



**NOTICE OF THE MEETING OF THE
POLICY COMMITTEE MEETING
SCHOOL DISTRICT OF NEW LONDON
Monday, October 17, 2022**



PURPOSE:

The purpose of this committee is to develop, evaluate, and make recommendations for the implementation of policy.

RESPONSIBILITIES:

To support and achieve the purposes of the Policy Committee, the following responsibilities will be incorporated into the Committee's activities and functions:

- Review and/or revise policies.
- Stay current in the field of school law.
- Conduct research into best-practices.
- Seek input from affected individuals.
- Develop policy drafts in the district's format consistent with the philosophy, culture and goals of the Board.
- Recommend draft policies for Board consideration and action.

Public notice is hereby given, as required by law, that the meeting of the Policy Committee of the School District of New London will be held at **3:00 p.m.** on **Monday, October 17, 2022**, at the District Administration Building, 901 West Washington Street, New London, Wisconsin 54961.

Matters to be taken up and discussed at this meeting are as follows:

- A. Public Input
- B. Policy/Administrative Guideline review and discussion:
 - 151 Board Policy Adoption and Review
 - 151.3 Administration in the Absence of Policy
 - 153 Board Self-Evaluation
 - *160 Board Members (Section title)*
 - 161 Board Member Authority
 - 162 New Board Member Orientation
 - 163 Board Member Inservices and Conferences
 - 163.1 Board of Education Membership
 - 164 Board of Education Salaries
 - 165 Board Member Code of Ethics
 - 165.1 Conflicts of Interest—Staff and School Board
 - 166 Board Member Electronic Communications
 - 170 Board Meetings
 - 411 Equal Educational Opportunities / Complaint Procedures
- C. Prepare list of policies to be reviewed at next committee meeting
- D. Establish date and time for next committee meeting

Notice is hereby given that members of the School Board may be present at this committee meeting. Although this may result in a quorum of the School Board being in attendance and, therefore, constitute a "meeting" of the School Board pursuant to State ex. Rel. Badke v. Greendale Village Board, 173 Wis.2d 553 (1993), the School Board will not take any action at this committee meeting.

**SCHOOL DISTRICT OF NEW LONDON
10/17/22 POLICY REVIEW**

Name of Policy	Policy Changes	Admin Guideline Changes
151 Board Policy Adoption and Review	Update verbiage	n/a
151.3 Administration in the Absence of Policy	No changes	n/a
153 Board Self-Evaluation	No changes	n/a
<i>160 Board Members</i>	No policy (section title)	n/a
161 Board Member Authority	Include administrative guideline to policy	Delete
162 New Board Member Orientation	Include administrative guideline to policy	Delete
163 Board Member Inservices and Conferences	Include administrative guideline to policy	Delete
163.1 Board of Education Membership	No changes	n/a
164 Board of Education Salaries	Include administrative guideline to policy	Delete
165 Board Member Code of Ethics	Include administrative guideline to policy	Delete
165.1 Conflicts of Interest—Staff and School Board	No changes	No changes
166 Board Member Electronic Communications	Revision to include social media guidelines	n/a
170 Board Meetings	Included “consent” agenda items	n/a
411 Equal Educational Opportunities / Complaint Procedures	Draft of von Briesen recommendations; also included is SDNL current policy	

BOARD POLICY ADOPTION AND REVIEW

All new Board policies and proposed policy revisions with major content changes shall adhere to the following process:

- Placement on the meeting agenda for the Policy Committee for review and recommendation to the full Board
- Placement on the Board meeting agenda for first reading and distribution as a proposed new or revised policy
- Discussion after the first reading with an opportunity for concerned groups or individuals to react to the policy proposal
- Redrafting, if so directed as a result of the first reading, and placement on the next Board meeting agenda
- Action by the Board after the second reading

Revisions to the proposed policy at full Board review stages shall not require repetition of the sequence as to those revisions, unless the Board so directs. The Board may waive the two reading requirement and take immediate action to adopt a revision to an existing Board policy.

Proposed policy revisions limited to style or minor content changes may be presented and adopted at the same Board meeting.

The formal adoption of policies shall be recorded in the minutes of the Board meeting. Only those written statements so adopted and so recorded shall be regarded as official Board policy.

Policies and revisions to policies shall be effective immediately upon adoption, unless a specific date is provided in the adoption resolution.

When necessary, administrative **rules-guidelines** and relevant exhibits shall be developed and included in the Board policy publication to accompany the policy with which they are associated. Administrative **rules-guidelines** are intended to provide additional guidance to assist the implementation of Board policies.

Any administrative **rules-guidelines** and exhibits shall be developed early in the policy adoption process to provide clarity regarding the implications of the policy proposal under consideration. The Board may review and discuss the contents of administrative **rules-guidelines** and exhibits to ensure consistency with the policy under consideration but shall not take formal action to approve administrative **rules-guidelines** and exhibits.

ADOPTION DATE: January 11, 2016

REVISION DATE(S):

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE:

LEGAL REFERENCE: Wisconsin Statutes Section 120.13

Update verbiage

ADMINISTRATION IN THE ABSENCE OF POLICY

In cases where emergency action must be taken and the Board has provided no policy guidelines, the District Administrator will have the authority to act. His/her decisions will be reported to the Board at its next meeting. It will be the duty of the District Administrator to inform the Board promptly of such action and of the need for policy.

ADOPTION DATE: July 13, 1998

REVISION DATE(S): March 14, 2005

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE:

LEGAL REFERENCE:

Update Review date.

No recommended changes.

BOARD SELF-EVALUATION

The Board of Education is accountable to the public for the education of its children and the stewardship of the District’s resources. The Board recognizes that in order to be most effective in its governance role, it must continuously monitor and evaluate its own performance, processes, and practices. The Board believes that regular self-evaluation is essential to improving leadership, supporting student achievement, and attaining the District’s vision, mission, guiding principles, and goals.

In order to improve Board performance, the Board shall annually participate in a self-evaluation. All Board members are expected to participate in the self-evaluation process, as is the District Administrator.

During self--evaluation, the Board shall evaluate itself as a whole. The self-evaluation should emphasize areas of strength as well as those identified for improvement. Board members are also encouraged to use the evaluation process as an opportunity to assess personal performance.

Issues suggested for consideration include, but are not limited to:

- General Performance
- Vision and Mission
- Assessment
- Accountability
- Climate
- Advocacy and Engagement
- Board-District Administrator Relationship

The Board President or designee shall be responsible for initiating the evaluation process and may seek the assistance of the District Administrator in identifying standards for assessment and topics for discussion. The evaluation shall be a constructive tool for improving the Board’s performance.

ADOPTION DATE: January 11, 2016

REVISION DATE(S):

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE:

LEGAL REFERENCE:

Update Review date.

No recommended language changes

BOARD MEMBER AUTHORITY

All business of the Board will be transacted at legally constituted meetings of the Board. No member will have the power to act in the name of the Board outside of a legal Board meeting, except when empowered through Board appointment to carry out a special task.

- A. Individual Board members possess all the rights granted to them as citizens of the community, including access to public records. Requests by individual Board members for documents which would be closed to the general public will be presented to the Board for review. The Board will review the request and make a determination as to whether or not the documents will be released to the Board member, consistent with state law.

- B. When a Board member(s) would like the administration to compile information which will require lengthy research and investigation, the request should be submitted to the District Administrator, who will distribute copies to the Board. The request(s) will be reviewed at the next meeting, if possible, by the Board and District Administrator to clarify the request and determine in the context of other priorities if and when the administrative staff should respond to it. The requests, discussion of them and action indicated will become part of the record of the Board through the meeting minutes for follow-up and subsequent reference.

- C. The District Administrator will discuss with the Board President the validity of any requests as deemed necessary. In making requests for information, data, etc., Board members will make all such requests through Board action unless the request meets the criteria given below:
 - 1. Individual Board members may request and obtain statistics and reports, etc., as are readily available. All such requests will be submitted to the District Administrator who will have his/her staff gather the information or material.
 - a. Individual Board members may use materials obtained to compile or organize data or statistics to meet his/her needs.
 - b. Individual Board members may request that materials obtained be disseminated to all Board members.

 - 2. Board members or committees who request statistics and reports which require substantial investment of time by the administration to fulfill will prepare the request in writing and submit them to the District Administrator, who will distribute copies to the Board. The

requests will be reviewed at the next meeting, if possible, by the Board and District Administrator to clarify the request and determine in the context of other priorities if and when the administrative staff should respond to it. The requests, discussion of them, and action indicated will become part of the record of the Board through the meeting minutes for follow-up and subsequent references.

3. Release of documents to individual Board members will comply with applicable state laws.

4. The District Administrator will discuss with the Board President the number of requests and legality of requests.

D. Except as otherwise provided, individual Board members should refrain from considering or acting upon complaints from citizens or employees until the complaints have been processed through proper administrative channels for investigation.

1. Any complaint involving an individual Board member should be referred to the Board President for review and action. If the complainant is not satisfied with the Board President's decision, the complaint may be referred to the Board as a whole.

2. Any complaint involving the District Administrator should be referred to the Board President for investigation and review. The Board President will attempt to resolve the complaint at this level.

3. If the complaint is not resolved, or the nature of the complaint warrants direct Board attention, the Board President will notify other Board members of the complaint and arrange for a Board meeting to discuss the complaint in detail. The meeting may be held in closed session in accordance with provisions of state law. Proper public notice will be given of the meeting.

4. Any complaint involving a citizen, parent, employee, or practice should be referred to the District Administrator for investigation and review.

E. Any Board member who receives a complaint from a parent, staff member or citizen regarding any district matter should refer it through established channels for study and resolution. Individual Board members should not personally investigate a complaint nor respond to a complaint until it has been thoroughly reviewed.

ADOPTION DATE: July 13, 1998

REVISION DATE(S): March 14, 2005

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE: ~~Administrative Guideline~~
Policy 870 Public Complaints

LEGAL REFERENCE: Chapter 19, Subch. II, IV Wisconsin Statutes

Add Administrative Guideline to Policy.

NEW BOARD MEMBER ORIENTATION

The Board President and District Administrator will provide an orientation program to assist new Board members which will include: in becoming fully informed about the function, policies, procedures and concerns of the Board.

New Board members will:

- A. Be provided an orientation program.
- B. Be given a copy of materials relating to a Board member's job responsibilities including access to the Board's policy manual.
- C. Be invited to meet with the District Administrator, administrative staff, and/or members of the Board to discuss job responsibilities and to become current on district matters.
- D. Be encouraged to attend new Board member inservice sessions sponsored by the Wisconsin Association of School Boards (WASB).
- E. Other materials may include: policies/procedures, current handbooks, budget related fiscal materials, district strategic plan/key performance indicators, organizational chart, recent survey results, student demographics, state report cards.

ADOPTION DATE: July 13, 1998

REVISION DATE(S): March 14, 2005

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE: Administrative Guideline

LEGAL REFERENCE: Section 120.13(16), (32) Wisconsin Statutes
Section 120.44 Wisconsin Statutes

Add Administrative Guideline to Policy.

BOARD MEMBER INSERVICES AND CONFERENCES

- A. The Board encourages the participation of its members at appropriate school board conferences, conventions, seminars, and workshops.
- B. Annually, the Board will select one of its members to represent the Board at the Wisconsin Association of School Boards (WASB) Delegate Assembly.
- C. Annually, the Board will select one of its members to represent the Board as the CESA delegate.
- D. The District will pay the registration fee and reimburse Board members for mileage, lodging, and meals incurred while attending said conferences as outlined in the procedure. Registration fee and reimbursement costs will be limited to the Board member attending, not to include a spouse or any other person accompanying the Board member.
- E. The Board members will submit their reimbursement requests with required receipts to the District Administrator, or his/her designee. Reimbursement requests must be made on the District's "Travel Report" form. Board Members will receive a reimbursement check within 30 days.

ADOPTION DATE: July 13, 1998

REVISION DATE(S): January 9, 2006

REVIEW DATE(S): October 2022

CROSS-REFERENCE: ~~Administrative Guideline~~

LEGAL REFERENCE: Section 120.10(4) Wisconsin Statutes

Add Administrative Guideline to Policy.

SCHOOL DISTRICT OF NEW LONDON

POLICY 163.1

BOARD OF EDUCATION MEMBERSHIPS

The Board will maintain membership in the Wisconsin Association of School Boards (WASB). The Board may also choose to maintain membership in the National School Board's Association. The Board will seek to participate in the activities of said organizations.

ADOPTION DATE: July 13, 1998

REVISION DATE(S): March 14, 2005

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE:

LEGAL REFERENCE: Section 120.13(16) Wisconsin Statutes
Section 120.44 Wisconsin Statutes

No recommended change.

BOARD OF EDUCATION SALARIES

The School District of New London will pay Board members a salary for attendance at meetings as outlined in the procedure.

The School District of New London will pay Board of Education members will be paid a salary for attendance at regular, special, negotiation, committee, and all day meetings as follows:

1. \$2,800 per year for the position of Board President. This will be paid quarterly.
2. \$2,500 per year for all other Board positions. This will be paid quarterly.

ADOPTION DATE: January 11, 1999

REVISION DATE(S): December 12, 2005

REVIEW DATE(S): ———October 17, 2022

CROSS-REFERENCE: ~~Administrative Guideline~~

LEGAL REFERENCE: Section 120.10(3) Wisconsin Statutes
Section 120.44 Wisconsin Statutes

Add Administrative Guideline to Policy.

BOARD MEMBER CODE OF ETHICS

- A. Few public positions are more important than that of the School Board member. Tomorrow's citizens are largely the products of the public schools of today. Since the programs and policies of the schools are to a great extent determined by School Boards, it is apparent that the decisions of School Board members affect the lives of many people.
- B. The State Legislature created the local school district form of governance and empowered the local citizens elected by their peers to govern the operation of their schools. This body of local political education leaders, which is the School Board, determines and approves the curriculum; develops and approves the policies; hires the District Administrator; and generally sets the direction for the educational program.
- C. It is important the School District of New London's Board of Education assure the public that the conduct and the decisions are based upon a fair and equalized process. The Code of Ethics Procedure is developed to give guideline to the Board members as they perform their duties.
- D. With the foregoing statements in mind, each member of the School District of New London Board of Education will follow the Code of Ethics as listed below as they conduct and make decisions in the performance of their duties.
 - 1. Keep as his/her first and greatest concern, the best interest of all the children in the School District of New London without distinction to who they are, what their background may be.
 - 2. Transact all school business in an open, ethical, and above-board basis.
 - 3. Speak openly regarding his/her position on all matters of concern to the District at the Board meetings and support the decisions of the Board.
 - 4. Recognize that the strength of the Board is as a Board and not as individuals.
 - 5. Recognize that the function of the Board is one of policy making, not administration.
 - 6. Recognize that no Board member will interfere with the administration of the School District as an individual or undermine the administrative,

teaching, secretarial, or custodial staff by reverting to political or coercive means to force ideas on the personnel of the School District.

7. Require the District Administrator to keep the Board continuously and adequately informed concerning the school program, its problems--current and anticipated--so that the Board may operate within the policies, goals and objectives of the District.
8. Listen courteously to citizens with questions and complaints, referring them to the proper school personnel for settlement or information.
9. Recognize that he/she should endeavor to make policy decisions only after full discussion at publicly held Board meetings.
10. Render all decisions based on the available facts and his/her independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
11. Inform himself/herself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the state and national School Board Association.
12. Avoid being placed in a position of conflict of interest, and refrain from using his/her Board position for personal or partisan gain.
13. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.
14. Remember always that his/her first and greatest concern must be the educational welfare of the students attending the School District of New London

ADOPTION DATE: December 11, 1995

REVISION DATE(S): March 14, 2005

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE:

LEGAL REFERENCE: Section 19.39 Wisconsin Statutes
Section 946.13 Wisconsin Statutes

Recommend Combining Guidelines to policy.

SCHOOL DISTRICT OF NEW LONDON

POLICY 165.1

CONFLICTS OF INTEREST—STAFF AND SCHOOL BOARD

Board members and employees of the School District of New London will be expected to perform their duties according to the highest ethical standards, free not only from all conflict of interest but also from the appearance of such conflict.

ADOPTION DATE: May 9, 2005

REVISION DATE(S):

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE: Administrative Guideline

LEGAL REFERENCE: Section 118.12 Wisconsin Statutes
Section 946.10 Wisconsin Statutes
Section 111.31-111.345 Wisconsin Statutes

No recommended change.

SCHOOL DISTRICT OF NEW LONDON

ADMINISTRATIVE GUIDELINE

165.1 - CONFLICTS OF INTEREST—STAFF AND SCHOOL BOARD

A. Gifts.

1. School district employees and Board members will not accept gifts, favors, or any such other offers or series of offers from a vendor or representative of any business or commercial entity. This, however, will not preclude the acceptance of complimentary advertising or promotional tokens of purely nominal value such as calendars, rulers, etc.
2. No school district employee or Board member will accept a gift from any person seeking preferential or special treatment of any kind.

B. Purchases.

1. School district purchases from district employees with a vested interest in any outside business that might be construed as profitable are prohibited.

C. Employment (nepotism).

1. In order to promote sound management policies and procedures and to avoid actual or potential conflicts of interest, no close relative of an employee of the School District of New London will be appointed to any position where, as a result, he/she would be directly supervising or receiving direct supervision from a close relative.
 - a. "Close relative," for the purpose of this policy, will be defined as spouse, parent, guardian, brother, sister, son, daughter, brother-in-law, sister-in-law, or grandparent.
 - b. "Direct supervision" includes but is not limited to, the authority, responsibility, or power to appoint, dismiss, promote, demote, evaluate, or recommend salary adjustments, or to participate in or recommend the appointment, dismissal, promotion, demotion, or salary adjustment of an applicant or employee. Such supervisors and those they supervise include:
 - (1) The superintendent pertaining to all school district employees;
 - (2) The director of business services pertaining to financial service, food service, contracted service employees, maintenance and custodial employees;

- (3) The director of pupil services pertaining to all psychological service, EEN itinerant specialists and assistants, building level special education personnel, school counselors, psychologists, and nurses;
- (4) The director of curriculum and instruction pertaining to non-EEN itinerant specialists and assistants, and all instructional personnel;
- (5) The elementary principals pertaining to all building personnel in their respective buildings;
- (6) The middle school principal and assistant principal pertaining to all building personnel in the middle school building;
- (7) The high school principal and assistant principal pertaining to all building personnel in the high school; and,
- (8) The high school assistant principal/activities director pertaining to all building personnel in the high school and coaches and advisors.
- (9) Members of the Board of Education are not considered to have direct supervisory responsibility except in such situations when they are called upon to act specifically on matters of appointment, dismissal, promotion, demotion, or salary adjustment of an individual applicant or employee. Members of the Board of Education may avoid conflict of interest in such situations by abstaining from the aforementioned actions.

- D. Each person seeking initial employment in the School District of New London will state in his/her application his/her relationship, if any, to any person presently employed. That applicant will be informed of the positions for which he/she is ineligible, and the reason why. If, after appointment of an applicant, it is found that information of relationship was withheld or falsely given, the applicant will be subject to immediate dismissal.
- E. Any cases of potential conflict of interest existing prior to original adoption of this policy on May 9, 2005, or resulting from subsequent marriage, should be reviewed regularly by the District Administrator/designee who will make an effort to eliminate conflicting positions through reassignment of supervision or transfer.
- F. Nothing in this policy will be construed as disparaging or discouraging the appointment of close relatives for positions which are not designated by this policy as being in conflict, or to reflect upon the integrity or good judgment of any person in the employ of the School District of New London. Further,

nothing in this policy will be construed to limit the opportunity for promotion to any person employed in the School District of New London.

ADOPTION DATE: May 9, 2005

REVISION DATE(S):

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE: Policy 165.1 Conflicts of Interest

LEGAL REFERENCE: Section 118.12 Wisconsin Statutes
Section 946.10 Wisconsin Statutes
Section 111.31-111.345 Wisconsin Statutes

No recommended change.

BOARD MEMBER ELECTRONIC COMMUNICATIONS

Board member email messages are a form of communication that may be subject to both the state open meetings law and the state public records law. Use of home email addresses for email communications on official school board matters still holds to the standards and responsibilities required by other public records and open meetings regulations.

Email is to be used by Board members only for the purposes of communicating:

- Messages between Board members or between a Board member and employees that do not involve deliberating or rendering an opinion or decision on matters pending before the Board
- Possible agenda items between the district administrator and Board President
- Times, dates, and places of regular or special Board meetings
- The Board meeting agenda or public record information concerning items on the agenda
- Requests for public record information (from a member of administration, school staff or community pertaining to District operations)
- Responses to individual questions posed by members of the public, administrators or other school staff

Under no circumstances shall Board members use email to discuss among themselves Board business that can only be discussed in an open meeting of the Board, as part of an executive (closed) session, or could be considered an invasion of privacy if the message were to be monitored by another party.

Board members shall be provided with a District email account. These accounts shall be managed and archived by the District's legal custodian(s) of records on behalf of the Board members as allowed by law.

Board members are strongly encouraged to use their District email account for all school-related business. Board members who use a private email account for official business, or who receive email messages at a private email address related to official business, shall be expected to comply with applicable provisions of the state public records law.

Senders and receivers of email that utilize the District's communication system for email shall do so with the understanding that there can be no expectation of privacy for any messages sent or received. In addition, they are reminded that messages that have been deleted from an individual's mailbox may still be accessible on the District's system. Accordingly, unless an exemption applies, such email messages, deleted or otherwise, may be subject to disclosure under the state's public records law.

Board members should be cautious about commenting on social media platforms related to school district matters to ensure the integrity and requirements of open meetings and public record laws are not jeopardized.

ADOPTION DATE: January 11, 2016

REVISION DATE(S):

REVIEW DATE(S): October 17, 2022

CROSS-REFERENCE:

LEGAL REFERENCE: Wisconsin Statutes Chapter 19-Subchapter II, Chapter 19-Subchapter V, Section 120.13(28), Section 943.70, Section 947.0125

Paragraph to address social media

BOARD MEETINGS

The purpose of School Board meetings is to conduct business of the School District of New London. The Board of Education recognizes that authority rests only with the Board while it is in an official meeting and that no individual Board member has any legal status to bind the Board outside of such meetings. Action on all matters relating to the School District of New London shall be taken only while the Board of Education is in legal session.

There are three general types of meetings of the School Board: Regular School Board Meetings, Special School Board Meetings, and Closed Session School Board Meetings.

In the absence of any specific legal requirement or policy established by the Board, Robert's Rules of Order, Newly Revised (including those procedures and procedural flexibility that Robert's allows for small boards) shall apply. However, the failure to strictly follow Robert's Rules or any other local procedural rules that have been set at the discretion of the Board shall not, standing alone, be construed to render any decisions made by the Board void, voidable, or otherwise invalid.

All Board meetings are open to the public, as prescribed under Wisconsin Statute, SubChapter IV, Open Meetings of Government Bodies, paragraphs 19.81 through 19.98. It also reserves the right to meet in **executive-closed** session on appropriate subjects.

The Board reserves the right to approve the minutes, **employment and resignation of personnel** by "consent" ~~and not~~ **with a required a motion for approval.** Board members may request to exclude select items for approval under the consent agenda for further clarification.

At the request of any member present, action on any new matters of business may be postponed until the next regular meeting or special meeting of the Board.

The District Administrator, or his/her designee, shall be present at all Board meetings except that part of any meeting that may be devoted to the consideration of his/her contractual status.

ADOPTION DATE: January 11, 2016

REVISION DATE(S): October 17, 2022

REVIEW DATE(S): October 17, 2022

| CROSS-REFERENCE:

| LEGAL REFERENCE: Wisconsin Statutes Section 19.81(2), Section 19.83,
Section 19.84, Section 19.85, Section 120.11(4), Section 120.43(2)

With our recent use of the consent agenda it is recommended to include language of all potential consent agenda items noting that Board member could ask to have an item pulled from the consent agenda for further reason or clarification if desired.

DRAFT VON BRIESEN

NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

The District, through the Board of Education, is committed to providing an equal educational opportunity for all students.

The Board does not discriminate on the basis of race, color, religion, national origin, ancestry, creed, pregnancy, marital status, parental status, sex (including sexual orientation, transgender status, change of sex, or gender identity), disability, or any other protected class, in any of its student program and activities. This policy is intended to support and promote nondiscriminatory practices in all District and school activities. This policy is in addition to the District's other Board policies touching on nondiscrimination, including the District's Title IX Policy [insert cite], and [insert other relevant nondiscrimination/bullying/harassment policies, inclusive of complaint procedures].

The District's Guiding Principles for Nondiscrimination of Transgender Students or Students Do Not Conform to Gender Role Stereotypes

The principles are meant to serve as guidance with regard to students who are transgender and students who do not conform to gender role stereotypes. As such, while this policy addresses guiding factors and considerations, it does not address every potential situation that may arise. Each student is different, and each situation falling under this policy must be addressed on a case-by-case basis. Nonetheless, the guidelines outlined within this policy should be considered in every situation and, when appropriate, utilized so as to place the District, the Board, the student, other students, and the school community in the best position. This is important, because a substantial portion of these guidelines are based on the District's legal obligations under state and federal law. Furthermore, there are many instances where the law may not address a particular scenario or require or forbid a particular decision, action, or inaction. This policy is intended to assist District employees and officials with analyzing those scenarios and making appropriate decisions in accordance with the District's potential legal obligations and the education, safety, and welfare of the student and overall school community.

When necessary, District employees and officials should consult with a student's parent/guardian to address situations that may not be addressed under this policy. Similarly, District employees and officials should consult with the District Administrator and, if appropriate, the District's legal counsel, when evaluating a particular situation relating to this policy.

Definitions

The definitions below are merely provided to allow common understanding as to terminology used within this policy and for purposes of following and applying this policy. The definitions are not intended to label students or diminish them in any capacity, nor is it intended to obligate the use of these terms in any manner outside of reference to this policy.

- A. "Transgender" describes a person whose gender identity is different than their biological sex assigned at birth.

- B. "Gender identity" is a person's deeply held sense or psychological knowledge of their own gender, regardless of the biological sex they were assigned at birth.
- C. "Gender nonconforming" describes a person whose gender expression differs from stereotypical or prevailing social expectations, such as a "feminine" boy or a "masculine" girl, or a person who is perceived as genderless.
- D. "Gender expression" refers to the way a person expresses gender, such as clothing, hairstyles, activities, or mannerisms.

Discrimination, Harassment, and Bullying

Under this policy, as well as other District policies, the District prohibits all forms of discrimination against any students, including a transgender student or any student who does not conform to gender role stereotypes as protected by law.

Student Privacy, Names and Pronouns, and Official School Records

In accordance with state and federal law, certain records and personally identifiable information related to a student's gender identity or biological sex may be protected as both an education record and as a confidential medical record. As such, District employees and officials must exercise care when addressing a student's gender identity or biological sex internally among staff and students. The District strongly encourages District employees and officials to consult the student and their parent/guardian, if a minor student, before making any disclosures as to a change in known gender identity of a particular student. The District strongly encourages transgender and gender nonconforming students and their families to maintain ongoing communication with District employees who are working directly with the student in order to address, among other issues, relevant privacy concerns and privacy preferences. District employees are expected to refer any questions they may have about student privacy and possible disclosures of a student's transgender or gender nonconforming status to the District Administrator or their designee.

When referring to students at school and in connection with school activities, District personnel will normally use the student's legal name and the pronouns that correspond to the student's biological sex assigned at birth. However, an adult student, or the parent/guardian of a minor student, may determine the name and gender pronouns that school employees will use to address the student at school and in connection with school-related activities. A court-ordered name change or medical treatment or medical procedure is not required to initiate such a request. Upon being informed that a student intends to regularly use a particular name and/or prefers to be addressed using particular pronouns that correspond to the student's gender identity, District personnel are expected to respect that decision; however, if District personnel do not refer to any student by their pronouns, it is permissible for District personnel to only refer to utilize the student's newly preferred name.

The District's approach of respecting a student's decision to regularly use a name and the pronouns that correspond to the student's gender identity is not a commitment to change all existing school records in order to reflect those preferences. There may also be situations where the District is

required to use or report the legal name or biological sex of the student as that data is reflected in the District's official records. The extent to which official records of the District are modified will depend on a case-by-case evaluation of the information that the District receives and the type(s) of school records affected by the information that is received. For example, if a school record requires use of a legal name, absent proof of a legal name change, the District may be required to use the student's legal name in lieu of their preferred name.

Restroom and Locker Room Accessibility

Generally, a student who is transgender and has consistently held the belief deeply, is supported by the student's parent/guardian, and for which the student has sought guidance or counseling in coming to the decision, will be permitted to access the segregated, multi-person restrooms that correspond to the gender identity that the student consistently asserts at school and elsewhere. Any student who does not wish to use the segregated, multi-person restrooms may be given access to unisex restrooms if such a facility is reasonably available. No student shall be required to use a unisex restroom solely because of the student's transgender or gender nonconforming status.

If a transgender student makes any request regarding the use of segregated restrooms, the use of segregated locker rooms, or any similar type of changing area, the request shall be assessed on a case-by-case basis, taking into account all relevant interests of the student, the District, and other students affected by the request. The District will consider, in addition to all other relevant factors, such things as the ability of the transgender student to access the District's physical education curriculum and extra-curricular programs and the need to respect the privacy and safety of all students. The District will consider factors including, but not limited to, the layout of the facility, the availability of showers and changing areas, and the degree of undress required when changing for the applicable activity.

Any student who has a need or desire for increased privacy, regardless of the underlying reason, may be provided (to the extent reasonably available) with a reasonable alternative changing area (*e.g.*, a restroom stall with a door, an area separated by a curtain, a physical education teacher's office in the locker room, etc.) or provided with an alternative changing schedule. Any alternative arrangement should be provided in a way that gives adequate consideration to relevant privacy concerns.

These guidelines related to restrooms and changing areas generally assume that a student has a special concern or is in some way uncomfortable with consistently using the facilities that correspond to the biological sex that the student was assigned at birth. However, all students have the option of consistently accessing the facilities that correspond to the biological sex that the student was assigned at birth.

Participation in Physical Education Classes and Sports Activities

A student who is transgender shall be permitted to participate in physical education classes and intramural sports in a manner consistent with the gender identity that the student regularly asserts at school and in other social environments.

Students who are transgender shall be permitted to participate in interscholastic athletics in a manner consistent with the requirements and policies of the Wisconsin Interscholastic Athletic Association (WIAA).

Dress Codes & Other Considerations

Within the constraints of the District's dress code policy and dress codes adopted by the school, students may dress in accordance with their gender identity. District personnel shall not enforce a dress code more strictly against transgender and gender nonconforming students than other students.

The District will identify, evaluate, and provide a free appropriate public education to students with disabilities who are determined eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 (Section 504).

The District's educational programs include the academic and nonacademic setting. Each qualified student with a disability shall be educated with students without disabilities to the maximum extent appropriate. In the nonacademic setting, a student with a disability shall participate with students without disabilities to the maximum extent appropriate.

Notice of the Board's policy on nondiscrimination and the identity of the District's Compliance Officer(s) will be published on the District's website, posted throughout the District, and included in the District's hiring materials or publications.

Principal's Responsibilities

Each Principal shall verify that the procedures used with students and parent/guardian for selection of and participation in any part of the District's academic, co-curricular, or extra-curricular programs do not discriminate on the basis of a student's membership in a protected class. When appropriate, the Principal is to consult the District Administrator, who shall make the final determination with regard to the issue at hand.

Staff Training

The District Administrator or their designee shall develop an ongoing training program for District employees and officials with regard to this Board policy and the guidelines contained herein. Such training shall occur at least annually.

**EQUAL EDUCATIONAL OPPORTUNITIES/
COMPLAINT PROCEDURES**

- A. The School District of New London is committed and dedicated to the task of providing the best education possible for every student in the District for as long as the student can benefit from attendance, and the student's conduct is compatible with the welfare of the entire student body.
- B. The right of the student to be admitted to school and to participate fully in curricular, co-curricular, student services, recreational or other programs or activities will not be abridged or impaired because of a student's sex, race, religion, color, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional, or learning disability/handicap.
- C. Children of homeless individuals and unaccompanied homeless youth (youth not in the physical custody of a parent/guardian) residing in the District will have equal access to the same free, appropriate public education, including comparable services, as provided to other children and youth who reside in the District. Homeless children and youth will not be required to attend a separate school or program for homeless children and will not be stigmatized by school personnel.
- D. The District will provide appropriate educational services and/or programs for students who have been identified as having a handicap or disability, regardless of the nature or severity of the handicap or disability.
- E. The District will also provide for the reasonable accommodation of a student's sincerely held religious beliefs with regard to examinations and other academic requirements. Requests for accommodations will be made in writing and approved by the building principal. Accommodations may include, but not necessarily be limited to, exclusion from participation in an activity, alternative assignments, released time from school to participate in religious activities, and opportunities to make up work missed due to religious observances. Any accommodations granted under this policy will be provided to students without prejudicial effect.
- F. Complaints regarding the interpretation or application of this policy will be referred to the District Administrator and processed in accordance with established procedures.
- G. Any complaint regarding the interpretation or application of the district's student nondiscrimination policy will be processed in accordance with the following complaint procedures.

ADOPTION DATE: May 9, 2005

REVISION DATE(S):

REVIEW DATE(S): September 12, 2018

CROSS-REFERENCE: Administrative Guideline
Exhibit 1 Formal Written Complaint

LEGAL REFERENCE: Section 118.13 Wisconsin Statutes
PI 9 of the Wisconsin Administrative Code
Title IX, Educational Amendments of 1972
Title VI, Civil Rights Act of 1964
Section 504 Rehabilitation Act of 1973
Americans with Disabilities Act of 1990
Individuals with Disabilities Education Act
Civil Rights Act of 1991
McKinney-Vento Homeless Education Assistance Act

SCHOOL DISTRICT OF NEW LONDON

ADMINISTRATIVE GUIDELINE 411 - EQUAL EDUCATIONAL OPPORTUNITIES/ COMPLAINT PROCEDURES

- A. Any student, parent, or resident of the district complaining of discrimination on the basis of sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional, or learning disability or handicap in school programs or activities will report the complaint in writing to the District Administrator. Assistance in drafting the written complaint will be made available if requested. A complaint form is available (Exhibit 1).
 - 1. Discrimination complaints relating to the identification, evaluation, educational placement or the provision of free appropriate public education of a child with a disability will be processed in accordance with established procedures as outlined in the Parent Rights brochure in compliance with Individuals with Disabilities Educational Improvement Act (IDEIA) regulations.
 - 2. Discrimination complaints relating to programs specifically governed by federal law or regulation (e.g., EDGAR complaints) will be referred directly to the State Superintendent of Public Instruction.
- B. The District Administrator will acknowledge receipt of the written complaint within 15 days of receipt of the original written complaint.
- C. The District Administrator, upon receiving such a written complaint, will immediately undertake an investigation of the suspected infraction. The District Administrator will review with the building principal, or other appropriate persons, the facts comprising the alleged discrimination. The District Administrator will decide the merits of the case, determine the action to be taken, if any, and report in writing the findings and the resolution of the case to the complainant within 45 days of receipt of the original complaint unless the parties agree to an extension of time.
- D. If the complainant is dissatisfied with the decision of the District Administrator, he/she may appeal the decision in writing to the Board within 15 days of receipt of the decision. The Board will hear the appeal at the next regular meeting, or a special meeting may be called for the purpose of hearing the appeal. The Board will make its decision in writing after the hearing. Copies of the written decision will be mailed or delivered to the complainant and the District Administrator.
- E. The complainant will be notified of the right to appeal a negative determination by the Board to the State Superintendent of Public Instruction and the procedures for making the appeal.

- F. Nothing in these procedures will prevent individuals from filing a complaint directly with the Office of Civil Rights as authorized by federal law. Such complaints will be made to: Office of Civil Rights, Region V, U.S. Department of Education, 233 North Michigan Avenue, Suite 240, Chicago, IL 60601 (312-886-2359).
- G. Records of all complaints will be kept for the purpose of documenting compliance and past practices. The records will include information on all levels of the complaint and any appeals. The records should include:
 - 1. The name of the complaint and his/her title or status.
 - 2. The date the complaint was filed.
 - 3. The specific allegation made and any corrective action requested by the complainant.
 - 4. The name(s) of the respondents.
 - 5. The levels of processing followed, and the resolution, date and decision-making authority at each level.
 - 6. A summary of facts and evidence presented by each party involved.
 - 7. A statement of the final resolution and the nature and date(s) of any corrective or remedial action taken.
- H. Notice of this policy and complaint procedure will be published with annual notices. A student nondiscrimination statement will be included in student handbooks, staff handbooks, co-curricular handbooks, and course selection handbooks.

ADOPTION DATE: May 9, 2005

REVISION DATE(S): November 26, 2018

REVIEW DATE(S): September 12, 2018

CROSS-REFERENCE: Policy 411 Equal Educational Opportunities/Complaint Procedure
Exhibit 1 Formal Written Complaint

LEGAL REFERENCE: Section 118.13 Wisconsin Statutes
PI 9 of the Wisconsin Administrative Code
Title IX, Educational Amendments of 1972
Title VI, Civil Rights Act of 1964
Section 504 Rehabilitation Act of 1973
Americans with Disabilities Act of 1990

Individuals with Disabilities Education Act
Civil Rights Act of 1991
McKinney-Vento Homeless Education Assistance Act