | 91.17 |
| 2730 | VEHICLE SERVICING & MAINT - GEN ED | 23,000.00 | 149.37 | 15,895.13 | 7,104.87 | 69.11 |
| 2732 | VEHICLE SERVICING & MAINT - SPED SA | 5,000.00 | 156.20 | 3,931.05 | 1,068.95 | 78.62 |
| 2733 | VEHICLE SERVICING & MAINT - SPED 3-5 | 1,500.00 | 0.00 | 1,555.50 | (55.50) | 103.70 |
| 3300 | COMMUNITY SERVICES OPERATIONS | 3,525.83 | 0.00 | 0.00 | 3,525.83 | 0.00 |
| 3535 | HIGH ABILITY LEARNERS | 8,080.00 | 0.00 | 8,080.00 | 0.00 | 100.00 |
| 6200 | TITLE IA | 89,138.46 | 3,490.26 | 36,643.00 | 52,495.46 | 41.11 |
| 6310 | TITLE IIA | 9,113.00 | 7,387.21 | 9,113.00 | 0.00 | 100.00 |
| 6406 | IDEA - PRESCHOOL | 7,269.00 | 0.00 | 7,269.00 | 0.00 | 100.00 |
| 6408 | IDEA - BASE & ENROLLMENT/POVERTY | 91,689.00 | 52,961.00 | 144,650.00 | (52,961.00) | 157.76 |
| 6969 | TITLE IV-A | 10,000.00 | 5,705.00 | 10,000.00 | 0.00 | 100.00 |
| 6992 | REAP | 38,856.00 | 7,175.86 | 7,473.86 | 31,382.14 | 19.23 |
| 6996 | ELE & SEC SCH EMERGENCY RELIEF (ESSER) | 0.00 | 4,802.37 | 15,215.71 | (15,215.71) | 0.00 |
| 8000 | OUTGOING TRANSFERS | 35,000.00 | 18,507.68 | 18,507.68 | 16,492.32 | 52.88 |
| 9000 | NON-PROGRAM EXPENDITURES | 1,000,000.00 | 0.00 | 0.00 | 1,000,000.00 | 0.00 |
| | | 6,379,022.07 | 528,616.83 | 4,945,052.71 | 1,433,969.36 | 77.52 |

Expenditure Summary

Regular; Processing Month 08/2020; Fund Number 06

| Function Number | | Revised Budget | Activity During Month | Activity to Date | Balance at EOM | % of Budget |
|--------------------|--|-------------------|-----------------------|-------------------|----------------|--------------|
| Expenditure | | | | | | |
| 06 | SCHOOL LUNCH/MILK FUND | | | | | |
| 3100 | FOOD SERVICES OPERATIONS | 185,332.00 | 706.27 | 175,845.62 | 9,486.38 | 94.88 |
| 6996 | ELE & SEC SCH EMERGENCY RELIEF (ESSER) | 0.00 | 0.00 | 9,383.16 | (9,383.16) | 0.00 |
| | | <u>185,332.00</u> | <u>706.27</u> | <u>185,228.78</u> | <u>103.22</u> | <u>99.94</u> |