



OWOSSO PUBLIC SCHOOLS
Ready for the World

**Board of Education Agenda
April 26, 2021**

5:30 pm Regular Meeting
Washington Campus Gymnasium
645 Alger Street
Owosso, Michigan 48867

1. Call to Order

2. Pledge of Allegiance

3. Building Reports:

- Celebrate Kids! – Bentley Bright Beginnings
- Tyler Hoag – Board of Education Student Representative’s Report
- Recognition of John Hankerd for his service to the OHS Robotics Club

4. Board Correspondence:

- Superintendent’s Report
- Curriculum Director’s Report

5. Public Participation

6. For Action

▪ **Consent Agenda:**

March 15, 2021 Regular Board Meeting Minutes-----	Report 20-114	Page 2
March 15, 2021 Closed Session Minutes-----	Report 20-115	At Place
April 12, 2021 Committee of the Whole Minutes-----	Report 20-116	Page 8
Current Bills-----	Report 20-117	Page 14
Financials-----	Report 20-118	Page 25
▪ Review/Reaffirmation of the Extended COVID-19 Learning Plan-----	Report 20-119	Page 28
▪ Awarding of Sinking Fund Site Improvement Projects-----	Report 20-120	Page 70
▪ Edgar Revisions–February 2021, First Reading-----	Report 20-121	Page 72
New Policy 7450, Revised Policy 7455		
▪ Volume 35, No. 2–February 2021, First Reading-----	Report 20-122	Page 77
Revised Policy 2260.01, Revised Policy 2266, New Policy 5341, New Policy 5342, New Policy 5343, Revised Policy 7440.01, Revised Policy 8321, Revised Policy 8330, Revised Policy 8400, Revised Policy 8500, Revised Policy 8510		
▪ Nondiscrimination/Anti-Harassment Policies Update, First Reading-----	Report 20-123	Page 128
Revised Policy 1422, Revised Policy 1623, Revised Policy 1662, Revised Policy 2260, Revised Policy 3122, Revised Policy 3123, Revised Policy 3362, Revised Policy 4122, Revised Policy 4123, Revised Policy 4362, Revised Policy 5517		

7. For Future Action

▪ Approval of Course Listings 2021–2022-----	Report 20-124	Page 221
▪ OMS Boat Launch Easement-----	Report 20-125	Page 223
▪ ESS Midwest (Education Solutions Services), formerly PCMI/willSub, Contract Renewal -----	Report 20-126	Page 228
▪ Revised Policy 5460–Graduation Requirements, First Reading-----	Report 20-127	Page 230
▪ Revised Policy 5460.01–LHS Graduation Requirements, First Reading-----	Report 20-128	Page 234

8. For Information

▪ Personnel Update-----	Report 20-129	Page 239
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9. Public Participation

10. Board Reports: Board Member Comments/Updates

11. Upcoming Board Meeting Dates:

- May 24: Regular Board of Education Meeting, 5:30 pm
- June 14: Committee of the Whole, 5:30 pm
- June 28: Regular Board of Education Meeting, 5:30 pm

Important Upcoming Dates:

- May 18: OHS Blue & Gold Banquet / Academic Achievement Awards, 7:00 pm
- May 24: OHS Athletic Awards Ceremony, 8:00 pm
- May 24: Last Day of School for Seniors

May 25: OHS Honors Convocation, 8:00 pm
May 26: LHS Graduation, Owosso Performing Arts Center, 7:00 pm
May 26: OHS Graduation, Willman Field, 7:00 pm
May 31: No School, Memorial Day

12. Adjournment

This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting. Board Policy 0166

BOARD GUARANTEE (Adopted May 2006)

We have been elected by the members of our community and choose to serve our fellow citizens to deliver the best possible programs and services to our children.

Therefore, we guarantee that:

We will serve with pride. We have been given the opportunity to make a difference in the lives of children and the quality of life in our community, and we are proud to accept that challenge.

We will treat students, parents, citizens, staff and fellow board members with dignity and respect.

We will be informed, knowledgeable and prepared before making decisions that affect the education of students. We will stay up-to-date so that our decisions will be based on the most recent information. We will model our belief that learning is a lifelong process.

We will do our part to work as a team with administrators, teachers, support staff, parents, students and citizens so that the entire learning atmosphere of our school will be one of warmth and caring. We will do this by becoming a part of district committees such as cross-functional, professional governance council (PGC) and many more.

We will maintain the policy making role of the Board and represent this to the constituents of the district by informal communications and referral to the proper channels for consideration of concerns and suggestions.

We will be enthusiastic and energetic in our support of the work in our schools by students, staff and volunteers. We will model this behavior by attending school sponsored events and working toward board certification through class work.

We will represent and reflect all segments of the community and base our decisions on sound policy and ethical principle that is in the best interest of all students. We will do this by basing our decisions on data and survey work on an annual basis. We will also take the time to have formal and informal conversations with our community.

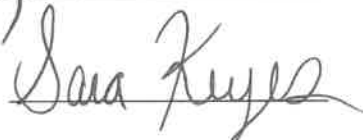
Rick Mowen
President



Shelly Ochodnicky
Vice President



Sara Keyes
Treasurer



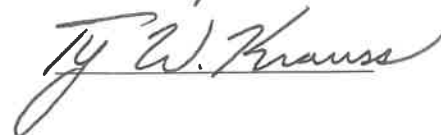
Marlene Webster
Secretary



Adam Easlick
Trustee



Ty Krauss
Trustee



Olga Quick
Trustee



Board Guarantee check points will run in conjunction with the Superintendent dialogue sessions.



OWOSSO PUBLIC SCHOOLS

Ready for the World

BOARD OF EDUCATION NORMS

- Open, Honest, and Timely Communication
- Prepared
- Committed
- Unified
- Disagree Without Conflict
- Punctual (notify if absent)
- Responsive (48 hour rule)
- Students First
- No Surprises



OWOSSO PUBLIC SCHOOLS

Ready for the World

Public Participation at Board Meetings Statement

The Board of Education is a public body and recognizes the value of public comment on educational issues. Time has been included in the meeting's agenda for public participation. Members of the audience are reminded that they should announce their name and group affiliation when applicable and to limit their participation time to three minutes or less. Comments should be directed to the Board and be relevant to the business of the Board of Education. This is not an opportunity for dialogue with the Board of Education. The rules of common courtesy should also be observed.

For Action

OWOSSO PUBLIC SCHOOLS
Board of Education Minutes
March 15, 2021
Report 20-114

Present: Adam Easlick, Sara Keyes, Ty Krauss, Rick Mowen, Shelly Ochodnicky, Olga Quick
 Absent: Marlene Webster

President Rick Mowen called the Board of Education Meeting to order at 5:32 p.m. The meeting was held at the Washington Campus Gymnasium, 645 Alger Street, Owosso MI 48867.

Pledge of Allegiance

Building Reports

As part of the Celebrate Kids! segment of the meeting, Owosso Middle School (OMS) Teacher and Service Club Advisor Chris Bird introduced Builders Club President Desiree Mofield, Builders Club Vice President Quinn Schemenauer, 8th Grade Student Council President Julionna West, and 8th Grade Student Council Co-Vice President Charlie Agnew. Mr. Bird explained Madelyn Usher also serves as an 8th Grade Student Council Co-Vice President but was unable to attend the Board meeting because she was competing in a swim meet. Mr. Bird gushed that the students have done a tremendous job leading weekly Zoom meetings, organizing service projects to help the community, and spreading positivity throughout the district in the midst of a pandemic. The student leaders presented a PowerPoint slideshow to the Board and explained various events and projects they have organized. The Awareness Projects were favorites amongst Builders Club and Student Council members, and the student leaders explained these projects bring awareness to challenges that teens and adults face around the world including homelessness, body image disorders, autism, breast cancer, and suicidal thoughts. Additionally, Builders Club and Student Council members celebrated International Women’s Day by wearing empowerment shirts and collecting donations for the Safe Center.

Superintendent Dr. Tuttle and President Mowen thanked the OMS students and Mr. Bird for their leadership and excellent presentation. Dr. Tuttle asked each student what their favorite project has been this year. Ms. Mofield expressed how much she enjoyed the “Photo Voice Project” in which students used photography to tell stories about developing healthy habits and staying true to oneself. Ms. Schemenauer enjoyed crafting posters. Mr. Agnew was proud of the positive impact students had made by organizing donations for the Safe Center. Ms. West’s favorite projects have been the Awareness Day projects, and she commented on the incredible amount she has learned from each project. Mr. Bird concluded by saying that as unusual and crazy as the year has been, OPS students have stepped up to help their community, stayed positive, and made a difference!

Dr. Tuttle introduced Owosso High School (OHS) students Sam Feldpausch and David Neese. Each were recognized for their recent accomplishment of earning the prestigious Eagle Scout rank. Dr. Tuttle commented that earning the rank of Eagle Scout is not easy, and Eagle Scouts must demonstrate a strong passion to serve their community. Dr. Tuttle asked Mr. Feldpausch and Mr. Neese to share with the Board a bit about what they chose for their Eagle Scout Project.

Mr. Feldpausch explained that he organized and led the construction of a playground at Pleasant Valley Mobile Home Park in cooperation with Shiawassee Hope. From fundraising to adding drainage tile, leveling the ground, and installing the equipment, Mr. Feldpausch managed the project every step of the way. Mr. Feldpausch explained the project timeline was slowed due to

the pandemic, and it took a great deal of patience and perseverance to steer the project to completion. Mr. Feldpausch shared that he was extremely proud of how the project came together in the end and how much he loved seeing the kids jump on the playground equipment as soon as the project was completed.

Mr. Neese shared that he worked with the Shiawassee Humane Society to organize and lead the construction of athletic play equipment for animals at the shelter. He explained that three shelters were built in total— a seesaw, climbing tires, and a ramp. Mr. Neese chose this project because of his love for animals. Like Mr. Feldpausch, Mr. Neese’s project also faced surprising obstacles due to the pandemic that required extra coordination and communication efforts. Mr. Neese noted that he was happy with the final outcome and thanked his family who has helped and supported him along the way.

Dr. Tuttle and the Board applauded Mr. Feldpausch and Mr. Neese for completing projects that were truly needed in the community, congratulated them on their accomplishment of earning the Eagle Scout rank, and thanked the boys for sharing with them.

Board Correspondence

Board of Education Student Representative Tyler Hoag thanked Mr. Bird for encouraging students to take on leadership positions at a young age, establishing a strong foundation for Key Club and Student Government at OHS. Mr. Hoag reported the OHS Student Government has concluded their canned food drive, excitedly sharing that one teacher alone raised over \$1,000 (which equates to approximately 7,000 pounds of food) by offering extra credit for donations. Mr. Hoag stated the OHS choirs submitted their festival music to compete virtually this year. The music will be uploaded to their Facebook page. Mr. Hoag noted OHS bands are finishing their preparations for a virtual festival as well, and the Theater Department will soon be choosing their spring musical. Mr. Hoag was happy to report the OHS Bowling Team proudly ended their season and are hoping a few team members will place at state finals. Winter sports are in full swing, and Mr. Hoag reported all basketball teams, boys wrestling, and boys swim have competitions this week. Mr. Hoag congratulated Mr. Feldpausch and Mr. Neese on their Eagle Scout achievements, noting that to have two OHS students receive the award in one year is an amazing accomplishment. Mr. Hoag was sad to announce that Mr. Zyrowski will be stepping down as OHS’ Model United Nations Counselor but wished him the best in his future endeavors. In closing, Mr. Hoag reflected on the fact that one year ago, the OHS choirs were on their trip in New York City when the pandemic shut everything down for the first time. Mr. Hoag said despite how crazy of a year it has been, he is hopeful that if everyone continues to do their part by wearing face masks and social distancing, the next school year will look a lot more normal.

Dr. Tuttle thanked Mr. Hoag, stating that he has been a wonderful student body representative. Dr. Tuttle noted her appreciation for Mr. Hoag’s positive attitude and leadership, both skills that are sure to help him achieve his future goals.

Dr. Tuttle began her monthly Board report recognizing OHS seniors and how difficult of a year it has been for them. OPS staff is organizing an “Adopt a Senior” event in which every senior is “adopted” by an individual or family in the community. The seniors receive gifts or positive notes from their adopted family throughout one of their final weeks of high school. She thanked all staff members and community members who have participated in the program that has helped lift many senior students’ spirits!

Dr. Tuttle reported the district celebrated Black History Month throughout the month of February. At OHS, staff members decorated their classroom doors in honor of many influential and notable African Americans.

Dr. Tuttle shared the district has hosted twelve vaccination clinics for educators and individuals age 65+.

Kindergarten and Preschool registration occurred throughout the month of March. Dr. Tuttle noted kindergarten enrollment numbers are slightly down, likely an outcome of the pandemic. Bentley Bright Beginnings, on the other hand, has already reached enrollment capacity for many of their programs next school year.

Dr. Tuttle thanked community members and OPS staff for celebrating March is Reading Month with students. Elementary classrooms hosted virtual guest readers on Zoom, including Dr. Tuttle. Dr. Tuttle explained that while it is harder to build relationships through a virtual screen, she is incredibly impressed by OPS students and teachers for their optimism and passion for learning.

Dr. Tuttle reported the Bond Project is progressing on schedule. All interior projects are anticipated to be completed by early April, and the district is tentatively planning for a Grand Opening on Thursday, November 4th, 2021.

The district is moving forward with scheduling events to celebrate this year's seniors including the Blue & Gold Banquet, Academic Achievement Awards, Athletic Awards Night, and Commencement ceremonies. Dr. Tuttle noted that all celebrations will be different this year in order to follow the Michigan Department of Health and Human Services' emergency rules, but OPS staff is working hard to be creative and make the events special for seniors and their families.

Dr. Tuttle announced the district plans to offer regular, in-person instruction for OSP students during the 2021–2022 school year. She explained that school districts around Michigan are waiting to hear if the State will fund virtual instruction next year, so OPS does not yet know if an online option will also be offered.

Dr. Tuttle reminded the Board the first day of school for the 2021–2022 year is August 19th, 2021. She explained the district follows Lansing Community College's (LCC's) schedule. If LCC pushes their start date back, the OPS start date will also be pushed back along with all other districts in the county. Dr. Tuttle further explained that OPS has an unusually short summer due to Bond Project construction, which caused a later end date. Beginning with the 2021–2022 school year, the district will be back on schedule with regular length summers.

Curriculum Director Steve Brooks reported the district hosted SAT assessments for 8th graders across the county. 50 OPS students completed the optional assessment, and a total of 180 students across the county completed it.

Mr. Brooks announced the district is continuing to offer professional development to teachers throughout the school year. For example, several sessions with Reading Expert Dr. Taylor have been offered to K–8th grade teachers. Teachers are paid to attend the training after school hours, and all sessions have been conducted on Zoom. In addition, the district is offering Math Recovery training to K–3rd grade teachers. Mr. Brooks noted that professional development opportunities require constant planning, and the district is already scheduling opportunities for teachers and staff during the 2021–2022 school year.

Mr. Brooks excitedly announced a summer school program called "Kindergarten Camp," targeting students transitioning from preschool to kindergarten will take place this summer. In

addition, summer school opportunities will be offered at the elementary, middle school, and high school levels. Mr. Brooks noted OPS teachers are being recruited to run the programs. Many teachers have already expressed interest and are excited to engage with students before next fall!

Public Participation

President Mowen stated that the Board of Education is a public body and recognizes the value of public comment on educational issues. Time has been included in the meeting's agenda for public participation. Members of the audience were reminded that they should announce their name and group affiliation when applicable and to limit their participation time to three minutes or less. Comments should be directed to the Board and be relevant to the business of the Board of Education. This is not an opportunity for dialogue with the Board of Education. The rules of common courtesy should also be observed.

OPS Teacher Carrie Miculka addressed the Board.

For Action

- Moved by Ochodnicki, supported by Easlick to approve the February 22, 2021 regular meeting minutes, March 1, 2021 committee of the whole minutes, current bills, and financials as presented. Motion carried unanimously.
- Moved by Ochodnicki, supported by Easlick to reaffirm the Extended COVID-19 Learning Plan. Dr. Tuttle noted there have been no changes made to the plan since the February 22nd Board meeting, but at the time of the meeting there were eight OPS staff members and 55 OPS students in quarantine or isolation due to COVID-19. Trustee Quick reminded attendees that while the high school cafeteria is currently closed to students because of vaccine clinics, it was originally closed for the purpose social distancing to limit possible COVID-19 exposures during the lunch period. Dr. Tuttle, Trustee Quick, and President Mowen thanked Director of Operations John Klapko and the food service team for working tirelessly to offer students two hot meals each day, even during the summer and holiday breaks. Motion carried unanimously.
- Moved by Quick, supported by Keyes to renew the contract with Baker College for Adult Education Services for fiscal year 2021–2022 and authorize the superintendent to sign the contract on behalf of the district. Motion carried unanimously.

For Information

Superintendent Dr. Tuttle reported the following personnel changes:

- **Accepted Positions**
 - Irene Podolan has accepted the 1.75-hour Monitor position at Emerson Elementary.
 - Justin Bailey has accepted the Custodian II position at Washington Campus.
- **Resignations**
 - Linda Chase has resigned her position as Lead Cook at Central Elementary effective March 15, 2021.
 - Patty LaVigne, part-time GSRP/Tuition Preschool Teacher has announced her resignation at the conclusion of the 2020-2021 school year.
 - Weston Humble, OMS Custodian II has submitted his letter of resignation effective March 5, 2021.
- **Retirements**
 - Sarah Collins, Owosso High School Teacher has announced her retirement at the conclusion of the 2020-2021 school year after 26 years of service.

- Mike Gregory, Owosso High School Teacher has announced his retirement at the conclusion of the 2020-2021 school year after 8 years of service.
- Elizabeth Kelley, Lincoln Alternative Education High School Teacher has announced her retirement at the conclusion of the 2020-2021 school year after 16 years of service.
- Julie MacKay, Elementary Teacher at Bryant Elementary has announced her retirement at the conclusion of the 2020-2021 school year after 27 years of service.
- Susan Phillips, Owosso Middle School Teacher has announced her retirement at the conclusion of the 2020-2021 school year after 19 years of service.
- Denise Tefft, Elementary Teacher at Bryant and Central has announced her retirement at the conclusion of the 2020-2021 school year after 26 years of service.
- Clark Wilson, Owosso High School Teacher has announced his retirement at the conclusion of the 2020-2021 school year after 24 years of service.
- Lynda Porter, Paraprofessional at Emerson Elementary has announced her retirement at the conclusion of the 2020-2021 school year after 24 years of service.
- Linda Dignan, Executive Secretary at Owosso High School has submitted her letter of retirement effective June 30, 2021 after 18 years of service with the District.
- Jeff Phillips, Owosso High School Principal has submitted his letter of retirement effective June 30, 2021 after 19 years of service with the District.

Public Participation

OPS Student Tyler Hoag addressed the Board.

Board Member Comments/Updates

Trustee Easlick thanked the students who presented at the meeting. He also thanked OPS Food Service staff, asking Director of Operations John Klapko to pass his appreciation onto the team.

Trustee Quick also thanked the students for their presentations. She applauded Mr. Bird for his contributions to student leadership programs, agreeing with Mr. Hoag that OMS sets a strong foundation for OHS student leadership. Trustee Quick thanked the Food Service team, noting that she sees a lot of negativity toward the district but believes many are unaware of the amount of effort that is given by so many staff members to give students a great educational experience.

Vice President Ochodnický thanked Dr. Tuttle and John Klapko for a tour of the secondary campus. She stated the completion of the new campus is a “ray of sunshine in our challenging times.” Vice President Ochodnický hopes students can resume eating in the cafeteria with many hot meal options in the fall. She added that she is grateful for OPS staff and believes people can easily feed into negative stories on social media that may not portray the full truth.

Treasurer Keyes echoed Vice President Ochodnický’s comments, stating the Board and district take heat on social media but are rarely offered solutions or suggestions. She asked community members to attend Board meetings and offer productive feedback, rather than only share negative comments on social media. Treasurer Keyes thanked Mrs. Miculka for attending the meeting and offering considerate suggestions to the Board on ways to improve hot lunches for students. Treasurer Keyes also reminded community members to always reach out to their students’ own buildings first whenever there is a concern. If issues are not being appropriately addressed at the building or classroom level, the Superintendent will address it. If community members are unhappy with the Superintendent’s response, issues should be brought to the Board. Treasurer Keyes congratulated OPS staff members retiring this year, especially OHS Principal Jeff Phillips. Lastly, Treasurer Keyes thanked Mr. Hoag, noting how much she has enjoyed watching his confidence grow as a speaker and representative over the past year.

Trustee Krauss thanked OPS Food Service employees, notably Director of Operations John Klapko, stating their work does not go unnoticed. He also thanked the retirees for their service to the district, wishing the best of luck to Jeff Phillips. Trustee Krauss finished expressing his sincere gratitude to Mr. Hoag for representing OPS students over the past year.

President Mowen asked Dr. Tuttle if there have been changes to the number of spectators allowed at athletic events. Dr. Tuttle explained members of away teams are given two tickets and members of home teams are given four tickets for each event. President Mowen celebrated the students who presented at the meeting, congratulating Mr. Feldpausch, Mr. Neese, and the OMS students. Mr. Mowen stated these students are the leaders of tomorrow. Their manners and positivity are forward thinking and full of energy. President Mowen echoed Mr. Hoag's remarks, saying though we are nearing the end of the pandemic, it is not time for the district or community to let down their guard.

Upcoming Board Meeting Dates

April 12: Committee of the Whole Meeting, 5:30 pm

April 26: Regular Board of Education Meeting, 5:30 pm

Important Upcoming Dates

March 15: 4th Marking Period and LHS 3rd Trimester Begin

March 16: Girls & Boys Varsity Basketball VS Corunna at Corunna, 5:30 pm

March 20: Girls Varsity Competitive Cheer Districts at Dewitt, 1:00 pm

March 22: Girls Varsity Basketball Districts at Home, Time TBA

March 23: OMS Parent Meeting for Incoming 6th Graders, 6:00 pm

March 23: Boys Varsity Basketball Districts at Lake Fenton, Time TBA

March 26: Virtual Learning Half-Day for all Students

March 29–April 2: Spring Break

April 5: School Resumes

April 6–8: OMS Principals Visit Incoming 6th Graders

Closed Session

The Board moved into closed session at 6:38 pm for the purpose of discussing negotiations.

President Mowen conducted a roll call vote. Ayes: Easlick, Quick, Ochodnicky, Keyes, Krauss, Mowen. Nays: None. Absent: Webster. Motion carried unanimously.

Moved by Ochodnicky, supported by Quick to return to open session at 7:11 pm. Motion carried unanimously.

Adjournment

Moved by Quick, supported by Ochodnicky to adjourn at 7:12 p.m. Motion carried unanimously.

Minutes recorded by Alexa Stechschulte.

Respectfully submitted,

Marlene Webster, Secretary

OWOSSO PUBLIC SCHOOLS
Board of Education Committee of the Whole Meeting Minutes
April 12, 2021
Report 20-116

Present: Sara Keyes, Ty Krauss, Rick Mowen, Olga Quick, Marlene Webster, Shelly Ochodnicky
 Absent: Adam Easlick

President Rick Mowen called the Board of Education Meeting to order at 5:30 p.m. The meeting was held at the Washington Campus Gymnasium, 645 Alger Street, Owosso MI 48867.

Superintendent Dr. Tuttle informed the meeting's audience that Vice President Ochodnicky was participating in the meeting via telephone in accordance with revised bylaw 0100.

Pledge of Allegiance

NEOLA Board Policy Review with Wayne Wright

NEOLA Representative Mr. Wayne Wright provided members of the Board with explanations of the following proposed policies: New Policy 7450, Revised Policy 7455, Revised Policy 2260.01, Revised Policy 2266, New Policy 5341, New Policy 5342, New Policy 5343, Revised Policy 7440.01, Revised Policy 8321, Revised Policy 8330, Revised Policy 8400, Revised Policy 8500, Revised Policy 8510, Revised Policy 1422, Revised Policy 1623, Revised Policy 1662, Revised Policy 2260, Revised Policy 3122, Revised Policy 3123, Revised Policy 3362, Revised Policy 4122, Revised Policy 4123. Revised Policy 4362, Revised Policy 5517.

Dr. Tuttle said there are concerns at a regional level regarding Policy 5342–Do Not Resuscitate Orders (DNR) For Minor Students and Policy 8400–School Safety Information. She recommended the Board review the two policies closely and reach out to state legislatures with any concerns.

Public Participation

President Rick Mowen announced the Board of Education is a public body and recognizes the value of public comment on educational issues. Time was included in the meeting's agenda for public participation. Members of the audience should announce their name and group affiliation when applicable and limit their participation time to three minutes or less. Comments should be directed to the Board and be relevant to the business of the Board of Education. This is not an opportunity for dialogue with the Board of Education. The rules of common courtesy should also be observed.

The following individuals addressed the Board:

- Dave Faulkner
- Janena Kregger
- Stephanie Griffin

- Megan Friend
- Wendy Strauss

OMS Boat Launch Easement

Dr. Tuttle informed the Board the City of Owosso has requested an easement be granted for the purpose of a canoe launch on the Owosso Middle School (OMS) property. Currently, there are 18 easements on OMS property. Dr. Tuttle noted the district is in favor of granting the easement, explaining Community Housing Network, the nonprofit organization planning to purchase the OMS property, is in support of the easement. Dr. Tuttle stated Community Housing Network is doing everything they can to be a great partner with the district and community.

Plans for Next School Year

Dr. Tuttle announced the district is still waiting to hear if the State will fund virtual learning options next school year. Dr. Tuttle noted she is aware there are some Owosso families who would like a virtual learning option, and if the state approves the funding, the district hopes to provide something for these families; however, Dr. Tuttle noted the virtual learning format in 2021–2022 would likely differ than it did in 2020–2021 (e.g. districts across the county might partner on a virtual program). The district is predicting most students will return to in-person learning next school year.

Handbooks

Dr. Tuttle informed the Board that handbook revisions will be a “for future action” item on the May agenda and a “for action” item on the June agenda. She noted that, with so many unknowns at this juncture, handbook revisions are being pushed back a month later than usual.

COVID Numbers/Decision

Dr. Tuttle reported that while the number of students and staff members in quarantine or isolation is on a sharp rise following Spring Break travel and Easter gatherings, very few COVID-19 transmissions have occurred in school. The vast majority of COVID-19 cases affecting students and staff have originated at family/friend gatherings outside of school. Dr. Tuttle reminded the Board that students who are “isolated” are COVID-19 positive, and students who are “quarantined” have been identified as a close contact to a positive case. In order to be considered a “close contact,” an individual must have been exposed to a positive case from less than six feet away, for 15 minutes or longer over a 24-hour period. Dr. Tuttle commended Steve Brooks, Alexa Stechschulte, and the OPS Administrative Team for working around the clock to contact trace and keep students as safe as possible. Dr. Tuttle informed the Board that the Michigan Department of Health and Human Services (MDHHS) again changed their isolation and quarantine guidance from 14 days to ten days. MDHHS guidance has changed multiple times over the past month, and Dr. Tuttle thanked Owosso families for their patience as the district works hard to stay on top of and follow the latest updates. Dr. Tuttle noted teachers are very cognizant of the six-foot social distancing rule, and they work hard to keep students apart in the classroom to minimize the number of students who will need to quarantine if there is a positive case. Dr. Tuttle also explained the district is being flexible in allowing students to move between tracks: Families who would like their student to move from virtual to in-person instruction or from in-person to virtual instruction should contact their building for accommodation. She noted switching between tracks is a bit trickier at the elementary level, as it

often requires students change teachers. Dr. Tuttle concluded stating the district believes giving families the ability to choose their form of instruction this year is prudent, especially now that all OPS staff members have had the opportunity to be fully vaccinated.

Trustee Quick expressed concerns regarding the spike in COVID-19 cases in Michigan, especially in Shiawassee County citing the New York Times' "Coronavirus in the U.S.: Latest Map and Case Count" that ranked Shiawassee County as number one in the country for the most daily cases as relates to population. Trustee Quick stated there have been 396 new cases in Shiawassee County in the last week, many of which have been in the younger population. She expressed concern for the general welfare of the county. Trustee Quick explained that she too believes face-to-face learning is ideal but reiterated that her top concern is the health and safety of OPS students and staff.

Dr. Tuttle thanked Trustee Quick for sharing her concerns. She explained the district has not made the decision to continue an in-person option lightly. Dr. Tuttle noted Governor Whitmer recommended Michigan high schools go all virtual for two weeks following spring break. At the time of the recommendation, Owosso High School had already been back in school for a full week following the break. Testing was scheduled for a limited number of students the following Monday and Tuesday, meaning many high school students were already going to be virtual for almost half of the next week. Dr. Tuttle also explained students participating in athletics are taking rapid COVID tests each week, as required by MDHHS. She admitted that she does not know what the right answer is in regard to giving families the choice or moving to all online instruction, but she is trying to listen to the wants and needs of the community and believes giving parents the choice is the best thing to do at this time. Dr. Tuttle explained numerous parents have reached out to her with extreme concerns about what to with their child, having no daycare, during all virtual days.

Trustee Quick told Dr. Tuttle that she appreciates her explanation and supports her. She asked for clarification regarding the quarantine and isolation guidelines being reduced from 14 to ten days. Dr. Tuttle explained MDHHS was responsible for changing the guidelines, not the Shiawassee County Health Department. Dr. Tuttle added that all superintendents in the county are constantly communicating with the health department and following their recommendations. She again thanked Mr. Brooks and Ms. Stechschulte for taking on the momentous task of contact tracing and ensuring the district is following the most recent health and safety guidelines put out by the local health department, state, and federal government.

Curriculum Director Steve Brooks noted the quarantine and isolation recommendation change was time consuming and frustrating for OPS staff members. He said over 175 Owosso families were contacted because students in isolation or quarantine had their return to school dates altered. He explained that every case is different and has its own timeline. The district is making a concerted effort to make personal phone calls with all individuals affected, both students and staff. He emphasized Dr. Tuttle's comment that the district is seeing very little spread of infection within the schools. Most positive cases are resulting from family functions, Easter celebrations, funerals, travel, and weddings. He clarified that many students are being quarantined due to exposures in the classroom, but few students have contracted COVID-19 from a classroom exposure.

President Mowen suggested that schools may be one of the safest places for students and staff in some cases, as the cleaning protocols and mask-wearing requirement are always in place.

Trustee Quick asked if the district is testing athletes on a weekly basis.

Dr. Tuttle confirmed athletes are tested each week with an antigen test that determines if a student is in the beginning stages of a COVID-19 infection. She explained any students who receives a positive antigen test is asked to then take a PCR test to confirm the case.

Mr. Brooks noted the antigen test is approximately 90% accurate with positives and 70% accurate with negatives. He stated the district has had three students test positive with an antigen test, and all three cases were confirmed with a positive PCR test.

Trustee Quick asked Mr. Brooks if he is including athletics when he mentions low school-related transmissions.

Mr. Brooks confirmed he is including athletics.

Dr. Tuttle clarified that school-related transmissions are not non-existent, but they are low. She added the health department has been overwhelmed with cases, and the district's contact tracing has been vital in ensuring students are quarantined in a timely fashion to help prevent spread in the schools.

Trustee Quick thanked Mr. Brooks and Ms. Stechschulte for their diligent work with contact tracing, adding that she spoke to them over spring break regarding a COVID-19-related matter and both were helpful and available. While Trustee Quick appreciated Dr. Tuttle's explanations and the work of OPS staff members to keep students safe, she explained that she still felt it necessary to recommend the district move to all online instruction for the remainder of the week.

Moved by Trustee Quick to move the district to all virtual instruction through April 16, 2021. Motion not seconded. Motion failed.

Bond Updates

Dr. Tuttle proudly reported the Bond Project will conclude by the end of April, and she is excited for the community to see the building when it is safe to have a Grand Opening event. Dr. Tuttle added community members should take pride in the building. She thanked John Kalpko, Jeff Phillips, Joe Watson, Gunnar Stinson, and Julie Omer for their dedication and essential work in ensuring the completion of the beautiful new campus and its technology updates. Dr. Tuttle added that Clark Construction has been a wonderful partner throughout the project.

Sinking Fund Bids

Dr. Tuttle informed the Board that the sinking fund bids came back with price points exceeding what the district had hoped for. Dr. Tuttle explained that she is working with Darrick Huff at Spicer to reduce the prices before bringing anything to the Board for approval. Unfortunately, playground updates at all three elementary schools may be cut this year to stay in the 1.1–1.3

million dollars range the district is hoping for. Dr. Tuttle added that construction costs are up around the country, as demand has outweighed supply following pandemic shutdowns.

Purchase Agreement Amendment for Owosso Middle School

Dr. Tuttle informed the Board that Community Housing Network is moving forward with plans to purchase the Owosso Middle School building. The purchase has been delayed due to an issue with the flood plain, but Community Housing Network is working through this with FEMA as the trajectory of the river will need to change. Unfortunately, the delay has caused many of the deadlines in the original agreement to no longer be feasible. Dr. Tuttle explained that if FEMA approves changing the flow of the river, the Board will have to amend the dates in the agreement.

Senior Events

Dr. Tuttle expressed her sympathies to the Class of 2021, who have missed out on a traditional senior year. She also expressed optimism regarding many of the end of the year celebrations moving forward, albeit in a non-traditional format with social distancing and mask wearing. Dr. Tuttle reminded meeting participants that Memorial Healthcare is administering some vaccinations to students ages 16+. Dr. Tuttle announced the following dates for senior events: Blue and Gold Banquet/Academic Achievement Awards–May 18th, Athletic Awards–May 24th, Honors Convocation–May 25th, Lincoln High School Graduation–May 26th, Owosso High School Graduation–May 27th. Dr. Tuttle stated that a decision has not yet been made on whether prom can occur.

Board Questions

Vice President Ochodnicky thanked Dr. Tuttle and the Administration Team for working diligently to keep students and staff as safe as possible while continuing to offer an in-person instruction option.

Trustee Krauss thanked attendees who participated in public participation for bringing their thoughts to the Board. He also thanked Trustee Quick for her courage in standing up for what she believes is best for students and staff.

Treasurer Keyes echoed Trustee Krauss' remarks, thanking all those who spoke at the Board meeting, especially Trustee Quick, and noting everyone is trying to do what is best for students. She added that parents and students have already had so much taken from their control this year, and she supports the plan to continue giving Owosso families the choice between online and in-person learning. Treasurer Keyes highlighted the learning and mental challenges that can accompany a forced move to online learning.

Trustee Quick thanked her fellow Board members for their support and for allowing her to feel comfortable expressing her opinions. Trustee Quick commented that as a member of a governing body, she feels responsibility to engage in these important discussions, even when not everyone agrees and there are difficult decisions to be made.

Secretary Webster noted her appreciation to attendees for joining the meeting and expressing their opinions on both sides of the online versus in-person learning discussion. She stated that,

unfortunately, it seems COVID-19 is around to stay, and we must learn how to live through the pandemic. She expressed her appreciation for her fellow Board member and friend, Trustee Quick, thanking Trustee Quick for her professionalism and passion for the district and students.

President Mowen stated the Board is open to ideas, discussions, and differing opinions. He emphasized that no matter the discussion, the Board comes together in the end to send a positive message to the community. He told members of the public who participated in the meeting that their comments are appreciated, and the Board listens to the community's concerns. He concluded noting the measures the district takes to keep OPS students safe and secure gives him confidence, and though it is difficult to be an elected official, parent, and grandparent during these challenge times, he has confidence in the Board and district leadership.

Upcoming Board Meeting Dates.

April 26: Board of Education Meeting, 5:30 p.m.

May 24: Board of Education Meeting, 5:30 p.m.

(NOTE: May 10 Committee of the Whole Canceled; May Board Meeting moved from May 31 to May 24)

Adjournment

Moved by Quick, supported by Krauss to adjourn at 6:52 pm. Motion carried unanimously.

Minutes recorded by Alexa Stechschulte

Respectfully submitted,

Marlene Webster, Secretary

OWOSSO PUBLIC SCHOOLS
EXPENDITURE REPORT
3/8-4/18/2021
REPORT 20-117

CHECK RUN ACTIVITY BY FUND

GENERAL FUND	\$1,917,417.17
SERVICE FUND	\$49,922.23
SINKING FUND	\$373,141.27
CAPITAL PROJECTS - BOND FUND	\$1,566,356.90
CAPITAL PROJECTS - COOK FAMILY FOUNDATION	\$356,742.00

CHECK RUN TOTAL \$4,263,579.57

CREDIT CARD ACTIVITY BY FUND (3/05/21-4/05/2021 posting date)

GENERAL FUND	\$ 27,236.20
SERVICE FUND	\$ 49.90
ORGANIZATIONAL FUND	\$ 2,008.05

CREDIT CARD TOTAL \$ 29,294.15

GORDON FOOD SERVICE ACTIVITY (SERVICE FUND)

TRANSACTION 3/12/2021	\$ 11,376.24
TRANSACTION 3/22/2021	\$ 9,001.90
TRANSACTION 3/26/2021	\$ 11,583.92
TRANSACTION 03/31/2021	\$ 7,366.14
TRANSACTION 04/13/2021	\$ 6,684.13

DIRECT DRAW FROM BANK ACCOUNT

\$ 46,012.33

PAYROLL (#19) 3/19/2021	\$ 853,496.52
PAYROLL (#20) 4/2/2021	\$ 817,670.39
PAYROLL (#21) 4/16/2021	\$ 759,597.23
STABILIZATION PAYMENT-3/29/2021	\$ 209,010.37
	<u>\$ 2,639,774.51</u>

GRAND TOTAL

\$ 6,978,660.56

Detailed payment information can be obtained from the Chief Financial Officer, Julie Omer, by calling (989) 723-8131 or by mailing a written request to Owosso Public Schools, P.O. Box 340, 645 Alger Street, Owosso, MI 48867

ACCOUNT SUMMARY

OWOSSO PUBLIC SCHOOLS • JULIE OMER • 645 ALGER ST - PO BOX 340 • OWOSSO, MI48867-4601

* Indicates required field

SEARCH CRITERIA Advanced Search >

Reporting Cycle:

Date Range: From:* 03/05/2021

To:* 04/05/2021

Date Type:

Data available starting 04/20/2018 Search

SEARCH RESULTS

Account Name	Account Number*	Transaction Amount
EMERSON ELEMENTARY	[REDACTED]	857.13
MIKE GRAHAM	[REDACTED]	347.75
LINCOLN HIGH SCHOOL	[REDACTED]	1.25
BRIGHT BEGINNINGS OFFICE	[REDACTED]	201.87
OWOSSO SCHOOLS	[REDACTED]	49.90
CTE CULINARY ARTS	[REDACTED]	528.06
CTE CONSTRUCTION TRADES	[REDACTED]	538.17
JOE HICKEY	[REDACTED]	496.10
OWOSSO PUBLIC SCHOOLS	[REDACTED]	0.00
BRYANT ELEMENTARY	[REDACTED]	318.15
DAN CLARK	[REDACTED]	45.23
BEN COBB	[REDACTED]	282.87
OWOSSO HIGH SCHOOL	[REDACTED]	2,496.84
JOHN QUICK	[REDACTED]	376.00
OWOSSO MIDDLE SCHOOL	[REDACTED]	568.34
CENTRAL ELEMENTARY	[REDACTED]	434.74
OPERATIONS DEPT	[REDACTED]	74.56
CENTRAL OFFICE	[REDACTED]	19,129.24
OWOSSO HIGH SCHOOL 2	[REDACTED]	2,008.05
BRIGHT BEGINNINGS	[REDACTED]	540.00

29,294.15

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103070 03/11/2021	1	Clr 04/12/2021	AGNEW GRAPHICS SIGNS PROMO LL	SHIRTS FOR K REGISTRATION	1,607.08
103071 03/11/2021	1	Opn	ANDERSON, CHRISTINE	EM/NIDEFSKI/GAME CONSOLE	35.98
103072 03/11/2021	1	Clr 04/12/2021	APPLE INC.	ADM/WATSON/IPADS	899.00
103073 03/11/2021	1	Clr 04/12/2021	APPLEBEE OIL COMPANY	TRANS/SECOR/FUEL	1,004.27
103074 03/11/2021	1	Clr 04/12/2021	ARGUS-PRESS CO.	COMM/THOMPSON/K REG ADVERTISING	1,453.22
103075 03/11/2021	1	Opn	BAKER COLLEGE OWOSSO	ADLT ED SRVCS JAN-FEB 21	26,478.08
103076 03/11/2021	1	Clr 04/12/2021	BNM TRAILER SALES, INC.	OPER/KLAPKO/TRAILER	3,695.00
103077 03/11/2021	1	Clr 04/12/2021	BRD PRINTING INC.	COMM/THOMPSON/KIN PROMO MAILING LIST	160.50
103078 03/11/2021	1	Clr 04/12/2021	CINTAS CORPORATION # 308	OPER/KLAPKO/UNIFORM RENTAL	154.76
103079 03/11/2021	1	Clr 04/12/2021	CONSUMERS ENERGY	UTIL/GAS&ELEC/FEB 2021	60,352.34
103080 03/11/2021	1	Clr 04/12/2021	D & G EQUIPMENT INC.	OPER/KLAPKO/SUPPLIES	51.36
103081 03/11/2021	1	Clr 04/12/2021	DALTON ELEVATOR	OPER/KLAPKO/WELDING SUPPLIES	35.00
103082 03/11/2021	1	Clr 04/12/2021	FRIEND, MATT	MS/FRIEND/MATH SUPPLIES	28.00
103083 03/11/2021	1	Clr 04/12/2021	GILBERT'S DO IT BEST HARDWARE	OPER/KLAPKO/SUPPLIES	2,935.59
103084 03/11/2021	1	Opn	GRAHAM, TERESA	MS/GRAHAM/BULK MAIL REIM	43.47
103085 03/11/2021	1	Clr 04/12/2021	HI-QUALITY GLASS	OPER/KLAPKO/PLEX BARRIER	108.34
103086 03/11/2021	1	Clr 04/12/2021	J. W. PEPPER & SON INC.	HS/KOWALCZYK/MUSIC	9.00
103087 03/11/2021	1	Clr 04/12/2021	LANSING SANITARY SUPPLY INC.	OPER/KLAPKO/CUSTODIAL SUPPLIES	97.54
103088 03/11/2021	1	Clr 04/12/2021	MACY IRELAN	ATH/LINTNER/LIFEGUARD	60.00
103089 03/11/2021	1	Clr 04/12/2021	MARSHALL MUSIC COMPANY INC.	HS/KOWALCZYK/SUPPLIES	44.89
103090 03/11/2021	1	Clr 04/12/2021	MICHIGAN COMPANY, INC.	OPER/KLAPKO/CUSTODIAL SUPPLIES	131.03
103091 03/11/2021	1	Clr 04/12/2021	MOMAR, INCORPORATED	OPER/KLAPKO/BOILER AGREEMENT	654.00
103092 03/11/2021	1	Clr 04/12/2021	NEOLA INC.	ADM/UPDATE SCHOOL BRD POLICIES	1,225.00
103093 03/11/2021	1	Opn	OWOSSO PUBLIC SCHOOLS	BB/ROWELL/BREAKFAST	62.92
103094 03/11/2021	1	Opn	PERRY PUBLIC SCHOOLS	ATH/SMITH/GOLF ENTRY 4/16	395.00
103095 03/11/2021	1	Clr 04/12/2021	POSTMASTER	MS/GRAHAM/POSTAGE REPORT CARDS	385.00
103096 03/11/2021	1	Clr 04/12/2021	REPUBLIC SERVICES # 237	UTIL/TRASH SVC/MAR 2021	1,284.28
103097 03/11/2021	1	Clr 04/12/2021	SCHOOL SPECIALTY LLC.	MS/MICHALEC/SUPPLIES	750.76
103098 03/11/2021	1	Clr 04/12/2021	SHERWIN-WILLIAMS COMPANY	OPER/KLAPKO/PAINT	1,055.10
103099 03/11/2021	1	Clr 04/12/2021	SHIA. AREA TRANSPORTATION AGEN	OHS STDNT ATTENDING YOUTH CENTER	4.50
103100 03/11/2021	1	Clr 04/12/2021	SILVER STRONG & ASSOCIATES LLC	EM/NIDEFSKI/QUICK GUIDES	32.00
103101 03/11/2021	1	Clr 04/12/2021	SONITROL	OPER/KLAPKO/ SERVICE CALL - OHS	205.00
103102 03/11/2021	1	Clr 04/12/2021	TASC-CLIENT INVOICES	4/1-4/30/2021 ADMIN FEE	358.80
103103 03/11/2021	1	Opn	UNITED STATES TREASURY	QRTLTY TAX DEP - 2ND QRT 2020	104.20
103104 03/11/2021	1	Clr 04/12/2021	VAN EERDEN FOOD SERVICE COMPA	OPER/KLAPKO/WATER BOTTLES	131.00
103105 03/11/2021	1	Clr 04/12/2021	VIC BOND SALES	OPER/KLAPKO/PLUMBING SUPPLIES	2,021.56
103106 03/11/2021	1	Clr 04/12/2021	WAKELAND OIL	OPER/KLAPKO/FEB 21 DIESEL	1,227.49
103107 03/12/2021	1	Clr 04/12/2021	POSTMASTER	HS/PILON/BULK MAIL TEST LETTERS	76.84
103108 03/18/2021	1	Clr 04/12/2021	A PARTS WAREHOUSE	TRANS/SECOR/CAMERAS	1,663.00
103109 03/18/2021	1	Clr 04/12/2021	ABI ATTACHMENTS INC	OPER/KLAPKO/LASER INFIELD GROOME	1,658.65
103110 03/18/2021	1	Clr 04/12/2021	BAILEY, RACHEAL	EM/BAILEY/MILEAGE	67.56
103111 03/18/2021	1	Opn	BOLES, JEFF	BB/ROWELL/WHITEBOARD	175.00
103112 03/18/2021	1	Clr 04/12/2021	CINTAS CORPORATION # 308	OPER/KLAPKO/SANITIZE STAND RENTAL	810.63
103113 03/18/2021	1	Clr 04/12/2021	D & G EQUIPMENT INC.	OPER/KLAPKO/LEAF BLOWERS	378.42
103114 03/18/2021	1	Clr 04/12/2021	DELL MARKETING, L.P.	ADM/WATSON/LAPTOPS	89,775.00
103115 03/18/2021	1	Opn	DIGNAN, LINDA	HS/DIGNAN/OFFICE SUPPLIES	24.05
103116 03/18/2021	1	Clr 04/12/2021	GENESEE INTER.SCHOOL DISTRICT	GENNET ONLINE FEES	1,607.50
103117 03/18/2021	1	Clr 04/12/2021	H. K. ALLEN PAPER COMPANY	OPER/KLAPKO/CUSTODIAL SUPPLIES	210.20
103118 03/18/2021	1	Clr 04/12/2021	HORIZON BANK	MAR 2021 STATE AID PAYMENT	422,226.00
103119 03/18/2021	1	Clr 04/12/2021	INDEPENDENT NEWSPAPERS/I60 ME	COMM/THOMPSON/TODAY'S TROJANS	3,657.80

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103120 03/18/2021	1	Clr 04/12/2021	J & H OIL CO.	TRANS/SECOR/FUEL	4,308.74
103121 03/18/2021	1	Clr 04/12/2021	LANSING SANITARY SUPPLY INC.	OPER/KLAPKO/SUPPLIES	130.59
103122 03/18/2021	1	Clr 04/12/2021	LAVIGNE, PATTY	BB/LAVIGNE/CLASS SUPPLIES	76.85
103123 03/18/2021	1	Clr 04/12/2021	MICHALANGELO ENTERPRISES LLC	8x1 1/2 HR PD SESSIONS WITH DR.TAYLOR	3,600.00
103124 03/18/2021	1	Clr 04/12/2021	MICHIGAN COMPANY, INC.	OPER/KLAPKO/CUSTODIAL SUPPLIES	277.45
103125 03/18/2021	1	Clr 04/12/2021	MURRAY, ANDREW	ATH/SMITH/POOL FLAGS	141.60
103126 03/18/2021	1	Opn	OWOSSO PUB. SCH. ATHLETIC FUND	ATH/SMITH/OFFICIALS	5,000.00
103127 03/18/2021	1	Opn	OWOSSO PUBLIC SCHOOLS	ATH/SMITH/REIM CREDIT CARD	146.80
103128 03/18/2021	1	Clr 04/12/2021	PIONEER VALLEY BOOKS	EM/NIDEFSKI/STARGAZERS/VEHICLES	14.50
103129 03/18/2021	1	Clr 04/12/2021	QUADIENT INC	EQUIPMNT RENTAL 4/6-7/5/21	89.97
103130 03/18/2021	1	Clr 04/12/2021	SCHOOL SPECIALTY LLC.	EM/NIDEFSKI/SUPPLIES	800.16
103131 03/18/2021	1	Clr 04/12/2021	SECOR-JENKS, RENEE	TRANS/SECOR/OFFICE SUPPLIES	69.85
103132 03/18/2021	1	Opn	SHIAWASSEE RESD	EDUSTAFF BILL 1/10-1/23/21	8,631.10
103133 03/18/2021	1	Opn	SKILLS USA MICHIGAN	HS/DIGNAN/REGISTRATION FEES	180.00
103134 03/18/2021	1	Clr 04/12/2021	STATE OF MICHIGAN	BB/ROWELL/DHS REIMBUR	196.10
103135 03/18/2021	1	Clr 04/12/2021	TSA CONSULTING GROUP, INC.	FEB 2021 ADMIN FEE	141.62
103136 03/18/2021	1	Clr 04/12/2021	UPS	TECH/WATSON/POSTAGE FOR RETURNS	11.47
103137 03/18/2021	1	Clr 04/12/2021	VALLEY LUMBER COMPANY	OPER/KLAPKO/LUMBER SUPPLIES	140.97
103138 03/18/2021	1	Clr 04/12/2021	VAN EERDEN FOOD SERVICE COMPA	OPER/KLAPKO/WATER	1,951.90
103139 03/18/2021	1	Clr 04/12/2021	VAN EPPS, KAREN	HS/VAN EPPS/OFFICE SUPPLIES	50.00
103140 03/25/2021	1	Opn	AMERICAN SPEEDY PRINTING	MS/GRAHAM/ENVELOPES	56.00
103141 03/25/2021	1	Opn	AUE, JESSICA	EM/AUE/REIM WEBINAR	49.00
103142 03/25/2021	1	Clr 04/12/2021	BIRD, CHRIS	ATH/SMITH/REIM COACHES DUES	50.00
103143 03/25/2021	1	Clr 04/12/2021	CINTAS CORPORATION # 308	OPER/KLAPKO/SANITIZER RENTAL	171.72
103144 03/25/2021	1	Clr 04/12/2021	CITY OF OWOSSO	LIAISON OFFICES 12/26-3/11	12,599.28
103145 03/25/2021	1	Clr 04/12/2021	DAYSTARR COMMUNICATIONS	UTIL/PHONE BILL	1,159.54
103146 03/25/2021	1	Opn	DE LAGE LANDEN FINANCIAL SERV, I	TRANS/LEASE PMT 2 OF 3	43,600.62
103147 03/25/2021	1	Clr 04/12/2021	DORN, HEATHER	EM/DORN/MILEAGE	11.31
103148 03/25/2021	1	Opn	EDWARDS SIGN & SCREEN PRINTING	BR/VOORHIES/NAME PLATES	270.00
103149 03/25/2021	1	Opn	ESS MIDWEST INC	ATH/WINTER COACHES	62,527.31
103150 03/25/2021	1	Clr 04/12/2021	GALL, TARA	OPER/MAR 2021 MILEAGE	25.23
103151 03/25/2021	1	Opn	GOLDBERG, DIANE	OPER/FEB-MAR 2021 MILEAGE	31.36
103152 03/25/2021	1	Clr 04/12/2021	GRAND VALLEY AUTOMATION, INC.	OPER/KLAPKO/FAN REPAIR	365.00
103153 03/25/2021	1	Clr 04/12/2021	H. K. ALLEN PAPER COMPANY	OPER/KLAPKO/CUSTODIAL SUPPLIES	2,064.90
103154 03/25/2021	1	Opn	HODGE GLASS SERVICE	OPER/KLAPKO/PLEX BARRIERS	43.99
103155 03/25/2021	1	Clr 04/12/2021	HURLEY OCCUPATIONAL HEALTH	DOT PHYSICAL - HUDSON, DENISE	75.00
103156 03/25/2021	1	Clr 04/12/2021	J. W. PEPPER & SON INC.	HS/KOWALCZYK/MUSIC	135.99
103157 03/25/2021	1	Opn	LITTLEFIELD, KENDRA	ROWELL/REIM CHILDCARE TUITION	107.00
103158 03/25/2021	1	Clr 04/12/2021	MACY IRELAN	ATH/LINTNER/LIFEGUARD	100.00
103159 03/25/2021	1	Opn	MANTIS PEST MANAGEMENT SVC LL	MARCH 2021 PEST CONTROL	392.00
103160 03/25/2021	1	Opn	MCCLUNG, JESSICA	MS/MCCLUNG/ART SUPPLIES	58.83
103161 03/25/2021	1	Opn	MESSA	APRIL 2021 BILL/TEACHERS	230,330.01
103162 03/25/2021	1	Opn	MESSA	APRIL 2021 BILL/ADMIN STAF	23,407.44
103163 03/25/2021	1	Opn	MESSA	APRIL 2021 BILL/NON-UNION	12,472.53
103164 03/25/2021	1	Opn	MESSA	APRIL 2021 BILL/OESPA STAFF	47,806.82
103165 03/25/2021	1	Opn	MESSA	APRIL 2021 COBRA BILL	2,567.31
103166 03/25/2021	1	Clr 04/12/2021	MICHIGAN COMPANY, INC.	OPER/KLAPKO/CUSTODIAL SUPPLIES	90.72
103167 03/25/2021	1	Opn	MICHIGAN STATE UNIVERSITY - FFA	HS/STREETER/RABBIT CONTEST	100.00
103168 03/25/2021	1	Opn	MOMAR, INCORPORATED	OPER/KLAPKO/CONDUCTIVITY METER	479.50
103169 03/25/2021	1	Opn	MSBOA	MS/TOLRUD/BAND FESTIVAL FEES	80.00

Check # / Date	Run	Status	Vendor	Invoice Description	Amount
103170 03/25/2021	1	Opn	MURRAY, ANDREW	MS/MURRAY/SCIENCE SUPPLIES	25.94
103171 03/25/2021	1	Opn	OREILLY AUTOMOTIVE INC	OPER/KLAPKO/SUPPLIES	66.93
103172 03/25/2021	1	Clr 04/12/2021	PERMA-BOUND	MS/PHILLIPS/BOOKS	535.15
103173 03/25/2021	1	Clr 04/12/2021	SCHOOL SPECIALTY LLC.	EM/NIDEFSKI/CONSTRUCTION PAPER	881.10
103174 03/25/2021	1	Opn	SET-SEG	APRIL 2021 BILL/GF STAFF	11,155.00
103175 03/25/2021	1	Opn	SET-SEG	APRIL 2021 COBRA BILLING	92.21
103176 03/25/2021	1	Opn	SET-SEG	APRIL 2021 BILL/ADMIN STAF	593.22
103177 03/25/2021	1	Opn	SHIAWASSEE RESD	DUAL ENROLL/EC SPRING TUITION	113,596.00
103178 03/25/2021	1	Clr 04/12/2021	STECHSCHULTE, ALEXA	ADM/MILEAGE	28.56
103179 03/25/2021	1	Clr 04/12/2021	SUPERIOR ELECTRIC OF LANSING IN	OPER/KLAPKO/SITE LIGHTS	13,544.00
103180 03/25/2021	1	Opn	THOMPSONS CRYSTAL CLEAN WATE	ADM/WATER	45.00
103181 03/25/2021	1	Opn	ULINE	OPER/KLAPKO/BULLETIN BOARDS	1,653.08
103182 03/25/2021	1	Opn	UNUM LIFE INSURANCE	APRIL 2021 BILL/GF STAFF	1,356.09
103183 03/25/2021	1	Opn	UNUM LIFE INSURANCE	APRIL 2021 BILL/ADMIN	1,160.27
103184 03/25/2021	1	Opn	VAN EERDEN FOOD SERVICE COMPA	OPER/KLAPKO/WATER	648.45
103185 03/25/2021	1	Clr 04/12/2021	VERIZON NORTH	ADM/JETPACKS FOR STUDENTS	301.35
103186 03/31/2021	1	Opn	AMERICAN SPEEDY PRINTING CENTE	MS/LITTLE/LETTERHEAD	35.00
103187 03/31/2021	1	Opn	BAILEY, JUSTIN	OPER/MARCH 2021 MILEAGE	20.48
103188 03/31/2021	1	Opn	D & G EQUIPMENT INC.	OPER/KLAPKO/SUPPLIES	81.18
103189 03/31/2021	1	Opn	LOCKER ROOM & TROPHY PLACE	HS/DIGNAN/SENIOR NAME PLATES	105.00
103190 03/31/2021	1	Opn	NAPA AUTO PARTS	OPER/KLAPKO/OIL	40.28
103191 03/31/2021	1	Opn	OWOSSO BAND BOOSTERS	HS/KOWALCZYK/RIEM FESTIVAL FEE	120.00
103192 03/31/2021	1	Opn	SCHOOL SPECIALTY LLC.	EM/PAJTAS/SUPPLIES	65.00
103193 03/31/2021	1	Opn	SEHI COMPUTER PRODUCTS	CE/KLAPKO/PRO D MICROPHONE,CHARG	598.12
103194 03/31/2021	1	Opn	SHIAWASSEE RESD	EDUSTAFF BILL 1/24-2/6/21	20,235.15
103195 03/31/2021	1	Opn	TEACHER SYNERGY LLC	SOC STUDIES CURRIC - 1ST GRD	730.49
103196 03/31/2021	1	Opn	VALLEY LUMBER COMPANY	HS/DIGNAN/SUPPLIES	614.62
103197 04/01/2021	2	Opn	ESS MIDWEST INC	BB/ROWELL/STAFF PAYMENT	10,154.71
103198 04/08/2021	1	Opn	ALDERMANS INCORPORATED	OPER/KLAPKO/TRACTOR	46,720.95
103199 04/08/2021	1	Opn	ALLAN GOETZINGER	ATH/SMITH/EXTRA WINTER COVERAGE	500.00
103200 04/08/2021	1	Opn	ALTA CONSTRUCTION EQUIPMENT C	OPER/KLAPKO/SCISSOR LIFT RENTAL	27,975.00
103201 04/08/2021	1	Opn	ALTO, JOSHUA	TECH/MARCH 2021 MILEAGE	97.22
103202 04/08/2021	1	Opn	APPLEBEE OIL COMPANY	TRANS/SECOR/FUEL	353.47
103203 04/08/2021	1	Opn	ARDELEAN, JEFF	ATH/SMITH/WINTER GAME MGT	160.00
103204 04/08/2021	1	Opn	BAGWELL, JILLIAN	ATH/SMITH/WINTER GAME MGT	295.00
103205 04/08/2021	1	Opn	BASGALL, JAKE	TECH/MARCH 2021 MILEAGE	71.51
103206 04/08/2021	1	Opn	BOOKS4SCHOOL	EM/MEIHLS/BOOKS	108.50
103207 04/08/2021	1	Opn	BP CANADA ENERGY MARKETING GR	UTIL/NATURAL GAS FEB 21	19,501.48
103208 04/08/2021	1	Opn	CANNON, JOSHUA	BB/ROWELL/OVERPAYMENT REIM	200.00
103209 04/08/2021	1	Opn	CHERRY, EMILY	BB/ROWELL/OVERPAYMENT REIM	42.56
103210 04/08/2021	1	Opn	CINTAS CORPORATION # 308	OPER/KLAPKO/UNIFORM RENTAL	217.44
103211 04/08/2021	1	Opn	CITY OF OWOSSO	WATER&SEWER 12/17/20-3/24/21	16,323.55
103212 04/08/2021	1	Opn	CONSUMERS ENERGY	UTIL/GAS&ELEC/MARCH 2021	52,298.28
103213 04/08/2021	1	Opn	COOLEY, SHANNON	BB/ROWELL/OVERPAYMENT REIM	212.69
103214 04/08/2021	1	Opn	CRANE, KRISTY	ATH/SMITH/WINTER GAME MGT	615.00
103215 04/08/2021	1	Opn	DAVE KIMBLE	ATH/SMITH/WINTER GAME MGT	100.00
103216 04/08/2021	1	Opn	DRAKE, CLAUDIA	ATH/SMITH/WINTER GAME MGT	90.00
103217 04/08/2021	1	Opn	DUFRESNE, PATRICK	BB/ROWELL/OVERPAYMENT REIM	42.15
103218 04/08/2021	1	Opn	EPS SECURITY	OPER/ALARM MONITORING	498.12
103219 04/08/2021	1	Opn	FAIRFIELD, CHANDRA	BB/ROWELL/OVERPAYMENT REIM	129.76

Check # / Date	Run	Status	Vendor	Invoice Description	Amount
103220 04/08/2021	1	Opn	FREEMAN, LESLIE	BB/ROWELL/OVERPAYMENT REIM	222.50
103221 04/08/2021	1	Opn	GILBERT'S DO IT BEST HARDWARE	OPER/KLAPKO/MARCH SUPPLIES	1,045.41
103222 04/08/2021	1	Opn	GRETZLER, CHRISTENA	BB/ROWELL/OVERPAYMENT REIM	305.30
103223 04/08/2021	1	Opn	HADDIX, SANJUANITA	OPER/MILEAGE	4.37
103224 04/08/2021	1	Opn	INDUSTRIAL SUPPLY OF OWOSSO IN	OPER/KLAPKO/SUPPLIES	490.99
103225 04/08/2021	1	Opn	J & H OIL CO.	TRANS/SECOR/BUS FUEL	5,472.97
103226 04/08/2021	1	Opn	KINECT ENERGY INC.	MGMT FEE APRIL 2021	315.00
103227 04/08/2021	1	Opn	KLAPKO, JOHN	OPER/KLAPKO/MAR 21 MILEAGE	120.91
103228 04/08/2021	1	Opn	LANSING SANITARY SUPPLY INC.	OPER/KLAPKO/SUPPLIES	789.75
103229 04/08/2021	1	Opn	LINTNER, JACK	ATH/SMITH/WINTER GAME MGT	150.00
103230 04/08/2021	1	Opn	LONG, KAREN	BB/ROWELL/OVERPAYMENT REIM	105.05
103231 04/08/2021	1	Opn	MELANIE LOUNDS	HS/LOUNDS/GRADE TRANSFER SUBS	23.88
103232 04/08/2021	1	Opn	MROZ, JESSE	BB/ROWELL/OVERPAYMENT REIM	182.24
103233 04/08/2021	1	Opn	NORTH AMERICAN OVERHEAD DOOR	TRANS/SECOR/REPAIR DOOR	599.89
103234 04/08/2021	1	Opn	OFFICE DEPOT INC.	ADM/HAHN/CHECK PRINTER INK	313.81
103235 04/08/2021	1	Opn	PHILLIPS, JEFF	HS/PHILLIPS/MILEAGE	44.80
103236 04/08/2021	1	Opn	PRO COMM INC	TRANS/SECOR/2 WAY RADIO	412.40
103237 04/08/2021	1	Opn	REPUBLIC SERVICES # 237	UTIL/TRASH SRVC APRIL 2021	1,296.91
103238 04/08/2021	1	Opn	SAFI, JON	ATH/SMITH/WINTER GAME MGT	465.00
103239 04/08/2021	1	Opn	SCHOLASTIC INC.	OMS/ASKEW/ENGLISH BOOKS	171.35
103240 04/08/2021	1	Opn	SCHOOL SPECIALTY LLC.	EM/ELLIS/SUPPLIES	541.37
103241 04/08/2021	1	Opn	SMITH, CHRIS AND CRYSTAL	BB/ROWELL/OVERPAYMENT REIM	200.00
103242 04/08/2021	1	Opn	SONITROL	ADM/WATSON/AIPHONE	2,099.91
103243 04/08/2021	1	Opn	TASC-CLIENT INVOICES	5/1-5/31/2021 ADMIN FEE	358.80
103244 04/08/2021	1	Opn	THELEN, SAMANTHA	ATH/SMITH/MILEAGE DIVING REG/STATES	206.08
103245 04/08/2021	1	Opn	THRUN LAW FIRM, P.C.	ADM/MAR 2021 LEGAL SERVICES	1,325.00
103246 04/08/2021	1	Opn	ULINE	OPER/KLAPKO/DUST MOP	121.87
103247 04/08/2021	1	Opn	US POSTAL SERIVCE	ADM/PO BOX RENEWAL	388.00
103248 04/08/2021	1	Opn	VAN EERDEN FOOD SERVICE COMPA	OPER/KLAPKO/WATER	262.00
103249 04/08/2021	1	Opn	VIC BOND SALES	OPER/KLAPKO/PLUMBING SUPPLIES	576.91
103250 04/08/2021	1	Opn	VOGL, KERBY	BB/ROWELL/OVERPAYMENT REIM	42.75
103251 04/08/2021	1	Opn	WATSON, JOE	TECH/MARCH 2021 MILEAGE	165.86
103252 04/08/2021	1	Opn	WIN'S CORPORATE OFFICE	OPER/KLAPKO/SUPPLIES	60.30
103253 04/08/2021	1	Opn	WORTHINGTON, TARA	BB/ROWELL/OVERPAYMENT REIM	95.75
103254 04/09/2021	2	Opn	KONICA MINOLTA BUSINESS SOLUTI	LEASE PMT 3/21-4/20/2021	3,067.59
103255 04/09/2021	2	Opn	SHIA. AREA TRANSPORTATION AGEN	MARCH 21 ONE WAY TRIPS	49.50
103256 04/15/2021	1	Opn	BEACON ATHLETICS	OPER/KLAPKO/TARPS	14,614.00
103257 04/15/2021	1	Opn	CINTAS CORPORATION # 308	OPER/KLAPKO/SANITIZER RENTAL	436.00
103258 04/15/2021	1	Opn	ESS MIDWEST INC	BB/ROWELL/STAFF PAYMENT	8,922.98
103259 04/15/2021	1	Opn	HORIZON BANK	STATE AID NOTE PMT APRIL 2021	422,520.00
103260 04/15/2021	1	Opn	MACY IRELAN	ATH/LINTNER/LIFEGUARD	60.00
103261 04/15/2021	1	Opn	SCHOOL SPECIALTY LLC.	OMS/GRAHAM/SUPPLIES	392.53
103262 04/15/2021	1	Opn	VAN EERDEN FOOD SERVICE COMPA	OPER/KLAPKO/WATER	457.19
103263 04/15/2021	1	Opn	VOYAGER SOPRIS LEARNING	EM/AUE/FLUENCY BOOKS	4,085.40
Total of All Checks					1,917,417.17
Less Voids					0.00
Grand Total					1,917,417.17

Check # / Date	Run	Status	Vendor	Invoice Description	Amount
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Check Summary

Check Status	Count	Amount
Open	119	1,268,983.54
Cleared	75	648,433.63
Void	0	0.00
Total	194	1,917,417.17

Check # / Date	Run	Status	Vendor	Invoice Description	Amount
007849 03/11/2021	1	Opn	AUNT MILLIE'S BAKERY	FS/MANNS/FOOD PURCHASE	367.54
007850 03/11/2021	1	Opn	KLAPKO, JOHN	FS/KLAPKO/FEB MILEAGE	94.73
007851 03/11/2021	1	Opn	PRAIRIE FARMS DAIRY	FS/MANNS/FOOD PURCHASE	7,486.21
007852 03/11/2021	1	Opn	VAN EERDEN FOOD SERVICE COMPA	FS/MANNS/FOOD PURCHASE	4,376.35
007853 03/11/2021	1	Opn	WAKELAND OIL	FS/MANNS/FEB 21 GAS	145.47
007854 03/18/2021	1	Opn	AUNT MILLIE'S BAKERY	FS/MANNS/FOOD PURCHASE	313.17
007855 03/18/2021	1	Opn	LANSING SANITARY SUPPLY INC.	FS/MANNS/QUAT TEST STRIPS	59.70
007856 03/18/2021	1	Opn	PRAIRIE FARMS DAIRY	FS/MANNS/FOOD PURCHASE	3,330.92
007857 03/18/2021	1	Opn	VAN EERDEN FOOD SERVICE COMPA	FS/MANNS/FOOD AND CLEANING	4,164.03
007858 03/25/2021	1	Opn	AUNT MILLIE'S BAKERY	FS/MANNS/FOOD PURCHASE	770.55
007859 03/25/2021	1	Opn	MESSA	APRIL 2021 BILL/FS STAFF	1,614.84
007860 03/25/2021	1	Opn	PRAIRIE FARMS DAIRY	FS/MANNS/FOOD PURCHASE	3,285.89
007861 03/25/2021	1	Opn	SET-SEG	APRIL 2021 BILL/FS STAFF	305.39
007862 03/25/2021	1	Opn	SHIAWASSEE COUNTY HEALTH DEPT	FS/MANNS/LICENSE FEE	2,404.00
007863 03/25/2021	1	Opn	UNUM LIFE INSURANCE	APRIL 2021 BILL/FS STAFF	50.28
007864 03/25/2021	1	Opn	VAN EERDEN FOOD SERVICE COMPA	FS/MANNS/FOOD & PAPER PURCHASE	4,337.91
007865 04/08/2021	1	Opn	KLAPKO, JOHN	FS/MARCH 2021 MILEAGE	120.91
007866 04/08/2021	1	Opn	VAN EERDEN FOOD SERVICE COMPA	FS/MANNS/PAPER PURCHASE	3,000.45
007867 04/15/2021	1	Opn	PRAIRIE FARMS DAIRY	FS/MANNS/FOOD PURCHASE	6,159.85
007868 04/15/2021	1	Opn	SHIAWASSEE COUNTY HEALTH DEPT	OMS FS TEMP LICENSES	258.00
007869 04/15/2021	1	Opn	VAN EERDEN FOOD SERVICE COMPA	FS/MANNS/FOOD & PAPER PURCHASE	7,276.04
Total of All Checks					49,922.23
Less Voids					0.00
Grand Total					49,922.23

Check Summary

Check Status	Count	Amount
Open	21	49,922.23
Cleared	0	0.00
Void	0	0.00
Total	21	49,922.23



Check # / Date	Run	Status	Vendor	Invoice Description	Amount
600950 03/11/2021	1	Opn	SPICER GROUP INC.	2020 SUMMER SCVS THRU 2/15/21	102.50
600951 03/11/2021	1	Opn	SPICER GROUP INC.	2021 SUMMER SVCS THRU 2/15/21	19,088.00
600952 03/12/2021	1	Opn	PROFESSIONAL THERMAL SYSTEMS I	HS INTERIOR UPGRADE THRU 2/28/21	28,828.96
600953 04/15/2021	1	Opn	CLARK CONSTRUCTION	ROOF CONSTR MGMT THRU 3/31/21	151.26
600954 04/15/2021	1	Opn	PROFESSIONAL THERMAL SYSTEMS I	OHS INTERIOR UPGRADE THRU 3/31/21	264,477.71
600955 04/15/2021	1	Opn	ROYAL WEST ROOFING & SHEET MET	OHS ROOF REPLACEMENT THRU 3/31/21	6,610.50
600956 04/15/2021	1	Opn	SPICER GROUP INC.	SINK FUND SRVCS THRU 2/28/2021	53,882.34
Total of All Checks					373,141.27
Less Voids					0.00
Grand Total					373,141.27

Check Summary

Check Status	Count	Amount
Open	7	373,141.27
Cleared	0	0.00
Void	0	0.00
Total	7	373,141.27

Check # / Date	Run	Status	Vendor	Invoice Description	Amount
900529 03/12/2021	1	Opn	BRAINARD ENTERPRISE, INC.	CONSTRUCTION THRU 2/28/21	15,648.25
900530 03/12/2021	1	Opn	CLARK CONSTRUCTION	FEB 21 GEN CONDITIONS - SECONDARY	23,028.43
900531 03/12/2021	1	Opn	DICKERSON MECHANICAL, INC.	CONSTRUCTION THRU 2/28/21	120,396.38
900532 03/12/2021	1	Opn	FLAIRWOOD	CONSTRUCTION THRU 2/28/21	41,582.47
900533 03/12/2021	1	Opn	GREAT LAKES FIRE PROTECTION, IN	CONSTRUCTION THRU 2/28/21	32,450.44
900534 03/12/2021	1	Opn	GREAT LAKES WEST, INC.	CONSTRUCTION THRU 2/28/21	6,692.40
900535 03/12/2021	1	Opn	IRWIN SEATING COMPANY	CONSTRUCTION THRU 2/28/21	161,850.44
900536 03/12/2021	1	Opn	KUHN SPECIALTY FLOORING, LLC	CONSTRUCTION THRU 2/28/21	9,110.00
900537 03/12/2021	1	Opn	MOORE TROSPER CONSTRUCTION C	CONSTRUCTION THRU 2/28/21	48,808.82
900538 03/12/2021	1	Opn	NILES CONSTRUCTION SERVICES IN	CONSTRUCTION THRU 1/31/21	44,879.41
900539 03/12/2021	1	Opn	R. C. HENDRICK & SONS., INC.	CONSTRUCTION THRU 2/28/21	45,085.50
900540 03/12/2021	1	Opn	SCHIFFER MASON CONTRACTORS IN	CONSTRUCTION THRU 2/28/21	210,297.63
900541 03/12/2021	1	Opn	SCHINDLER ELEVATOR CORPORATIO	CONSTRUCTION THRU 2/28/21	47,143.75
900542 03/12/2021	1	Opn	SUPERIOR ELECTRIC OF LANSING IN	CONSTRUCTION THRU 2/28/21	137,174.35
900543 03/12/2021	1	Opn	WILLIAM C REICHENBACH COMPANY	CONSTRUCTION THRU 2/28/21	144,069.25
900544 04/15/2021	1	Opn	BAREMAN & ASSOCIATES	CONSTRUCTION THRU 3/31/21	5,067.50
900545 04/15/2021	1	Opn	BLUEWATER TECHNOLOGIES GROUP	CONSTRUCTION THRU 3/31/21	88,349.22
900546 04/15/2021	1	Opn	CLARK CONSTRUCTION	CONSTRN MGMT FEE MARCH 2021	7,602.07
900547 04/15/2021	1	Opn	FLAIRWOOD	CONSTRUCTION THRU 3/31/21	97,264.13
900548 04/15/2021	1	Opn	LANSING TILE & MOSAIC, INC.	CONSTRUCTION THRU 3/31/21	53,701.20
900549 04/15/2021	1	Opn	MOORE TROSPER CONSTRUCTION C	CONSTRUCTION THRU 3/31/21	22,420.00
900550 04/15/2021	1	Opn	OWOSSO PUBLIC SCHOOLS	REIM CRED CARD - MUSIC STANDS	2,162.69
900551 04/15/2021	1	Opn	R. C. HENDRICK & SONS., INC.	CONSTRUCTION THRU 3/31/21	30,020.40
900552 04/15/2021	1	Opn	SCHIFFER MASON CONTRACTORS IN	CONSTRUCTION THRU 3/31/21	137,015.38
900553 04/15/2021	1	Opn	SCHOOL OUTFITTERS.COM	SECONDARY FURNITURE	7,269.29
900554 04/15/2021	1	Opn	THE DATACOM GROUP	MASTER CLOCK INSTALL THRU 1/31/21	5,089.50
900555 04/15/2021	1	Opn	TLS SALES, INC.	CONSTRUCTION THRU 2/28/21	22,178.00
Total of All Checks					1,566,356.90
Less Voids					0.00
Grand Total					1,566,356.90

Check Summary

Check Status	Count	Amount
Open	27	1,566,356.90
Cleared	0	0.00
Void	0	0.00
Total	27	1,566,356.90

Check # / Date	Run	Status	Vendor	Invoice Description	Amount
000417 03/12/2021	1	Opn	SUPERIOR ELECTRIC OF LANSING IN	COOK FNDTN FEB 2021	54,000.00
000418 03/12/2021	1	Opn	TLS SALES, INC.	COOK FNDTN FEB 2021	152,446.50
000419 04/15/2021	1	Opn	BLUEWATER TECHNOLOGIES GROUP	COOK FOUNDATION MAR 2021	31,725.00
000420 04/15/2021	1	Opn	SUPERIOR ELECTRIC OF LANSING IN	COOK FOUNDATION MAR 2021	36,000.00
000421 04/15/2021	1	Opn	TLS SALES, INC.	COOK FOUNDATION MAR 2021	82,570.50
Total of All Checks					356,742.00
Less Voids					0.00
Grand Total					356,742.00

Check Summary

Check Status	Count	Amount
Open	5	356,742.00
Cleared	0	0.00
Void	0	0.00
Total	5	356,742.00

OWOSSO PUBLIC SCHOOLS
BOARD OF EDUCATION
March 31, 2021
Report 20-118

Statement of Deposits and Investments
As of 3/31/2021
Unaudited

	<u>General Fund</u>	<u>School Service</u>	<u>Building & Site</u>	<u>Capital Projects Bond Fund</u>	<u>Debt Service Fund</u>	<u>Total</u>
Summary of Deposits and Investments						
Cash on hand	\$ 101,950	\$ 497	\$ 874,545	\$ 959	\$ 1,549,478	\$ 2,527,429
Investments	<u>7,610,607</u>		<u>\$ 5,007,433</u>	<u>4,423,129</u>	<u>1,224,280</u>	<u>\$ 18,265,449</u>
Total Deposits and Investments	<u>\$ 7,712,557</u>	<u>\$ 497</u>	<u>\$ 5,881,979</u>	<u>\$ 4,424,088</u>	<u>\$ 2,773,758</u>	<u>\$ 20,792,878</u>
 Detail of Deposits and Investments						
Cash on hand	\$ 101,950	\$ 497	\$ 874,545	\$ 959	\$ 1,549,478	\$ 2,527,429
Petty Cash on hand	-		-	-	-	
Total Cash on hand	<u>\$ 101,950</u>	<u>\$ 497</u>	<u>\$ 874,545</u>	<u>\$ 959</u>	<u>\$ 1,549,478</u>	<u>\$ 976,992</u>
Chemical Bank Savings Account	\$ 5,346	\$ -	\$ 86			\$ 5,432
Mich Class Investment	7,605,261	-	5,007,347	4,423,129	1,224,280	\$ 18,260,017
Total Investments	<u>\$ 7,610,607</u>	<u>\$ -</u>	<u>\$ 5,007,433</u>	<u>\$ 4,423,129</u>	<u>\$ 1,224,280</u>	<u>\$ 18,265,449</u>
Total Deposits and Investments	<u>\$ 7,712,557</u>	<u>\$ 497</u>	<u>\$ 5,881,979</u>	<u>\$ 4,424,088</u>	<u>\$ 2,773,758</u>	<u>\$ 20,792,878</u>

OWOSSO PUBLIC SCHOOLS
BOARD OF EDUCATION
 March 31, 2021
 Report 20-118

Combined Statement of Revenue, Expenditures, and Fund Balance
General, School Service, and Capital Project Funds
 As of 3/31/2021
 Unaudited

	General Fund			School Service Fund			Capital Projects Fund-Sinking Fund and Cook Family Foundation		
	BUDGET REVISION #1	YTD Actual	Over (Under) Budget	BUDGET REVISION #1	YTD Actual	Over (Under) Budget	BUDGET REVISION #1	YTD Actual	Over (Under) Budget
REVENUE									
Local sources	3,710,475	3,225,167	(485,308)	5,630	3,171	(2,459)	1,211,870	1,093,927	(117,943)
State sources	29,977,716	14,338,303	(11,639,413)	87,729	56,309	(31,420)	-	-	-
Federal sources	3,250,762	2,096,641	(1,154,111)	1,170,260	899,056	(471,204)	-	-	-
Interdistrict sources-RESD	670,704	20,063	(650,651)	-	-	-	-	-	-
Interdistrict sources-transfers in and other sources	75,856	8,414	(67,442)	100,000	-	-	-	-	-
Total revenue and other sources	\$ 33,685,503	\$ 19,688,578	\$ (13,996,925)	\$ 1,363,619	\$ 758,536	\$ (505,063)	\$ 1,211,870	\$ 1,093,927	\$ (117,943)
EXPENDITURES									
INSTRUCTION									
BASIC PROGRAMS:									
ELEMENTARY	7,485,900	4,246,670	(3,207,230)						
MIDDLE SCHOOL	3,578,462	2,037,683	(1,540,779)						
HIGH SCHOOL	3,505,908	2,136,840	(1,367,068)						
ALTERNATIVE EDUCATION	522,150	297,206	(224,944)						
PRESCHOOL	151,559	100,887	(50,682)						
PRESCHOOL (MICHIGAN READINESS) GRANT	188,298	135,160	(53,138)						
TOTAL BASIC PROGRAMS	\$ 15,402,277	\$ 8,958,426	\$ (6,443,851)						
ADDED NEEDS:									
SPECIAL EDUCATION	3,226,667	1,936,547	(1,290,120)						
CHILDCARE PROGRAM	311,710	154,777	(156,933)						
TITLE I GRANT	775,764	400,192	(375,572)						
ESSER GRANTS (STABIL, COVID SUPPLIES, FORMUL	1,797,623	1,467,735	(329,888)						
GEERS FUND GRANT	198,576	185,913	(12,663)						
CRF MAISA TECH GRANT	-	52,798	52,798						
CARES ACT CHILDCARE GRANT	-	6,454	6,454						
VOCATIONAL EDUCATION	648,049	357,195	(290,854)						
AT RISK GRANT	1,343,369	616,633	(726,756)						
ROBOTICS, ADAPTIVE TECH GRANTS	11,049	(11,049)	(11,049)						
EARLY LITERACY GRANT/LITERACY COACH GRANT	179,455	51,690	(127,765)						
TOTAL ADDED NEEDS	\$ 8,492,282	\$ 5,231,934	\$ (3,260,348)						
CONTINUING EDUCATION:									
ADULT EDUCATION	172,066	86,251	(86,815)						
COMMUNITY EDUCATION	140,059	92,753	(47,306)						
TOTAL CONTINUING EDUCATION	\$ 312,125	\$ 178,004	\$ (134,121)						
TOTAL INSTRUCTION	\$ 24,206,884	\$ 14,368,364	\$ (9,838,520)						
SUPPORTING SERVICES:									
PUPIL SERVICES:									
GUIDANCE SERVICES	329,453	190,897	(138,556)						
TOTAL PUPIL SERVICES	\$ 329,453	\$ 190,897	\$ (138,556)						
INSTRUCTIONAL STAFF:									
TITLE II, PART A/RURAL EDUCATION GRANT/TITLE IV	338,009	86,221	(252,788)						
IMPROVEMENT OF INSTRUCTION	326,736	181,170	(145,566)						
MEDIA SERVICES	171,900	103,330	(68,570)						
TOTAL INSTRUCTIONAL STAFF	\$ 836,645	\$ 369,721	\$ (466,924)						
GENERAL ADMINISTRATION:									
BOARD OF EDUCATION	113,561	75,066	(38,495)						
EXECUTIVE ADMINISTRATION	393,895	272,448	(121,447)						
HUMAN RESOURCES	227,489	151,969	(75,500)						
TOTAL GENERAL ADMINISTRATION	\$ 734,925	\$ 499,483	\$ (235,442)						

OWOSSO PUBLIC SCHOOLS
BOARD OF EDUCATION
 March 31, 2021
 Report 20-118

Combined Statement of Revenue, Expenditures, and Fund Balance
General, School Service, and Capital Projects
 As of 3/31/2021
 Unaudited

	General Fund			School Service Fund			Capital Projects Fund-Sinking Fund and Cook Family Foundation		
	BUDGET REVISION #1	YTD Actual	Over (Under) Budget	BUDGET REVISION #1	YTD Actual	Over (Under) Budget	BUDGET REVISION #1	YTD Actual	Over (Under) Budget
			% Rec'd/Used			% Rec'd/Used			% Rec'd/Used
SCHOOL ADMINISTRATION:									
SCHOOL ADMINISTRATION	\$ 2,617,131	\$ 1,777,074	68%						
TOTAL SCHOOL ADMINISTRATION	\$ 2,617,131	\$ 1,777,074	68%						
BUSINESS SERVICES:									
FISCAL SERVICES	\$ 374,880	\$ 264,719	71%						
TECHNOLOGY MANAGEMENT	\$ 419,887	\$ 190,796	45%						
TOTAL BUSINESS SERVICES	\$ 794,767	\$ 455,515	57%						
OPERATIONS AND MAINTENANCE:									
OPERATIONS AND MAINTENANCE	\$ 3,278,617	\$ 2,112,449	64%						
TOTAL OPERATIONS AND MAINTENANCE	\$ 3,278,617	\$ 2,112,449	64%						
PUPIL TRANSPORTATION SERVICES:									
PUPIL TRANSPORTATION SERVICES	\$ 980,615	\$ 566,842	58%						
TOTAL PUPIL TRANSPORTATION	\$ 980,615	\$ 566,842	58%						
OTHER SERVICES:									
COMMUNICATION SERVICES	\$ 55,117	\$ 22,479	41%						
ATHLETICS	\$ 489,942	\$ 311,808	64%						
PRINTING AND OTHER SUPPORT SERVICES	\$ 48,775	\$ 28,777	59%						
TOTAL OTHER SERVICES	\$ 593,834	\$ 363,064	61%						
TOTAL SUPPORTING SERVICES	\$ 10,165,987	\$ 6,335,045	62%						
OUTGOING TRANSFERS/FUND MODIFICATIONS:									
OTHER	\$ 145,000	\$ (56)	0%						
TOTAL OUTGOING TRANSFERS/FUND MODIFICATIONS	\$ 145,000	\$ (56)	0%						
FOOD SERVICE EXPENDITURES									
CAPITAL PROJECT EXPENDITURES	\$ 34,517,671	\$ 20,703,353	60%						
TOTAL EXPENDITURES	\$ 34,517,671	\$ 20,703,353	60%						
REVENUE OVER or (UNDER) EXPENDITURES	\$ (832,168)	\$ (1,014,775)							
AUDITED FUND BALANCE, JULY 1, 2020	4,655,108	4,655,108							
PROJECTED FUND BALANCES - June 30, 2021	3,822,940								
				20,556	20,556		6,481,052	6,481,052	
				20,639	20,639		5,116,059	5,116,059	
				83	83		(1,364,993)	(1,364,993)	764,255
				1,363,536	937,477	(426,059)	2,576,863	1,694,665	(882,198)
				1,363,536	937,477	(426,059)	2,576,863	1,694,665	(882,198)

OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
Report 20-119

FOR ACTION

Subject:

Owosso Public Schools – Extended COVID-19 Learning Plan.

Recommendation:

Resolve that the Board reaffirm the Owosso Public Schools Extended COVID-19 Learning Plan.

Rationale:

On August 20, 2020 Governor Whitmer signed House Bill 5913 into law as Public Act 149 with revisions on September 30, 2020 based on Senate Bill 927. Section 98a states that to receive state aid for 2020-2021, districts must provide for instruction under an extended COVID-19 Learning Plan (“Plan”) that has been approved by an intermediate district or authorizing body. It is an additional plan that includes new assurances and sections on educational goals, instructional delivery, grading, and equitable access. PA 149 does not apply to districts that operate as a cyber school.

District/PSA educational goals written for all students and all subgroups were established by September 15, 2020 and submitted in the Plan to the ISD or Authorizing Body, as applicable, by October 1, 2020 for approval.

The ISD or Authorizing Body approved the Extended COVID-19 Learning Plan no later than October 9, 2020 and transmitted the approved plan to the state superintendent of public instruction and the state treasurer. The approved plan was made accessible through the transparency reporting link located on the district's website by October 12, 2020.

The Extended COVID-19 Learning Plan addresses specific assurances, such as posting the Plan on the Owosso Public Schools website, creating a report including professional development for teachers and training provided to parents/guardians on the use of virtual content, administering benchmark assessments, setting specific learning goals, providing access to technology, cooperating with the health department, prioritizing K-5 learners, guaranteeing students with disabilities have equitable access to learning materials, ensuring 2-way communication occurs for attendance purposes, and outlining grading procedures.

Motion

Seconded

Vote – Ayes

Nays

Motion

Extended COVID-19 Learning Plan
Version: Strict Adherence to Legislation
Reconfirmation Meeting
Required Monthly After Initial Plan Approval

Agenda:

- Reconfirm how instruction is going to be delivered during the 2020/2021 school year
- Public comments from parents and/or guardians on the Extended Learning Plan
- Review weekly 2-way interaction rates

Reconfirmation Meeting for March

Reconfirm how instruction (Return to Learn Plan) is going to be delivered during the 2020/2021 school year:

(Recommendation: Explain in narrative form any modifications to the original Extended Learning Plan)

Document Public Comments:

Reconfirmation Meeting for April

Reconfirm how instruction (Return to Learn Plan) is going to be delivered during the 2020/2021 school year:

(Recommendation: Explain in narrative form any modifications to the original Extended Learning Plan)

Document Public Comments:

Bryant Review Weekly

February	All Students	100% Remote*	Not 100% Remote*
Feb. 1–5, 2021	472-100%	122-26%	350-74%
Feb. 8–12, 2021	472-100%	121-26%	351-74%
Feb. 15–19, 2021	469-100%	119-25%	350-75%
Feb. 22–26, 2021	467-100%	117-25%	350-75%

March	All Students	100% Remote*	Not 100% Remote*
March 1–5, 2021	465-100%	118-25%	347-75%
March 8–12, 2021	465-100%	85-18%	380-82%
March 15–19, 2021	464-100%	83-18%	381-82%
March 22–26, 2021	464-100%	84-18%	380-82%

April	All Students	100% Remote*	Not 100% Remote*
April 5–9, 2021	464-100%	88-19%	376-81%
April 12–16, 2021	463-100%	90-19%	373-81%
April 19–23, 2021			
April 26–30, 2021			

Bryant Review Weekly 2-Way Interaction Rates-ONLINE Learners 2WC (Minimum of 2 2WC per week)

February	All Students
Feb. 1–5, 2021	85.2%
Feb. 8–12, 2021	100%
Feb. 15–19, 2021	83.2%

Feb. 22–26, 2021	83.8%
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March	All Students
March 1–5, 2021	88.1%
March 8–12, 2021	94.1%
March 15–19, 2021	95.2%
March 22–26, 2021	95.2%

April	All Students
April 5–9, 2021	89.8%
April 12–16, 2021	84.4%
April 19–23, 2021	
April 26–30, 2021	

Bryant Review Weekly 2-Way Interaction Rates- IN-PERSON ATTENDANCE

February	All Students
Feb. 1–5, 2021	88.5%
Feb. 8–12, 2021	92.7%
Feb. 15–19, 2021	87%
Feb. 22–26, 2021	93.0%

March	All Students
March 1–5, 2021	93.5%
March 8–12, 2021	95.4%
March 15–19, 2021	92.9%
March 22–26, 2021	90.7%

April	All Students
April 5–9, 2021	88.4%
April 12–16, 2021	81.9%
April 19–23, 2021	
April 26–30, 2021	

Central Review Weekly

February	All Students	100% Remote*	Not 100% Remote*
Feb. 1–5, 2021	430-100%	74-17%	356-83%
Feb. 8–12, 2021	430-100%	74-17%	356-83%
Feb. 15–19, 2021	431-100%	73-17%	358-83%
Feb. 22–26, 2021	431-100%	70-16%	361-84%

March	All Students	100% Remote*	Not 100% Remote*
March 1–5, 2021	432-100%	69-16%	363-84%
March 8–12, 2021	432-100%	43-10%	389-90%
March 15–19, 2021	432-100%	43-10%	389-90%
March 22–26, 2021	432-100%	43-10%	389-90%

April	All Students	100% Remote*	Not 100% Remote*
April 5–9, 2021	430-100%	46-11%	384-89%
April 12–16, 2021	431-100%	46-11%	385-89%
April 19–23, 2021			
April 26–30, 2021			

Central Review Weekly 2-Way Interaction Rates-ONLINE Learners 2WC
(Minimum of 2 2WC per week)

February	All Students
Feb. 1–5, 2021	91.9%
Feb. 8–12, 2021	100%
Feb. 15–19, 2021	85%
Feb. 22–26, 2021	88.6%

March	All Students
March 1–5, 2021	84.1%
March 8–12, 2021	86.0%
March 15–19, 2021	86.0%
March 22–26, 2021	88.4%

April	All Students
April 5–9, 2021	82.6%
April 12–16, 2021	91.3%
April 19–23, 2021	
April 26–30, 2021	

Central Review Weekly 2-Way Interaction Rates- IN-PERSON ATTENDANCE

February	All Students
Feb. 1–5, 2021	94.5%
Feb. 8–12, 2021	96.1%
Feb. 15–19, 2021	92.9%

Feb. 22–26, 2021	95.5%
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March	All Students
March 1–5, 2021	96.3%
March 8–12, 2021	94.7%
March 15–19, 2021	94.9%
March 22–26, 2021	88.9%

April	All Students
April 5–9, 2021	86.8%
April 12–16, 2021	90.7%
April 19–23, 2021	
April 26–30, 2021	

Emerson Review Weekly

February	All Students	100% Remote*	Not 100% Remote*
Feb. 1–5, 2021	460-10%	76-17%	384-83%
Feb. 8–12, 2021	459-100%	79-17%	380-83%
Feb. 15–19, 2021	461-100%	75-16%	386-84%
Feb. 22–26, 2021	461-100%	75-16%	386-84%

March	All Students	100% Remote*	Not 100% Remote*
March 1–5, 2021	461-100%	72-16%	389-84%
March 8–12, 2021	462-100%	49-11%	413-89%
March 15–19, 2021	463-100%	47-10%	416-90%

March 22–26, 2021	463-100%	47-10%	416-90%
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April	All Students	100% Remote*	Not 100% Remote*
April 5–9, 2021	463-100%	54-12%	409-88%
April 12–16, 2021	462-100%	69-15%	393-85%
April 19–23, 2021			
April 26–30, 2021			

Emerson Review Weekly 2-Way Interaction Rates-ONLINE Learners 2WC
(Minimum of 2 2WC per week)

February	All Students
Feb. 1–5, 2021	88.1%
Feb. 8–12, 2021	100%
Feb. 15–19, 2021	85.3%
Feb. 22–26, 2021	98.7%

March	All Students
March 1–5, 2021	93.1%
March 8–12, 2021	97.7%
March 15–19, 2021	91.5%
March 22–26, 2021	93.6%

April	All Students
April 5–9, 2021	85.1%
April 12–16, 2021	82.6%

April 19–23, 2021	
April 26–30, 2021	

Emerson Review Weekly 2-Way Interaction Rates- IN-PERSON ATTENDANCE

February	All Students
Feb. 1–5, 2021	93.4%
Feb. 8–12, 2021	96.6%
Feb. 15–19, 2021	92.3%
Feb. 22–26, 2021	94.5%

March	All Students
March 1–5, 2021	94.8%
March 8–12, 2021	94.4%
March 15–19, 2021	93.0%
March 22–26, 2021	92.6%

April	All Students
April 5–9, 2021	91.2%
April 12–16, 2021	91.2%
April 19–23, 2021	
April 26–30, 2021	

Owosso Middle School Review Weekly

February	All Students	100% Remote*	Not 100% Remote*
Feb. 1–5, 2021	675-100%	212-31%	463-69%

Feb. 8–12, 2021	676-100%	214-31%	462-69%
Feb. 15–19, 2021	675-100%	215-32%	460-68%
Feb. 22–26, 2021	675-100%	314-32%	461-68%

March	All Students	100% Remote*	Not 100% Remote*
March 1–5, 2021	675-100%	216-32%	459-68%
March 8–12, 2021	676-100%	155-23%	521-77%
March 15–19, 2021	677-10%	155-23%	522-77%
March 22–26, 2021	676-100%	157-23%	519-77%

April	All Students	100% Remote*	Not 100% Remote*
April 5–9, 2021	677-100%	164-24%	513-76%
April 12–16, 2021	676-100%	164-24%	512-76%
April 19–23, 2021			
April 26–30, 2021			

Owosso Middle School Review Weekly 2-Way Interaction Rates-ONLINE
Learners 2WC (Minimum of 2 2WC per week)

February	All Students
Feb. 1–5, 2021	89.6%
Feb. 8–12, 2021	99.0%
Feb. 15–19, 2021	86.5%
Feb. 22–26, 2021	100%

March	All Students
March 1–5, 2021	86.1%

March 8–12, 2021	93.6%
March 15–19, 2021	92.9%
March 22–26, 2021	93.0%

April	All Students
April 5–9, 2021	87.8%
April 12–16, 2021	95.1%
April 19–23, 2021	
April 26–30, 2021	

Owosso Middle School Review Weekly 2-Way Interaction Rates- IN-PERSON ATTENDANCE

February	All Students
Feb. 1–5, 2021	94.8%
Feb. 8–12, 2021	96.5%
Feb. 15–19, 2021	93.7%
Feb. 22–26, 2021	96.0%

March	All Students
March 1–5, 2021	96.0
March 8–12, 2021	94.4%
March 15–19, 2021	95.5%
March 22–26, 2021	93.2%

April	All Students
April 5–9, 2021	91.8%

April 12–16, 2021	94.2%
April 19–23, 2021	
April 26–30, 2021	

Owosso High School Review Weekly

February	All Students	100% Remote*	Not 100% Remote*
Feb. 1–5, 2021	819-100%	395-48%	424-52%
Feb. 8–12, 2021	819-100%	400-49%	419-51%
Feb. 15–19, 2021	819-100%	403-49%	416-51%
Feb. 22–26, 2021	819-100%	402-49%	417-51%

March	All Students	100% Remote*	Not 100% Remote*
March 1–5, 2021	818-100%	407-50%	411-50%
March 8–12, 2021	816-100	317-39%	499-61%
March 15–19, 2021	815-100%	320-39%	495-61%
March 22–26, 2021	815-100%	319-39%	496-61%

April	All Students	100% Remote*	Not 100% Remote*
April 5–9, 2021	816-100%	350-43%	466-57%
April 12–16, 2021	815-100%	370-45%	445-55%
April 19–23, 2021			
April 26–30, 2021			

Owosso High School Review Weekly 2-Way Interaction Rates-ONLINE Learners
2WC (Minimum of 2 2WC per week)

February	All Students
Feb. 1–5, 2021	90.9%
Feb. 8–12, 2021	100%
Feb. 15–19, 2021	88.6%
Feb. 22–26, 2021	100%

March	All Students
March 1–5, 2021	89.4%
March 8–12, 2021	91.8%
March 15–19, 2021	89.1%
March 22–26, 2021	91.9%

April	All Students
April 5–9, 2021	86.0%
April 12–16, 2021	99.1%
April 19–23, 2021	
April 26–30, 2021	

Owosso High School Review Weekly 2-Way Interaction Rates- IN-PERSON
ATTENDANCE

February	All Students
Feb. 1–5, 2021	93.8%
Feb. 8–12, 2021	94.8%
Feb. 15–19, 2021	93.3%

Feb. 22–26, 2021	95.0%
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March	All Students
March 1–5, 2021	95.3%
March 8–12, 2021	95.1%
March 15–19, 2021	95.0%
March 22–26, 2021	88.7%

April	All Students
April 5–9, 2021	90.6%
April 12–16, 2021	95.1%
April 19–23, 2021	
April 26–30, 2021	

Lincoln Alternative High School Review Weekly

February	All Students	100% Remote*	Not 100% Remote*
Feb. 1–5, 2021	85-100%	41-48%	44-52%
Feb. 8–12, 2021	89-100%	45-51%	44-49%
Feb. 15–19, 2021	89-100%	46-52%	43-48%
Feb. 22–26, 2021	90-100%	46-52%	44-48%

March	All Students	100% Remote*	Not 100% Remote*
March 1–5, 2021	91-100%	46-52%	45-48%
March 8–12, 2021	94-100%	48-51%	46-49%
March 15–19, 2021	94-100%	46-49%	48-51%
March 22–26, 2021	94-100%	46-49%	48-51%

April	All Students	100% Remote*	Not 100% Remote*
April 5–9, 2021	93-100%	46-49%	47-51%
April 12–16, 2021	93-100%	46-49%	47-51%
April 19–23, 2021			
April 26–30, 2021			

Lincoln Alternative High School Review Weekly 2-Way Interaction Rates-ONLINE Learners 2WC (Minimum of 2 2WC per week)

February	All Students
Feb. 1–5, 2021	48.8%
Feb. 8–12, 2021	100%
Feb. 15–19, 2021	60.9%
Feb. 22–26, 2021	100%

March	All Students
March 1–5, 2021	62.2%
March 8–12, 2021	78.7%
March 15–19, 2021	40%
March 22–26, 2021	40%

April	All Students
April 5–9, 2021	31.6%
April 12–16, 2021	84.2%
April 19–23, 2021	
April 26–30, 2021	

Lincoln Alternative High School Review Weekly 2-Way Interaction Rates- IN-PERSON ATTENDANCE

February	All Students
Feb. 1–5, 2021	66.9%
Feb. 8–12, 2021	83.1%
Feb. 15–19, 2021	67.1%
Feb. 22–26, 2021	80.5%

March	All Students
March 1–5, 2021	71.8%
March 8–12, 2021	85.9%
March 15–19, 2021	77.2%
March 22–26, 2021	56.3%

April	All Students
April 5–9, 2021	79.1%
April 12–16, 2021	71.9%
April 19–23, 2021	
April 26–30, 2021	

District Review Weekly

February	All Students	100% Remote*	Not 100% Remote*
Feb. 1–5, 2021	2941-100%	920-31%	2021-69%
Feb. 8–12, 2021	2945-100%	933-32%	2012-68%
Feb. 15–19, 2021	2944-100%	931-32%	2013-68%

Feb. 22–26, 2021	2943-100%	924-31%	2019-69%
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March	All Students	100% Remote*	Not 100% Remote*
March 1–5, 2021	2942-100%	928-32%	2014-68%
March 8–12, 2021	2945-100%	697-24%	2248-76%
March 15–19, 2021	2945-100%	694-24%	2251-76%
March 22–26, 2021	2944-100%	696-24%	2248-76%

April	All Students	100% Remote*	Not 100% Remote*
April 5–9, 2021	2943-100%	748-25%	2195-75%
April 12–16, 2021	2940-100%	785-27%	2155-73%
April 19–23, 2021			
April 26–30, 2021			

District Review Weekly 2-Way Interaction Rates-ONLINE Learners 2WC
(Minimum of 2 2WC per week)

February	All Students
Feb. 1–5, 2021	87.5%
Feb. 8–12, 2021	99.7%
Feb. 15–19, 2021	85.5%
Feb. 22–26, 2021	96.9%

March	All Students
March 1–5, 2021	87.1%
March 8–12, 2021	92.4%
March 15–19, 2021	87.3%

March 22–26, 2021	88.8%
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April	All Students
April 5–9, 2021	83.2%
April 12–16, 2021	93.5%
April 19–23, 2021	
April 26–30, 2021	

District Review Weekly 2-Way Interaction Rates- IN-PERSON ATTENDANCE

February	All Students
Feb. 1–5, 2021	92.5%
Feb. 8–12, 2021	95.1%
Feb. 15–19, 2021	91.5%
Feb. 22–26, 2021	94.7%

March	All Students
March 1–5, 2021	94.8%
March 8–12, 2021	94.5%
March 15–19, 2021	94.0%
March 22–26, 2021	90.2%

April	All Students
April 5–9, 2021	89.8%
April 12–16, 2021	90.6%
April 19–23, 2021	
April 26–30, 2021	



Owosso Public Schools
Extended COVID-19 Learning Plan
as described in [Public Act 149](#), Section 98a

August 27, 2020

[September 3, 2020 Clarifications](#)

September 30, 2020 Revisions based on [SB927](#)

November 18, 2020 Revisions based on MDHHS Emergency Order

November 24, 2020 Revisions based on Board of Education Amendment

Introduction: On August 20, 2020 Governor Whitmer signed House Bill 5913 into law as Public Act 149. Section 98a states that in order to receive state aid for 2020-2021, districts must provide for instruction under an extended COVID-19 Learning Plan (“Plan”) that has been approved by an intermediate district or authorizing body. The Plan does not replace the District’s/PSA’s COVID-19 Preparedness and Response Plan, it is an additional plan that includes new assurances and sections on educational goals, instructional delivery, grading, and equitable access. PA 149 does not apply to districts that operate as a cyber school.

District/PSA educational goals written for all students and all subgroups must be established no later than September 15, 2020 and submitted in their Plan to the ISD or Authorizing Body, as applicable, no later than October 1, 2020 for approval. **A district that is a public school academy that, by agreement, provides educational services for the residents of a district that is not a public school academy and that does not directly provide public educational services to its residents that intends to provide instruction under an extended COVID-19 learning plan shall submit its extended COVID-19 learning plan described in subsection (1) to the intermediate district in which it is located not later than October 1, 2020 for approval.**

The ISD or Authorizing Body will **approve Extended COVID-19 Learning Plans no later than October 9, 2020** and transmit the approved plans to the state superintendent of public instruction and the state treasurer. Approved plans must be made accessible through the transparency reporting link located on the district's website by not later than October 12, 2020.



Owosso Public Schools Extended COVID-19 Learning Plan

Owosso Public Schools
645 Alger Street
Owosso MI 48867

District number- 78110

District Website- www.owosso.k12.mi.us

Superintendent-Dr. Andrea Tuttle
tuttle@owosso.k12.mi.us

Shiawassee Regional Educational School District Date

of Approval by ISD/Authorizing Body:

Assurances

1. The Owosso Public Schools will make their Shiawassee Regional Education School District approved Extended COVID-19 Learning Plan accessible through the transparency reporting link located on the Owosso Public Schools website no later than October 12, 2020.
2. **By not later than January 15, 2021, the district shall create a report that includes information regarding both of the following and shall ensure that the report under this subdivision can be accessed through the transparency reporting link located on the district's website:**
 - a. **The amount and type of training provided during the current school year as of the date of the report to teachers of the district through professional development that focuses on how to deliver virtual content.**
 - b. **The amount and type of training provided during the current school year as of the date of the report to the parents and legal guardians of pupils and to pupils on how to access and use virtual content provided by the district.**
3. The Owosso Public Schools will create and make available on its transparency reporting link located on the Owosso Public Schools website, a report concerning the progress made in meeting the educational goals contained in its Extended COVID-19 Learning Plan not later than February 1, 2021, for goals its expected would be achieved by the middle of the school year and not later than the last day of school of the 2020-2021 school year for goals the Owosso Public Schools expected would be achieved by the end of the school year.
4. Benchmark Assessments: The Owosso Public Schools will:
 - a. select a benchmark assessment or benchmark assessments that is/are aligned to state standards.
 - b. administer the approved benchmark assessment, or local benchmark assessment, or any combination thereof, to all pupils in grades K to 8 to measure proficiency in reading and mathematics within the first nine weeks of the 2020-2021 school year and again not later than the last day of the of the 2020-2021 school year.
5. If delivering pupil instruction virtually, the Owosso Public Schools will:
 - a. provide pupils with equitable access to technology and the internet necessary to participate in instruction, and
 - b. expose each pupil to the academic standards that apply for each pupil's grade level or courses in the same scope and sequence as the Owosso Public Schools had planned for that exposure to occur for in-person instruction.
6. The Owosso Public Schools, in consultation with Shiawassee Health Department will develop guidelines concerning appropriate methods for delivering pupil instruction for the 2020-2021 school year that are based on local data that are based on key metrics. Note: A determination concerning the method for delivering pupil instruction shall remain at the Owosso Public Schools Board's discretion. Key metrics that the Owosso Public Schools will consider shall include at least all of the following:

- a. COVID-19 Cases or Positive COVID-19 tests
 - b. Hospitalizations due to COVID-19
 - c. Number of deaths resulting from COVID-19 over a 14-day period
 - d. COVID-19 cases for each day for each 1 million individuals
 - e. The percentage of positive COVID-19 tests over a 4-week period
 - f. Health capacity strength
 - g. Testing, tracing, and containment infrastructure with regard to COVID-19
7. If the Owosso Public Schools determine that it is safe to provide in-person instruction to pupils, the Owosso Public Schools will prioritize providing in-person instruction to pupils in grades PreK to 5 who are enrolled in the Owosso Public Schools.
8. The Owosso Public Schools assures that
- a. instruction will be delivered as described in this plan and re-confirmed by the Owosso Public Schools Board,
 - b. the description of instructional delivery in this plan matches the delivery of instruction to be delivered during the 2020-2021 school year,
 - c. the Owosso Public Schools will re-confirm how instruction will be delivered during the 2020-2021 school year thirty days after Shiawassee Regional Education School District approval of the plan, and **each month** thereafter at a meeting of the Board, and
 - d. **For each reconfirmation described in this subdivision, the district shall report to the center, in a form and manner prescribed by the center,**
 - i. **the instructional delivery method that was reconfirmed;**
 - ii. **how that instruction will be delivered for each grade level offered by the district, including pre-kindergarten, as applicable; and**
 - iii. **whether or not, as determined by the department in consultation with the center, the district is offering higher levels of in-person instruction for English language learners, special education students, or other special populations.**
 - e. public comment will be solicited from the parents or legal guardians of the pupils enrolled in the Owosso Public Schools during a public meeting described in PA-149.
9. The Owosso Public Schools will ensure that students with disabilities will be provided with equitable access to instruction and accommodation in accordance with applicable state and federal laws, rules, and regulations.
10. The Owosso Public Schools will ensure that two (2), 2-way interactions occur between a pupil enrolled in the Owosso Public Schools and the pupil's teacher or at least one (1) of the pupil's teachers, **or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress** during each week of the school year for at least 75% of the pupils enrolled in the Owosso Public Schools. The Owosso Public Schools will publicly announce its weekly interaction rates at each Owosso Public Schools Board meeting where it re-confirms how instruction is being delivered. The Owosso Public Schools will make those rates available through the transparency reporting link located on the Owosso Public Schools website each month for the 2020-2021 school year.

Clarification of Assurance 10: "2-way interaction" means a communication that occurs between a pupil and the pupil's teacher or at least 1 of the pupil's teachers **or another district employee who has responsibility for the pupil's learning, grade progression, or academic progress**, where 1 party initiates communication and a response from the other party follows that communication, and that is relevant to course progress or course content for at least 1 of the courses in which the pupil is enrolled **or relevant to the pupil's overall academic progress or grade progression**. Responses, as described in this subdivision, must be to communication initiated by the teacher, **by another district employee who has responsibility for the pupil's learning, grade progression, or academic progress, or by the pupil**, and not some other action taken.

District Superintendent or President of the Board of Education/Directors

Date

Learning Plan Narrative

Opening Statement

- Please provide a statement indicating why an Extended COVID-19 Learning Plan is necessary to increase pupil engagement and achievement for the 2020-2021 school year.

Owosso Public Schools understand that during a world-wide pandemic, it is necessary to provide learning opportunities to meet the needs of all students. In our Owosso community, we have varying degrees of parent beliefs and thoughts regarding COVID-19 which include student and staff safety.

In the conclusion of the 2019-2020 school year, Owosso Public Schools conducted a survey on the online experience of our Owosso Public School families. This information is based on a 5-point scale.

50.4% rated their quality of learning a 4 or 5 in the spring 2020.

35.4% rated communication with teachers a 4 or 5 in spring 2020.

30.5 % rated a 4 or 5 that they had enough assistance to complete work.

35.3% rated a 4 or 5 of their overall experience.

This data fueled many summer discussions with small groups of support staff, teachers, and administrators to make necessary adjustment and improvements to in-person and online options for parents. Several meetings took place during the summer to look at all options with schedule, safety, curriculum, technology, district values and beliefs, expectations, and communication.

Once several options were decided, the district conducted another survey during the summer of 2020. The July 2020 survey had almost 1700 completed responses. The results showed that 72% of parents and staff wanted some type of in-person instruction while 28% wanted online only. 53% of parents were concerned about the social and emotional wellbeing of their student. 69% of parents were not concerned about school meals at this time. 28% of parents would utilize district transportation when we return to school in the fall. The groups came back together to continue planning and adjust options.

Once the plans were finalized with administration and board approval In August 2020, the district presented all options to families with in-person and online options and results were 64% in-person and 36% online only. This survey had almost 3100 completed responses.

The survey indicated that the majority of our parents wanted in-person instruction however almost a third of our families wanted online options. Owosso Public Schools felt that it is necessary to provide options to our families to meet the needs of all learners and circumstances.

The Owosso Public Schools has well educated teachers that make incredible connections with their students each year. It was decided that Owosso teachers would teach both in-person and online students. In order to accommodate this and give teachers planning time, the in-person school day needed to be shortened to allow teachers to connect with online students each day too.

For many years, our district has placed a high value on student engagement, rigor, and relevancy. Students should be engaged and have a real-world connection of current topics while understanding the “why” we are learning. The survey results collected after the completion of the 2019-2020 school year indicated that. Parents and teachers desired more accountability for work completed, communication, and a singular platform of curriculum delivery. Procedures for taking attendance, ensuring parent/student communication, identifying work assignment and completion, etc. have all been developed and will be recorded in PowerSchool.

Owosso Public Schools understands that students will need additional support due to educational opportunities missed in the Spring 2020 and therefore established and implemented procedures to close the COVID-19 slide.

- Owosso Public Schools has hired additional staff and increased hours to assist with the transition back to school for teachers, students, and families.
- Owosso Public Schools has provided over 79 technology training sessions since August that staff could take to increase technology skills.
- Owosso Public Schools has focused on learning platforms such as Google Classroom for the delivery of curriculum.

Educational Goals

- **Please outline and describe** the educational goals expected to be achieved for the 2020-2021 school year. The Owosso Public Schools must establish all of its goals no later than September 15, 2020.
- **Specify** which goals are expected to be achieved by the middle of the school year and which goals are expected to be achieved by the end of the school year.
- **Ensure** that all of the following apply to the educational goals described in this section:
 - (a) The goals include increased pupil achievement or, if growth can be validly and reliably measured using a benchmark assessment or benchmark assessments, growth on a benchmark assessment in the aggregate and for all subgroups of pupils;
 - (b) The Owosso Public Schools benchmark assessment(s) are aligned to state standards and will be administered to all pupils K-8 at least once within the first 9 weeks of the 2020-2021 school year and not later than the last day of the 2020-2021 school year to determine whether pupils are making meaningful progress toward mastery of these standards; and
 - (c) the Owosso Public Schools educational goals are measurable through a benchmark assessment or benchmark assessments.
- To the extent practicable, the District/PSA will administer the same benchmark assessment or benchmark assessments that it administered to pupils in previous years.

The NorthWest Educational Assessment (NWEA) assessments for reading and mathematics will be administered to all students three times yearly: once in the first nine weeks of the school year, mid-year, and again prior to the last day of school. Formative assessments will provide data of the district's progress toward meeting the identified goals. Progress reports will be available on our website in February 2021 and June 2021.

As a means of continuous improvement in teaching & learning, all teachers will receive professional development in, and commit to the use of, the formative assessment process. All teachers will conduct data meetings three times annually to review, strategize, and set new targets for all learners.

Additionally, district personnel will continue to engage stakeholders in the district's balanced assessment system and will publicly share aggregate and student subgroup performance reports on the results of the NWEA assessments. These results will be available through the Illuminate Data Management System.

Goal 1 - All students (K-8) will improve performance in Reading/ELA from Fall to Spring as measured by NWEA.

- All teachers will use the formative assessment process to support adjustment to teaching & learning, to support meaningful student progress towards mastery of Reading/ELA academic standards.
- Results from Reading/ELA benchmark assessments, local Reading/ELA summative assessments including DRA (Developmental Reading Assessment), and formative assessment

will be continuously discussed and analyzed by staff.

Goal 2 - All students (K-8) will improve performance in Mathematics from Fall to Spring as measured by NWEA.

- All teachers will use the formative assessment process to support adjustment to teaching & learning, to support meaningful student progress towards mastery of Math academic standards.
- Results from Math benchmark assessments, local Math summative assessments, and formative assessment will be continuously discussed and analyzed by staff.

The Owosso Public Schools will use one of the MDE pre-approved benchmark assessment vendors to monitor student progress. The NWEA results are also part of the teacher evaluation process as teachers monitor benchmark growth in all ELA and math sections. Teachers will administer the NWEA assessment to all students including online students within the first nine weeks of school. Administrators, Title I teachers, and SRES staff will conduct data meetings at least three times throughout the year to monitor student progress using NWEA data.

Owosso Public Schools will administer benchmark assessments in reading and mathematics within the first 9 weeks of school. The district will administer NWEA (NorthWest Educational Assessment) within the first 9 weeks of school. Owosso Public Schools has used NWEA for 3 years. Our teachers have experience using this program and using the data gleaned to guide further instruction. The district has used MAP Skills as part of the NWEA portfolio which guides teachers to address specific needs at each level and individually address areas of concern. Our assessment calendar has already been established and communicated to administrators and teacher leaders. K-5 teachers will also administer DRA (Developmental Reading Assessment) to all students three times annually. The DRA is another reading screening tool that has been used for many years within the district.

Owosso Public Schools will use the EWS (Early Warning System) approach to disaggregate the data. This process will allow us to break down the data and communicate to specific teachers based on the fall, winter, and spring results. Data meetings will be held with RESD, teachers, and administrators to review data and adjust throughout the year. These meetings will occur at least three times this year with all teachers to review benchmark assessment data. Schools must write goals for the Extended Continuation of Learning Plan based on the district's progress as measured by the benchmark assessment results. These benchmarks and goals will be measured and evaluated three times annually.

Owosso Public Schools will report to the public within 30 days after the assessments are completed and will present to the Owosso Board of Education prior to Feb 1, 2021 and June 2021. The district will utilize Illuminate (Data Management System) to assist teachers with communication with parents on benchmark assessments and provide comparisons between the child's assessment data this year compared to 2019-2020. K-3 teachers will follow the district procedures for IRIP (Individual Reading Improvement Plan) to communicate with families with

anyone below a certain benchmark status. This process follows the RBG3 (Read By Grade 3) reading law.

All data including DRA (Developmental Reading Assessment), NWEA (NorthWest Educational Assessment), attendance, behavioral, grades, and social emotional status are kept in the Illuminate Data Hub. This data hub is shared with the SRES D and final data will be submitted to the MDE(Michigan Department of Education) by June 30, 2021.

Instructional Delivery & Exposure to Core Content

- **Please describe** how and where instruction will be delivered during the 2020-2021 school year. (e.g. instruction may be delivered at school or a different location, in-person, online, digitally, by other remote means, in a synchronous or asynchronous format, or any combination thereof).

The following changes have been made to the original Extended COVID-19 Learning Plan and have been implemented to adjust instructional delivery throughout the 2020-2021 school year:

1. A Letter of Agreement was established between the Owosso Education Association and the Owosso Public Schools on October 15, 2020 to establish all virtual days in order to provide additional instructional time dedicated to online learning students. These days are:
 - October 22, 2020 (virtual ½ learning day for elementary students)
 - October 27, 2020 (virtual learning day for secondary students)
 - October 30, 2020 (virtual ½ learning day for secondary students)
 - November 13, 2020 (virtual learning day for secondary students)
 - December 4, 2020 (virtual learning day for secondary students)
 - December 18, 2020 (virtual ½ learning day for all students)
2. A Letter of Agreement was established between the Owosso Education Association and the Owosso Public Schools on October 15, 2020 to provide additional time for parent-teacher conferences.
3. A Letter of Agreement was established between the Owosso Education Association and the Owosso Public Schools on October 15, 2020 to hire additional elementary staff to assist with online learners. The Board of Education approved this measure on October 19, 2020.
4. OMS and OHS moved November 2, 2020 to an all online instruction day.
5. All Owosso Public School buildings moved to all online instruction November 4, 2020–November 13, 2020.
6. OMS and OHS continued all online instruction November 16, 2020–November 17, 2020.

7. OHS and LHS, per the MDHHS Emergency Order issued on November 15, 2020, moved to all online instruction November 18, 2020–December 8, 2020.
8. OMS, in response to limited staff availability, moved to all online instruction November 18, 2020–December 8, 2020.
9. Owosso preschool and elementary students moved to all online instruction November 30, 2020–January 8, 2021. OMS, OHS, and LHS extended all online instruction through January 8, 2021. Childcare at Bentley Bright Beginnings remained open during this time, aside from the holiday break. The Board of Education approved this measure on November 23, 2020.
10. A Letter of Agreement was established between the Owosso Education Association and the Owosso Public Schools on January 15, 2021 to establish additional all virtual days. These days are:
 - February 12, 2021 (virtual ½ learning day for all students)
 - February 25, 2021 (virtual ½ learning day for elementary students and virtual full day for secondary students)
 - March 26, 2021 (virtual ½ learning day for all students)

Owosso High School Sample Schedules & Expectations

Owosso High School Teacher & Student Schedule

Teacher Schedule: **

Contract time: 7:35 a.m. -3:00 p.m.

7:35-8:30 a.m. Planning

8:30-9:15 a.m. Online classroom preparation

9:15-9:45 a.m. Duty free breakfast/lunch

9:45 -10:20 a.m. 1st period

10:24 -10:59 a.m. 2nd period

11:03 -11:38 a.m. 3rd period

11:42 a.m. -12:48 p.m. 4th period including lunch

12:52 -1:27 p.m. 5th period

1:31 -2:06 p.m. 6th period

2:10 -2:45 p.m. 7th period

2:45-3:00 p.m. Planning


****Special Education will differ**

Student Schedule:

9:45-2:45 Follow regular 7 hour schedule (5 hours)

Students will be required to complete 1.5 hours of online assignments at home each school day.

6.5 hours of instruction



Online Student	In-Person Student	Teacher
7:45-8:35 Zoom meetings with classroom teachers, office hours, and online communications. *See Weekly Online Morning Schedule	7:45 Check all Google Classrooms and watch all instructional/informational videos or materials that are posted	7:45-9:10 Zoom meeting with classroom teachers, office hours, and online communications. *See Weekly Online Morning Schedule
8:35-9:05 Break	Students travel to school	8:35-9:05 Meal Break
9:05-9:40 Student work time	The OHS main entrance will be open daily at 9:30 am. As students arrive by bus, they will be directed to the cafeteria and will sit in socially distanced seats until they are dismissed to their 1 st hour classroom.	9:05-9:35 Teacher online prep and communication
9:45-10:20 1 st hour classwork	9:45-10:20 1 st hour	9:45-10:20 1 st hour
10:24-10:59 2 nd hour classwork	10:24-10:59 2 nd hour	10:24-10:59 2 nd hour
11:03-11:38 3 rd hour classwork	11:03-11:38 3 rd hour	11:03-11:38 3 rd hour
11:42-12:13 Lunch	11:42-12:13 Lunch in 4 th hour	11:42-12:13 Student Lunch in 4 th hour
12:13-12:48 4 th hour classwork	12:13-12:48 4 th hour	12:13-12:48 4 th hour
12:52-1:27 5 th hour classwork	12:52-1:27 5 th hour	12:52-1:27 5 th hour
1:31-2:06 6 th hour classwork	1:31-2:06 6 th hour	1:31-2:06 6 th hour
2:10-2:45 7 th hour classwork	2:10-2:45 7 th hour	2:10-2:45 7 th hour

High School Teachers from 7:45-9:35					
	Mon	Tues	Wed	Thur	Fri
7:45-8:05	1 st hour Zoom	3 rd hour Zoom	5 th hour Zoom	7 th hour Zoom	Teacher Office Hours: Teachers available to Zoom or communicate with students
8:05-8:25	2 nd hour Zoom	4 th hour Zoom	6 th hour Zoom	Teacher Office Hours	
8:25-9:05	Teacher Duty Free Meal				
9:05-9:35	Student work time/Teacher online prep and communication				

From 7:45-9:35, online students will have the opportunity to connect with all of their individual teachers each day. Students can check all materials and directions in Google Classroom.

This time can include communication and clarification about upcoming assignments or assessments. Teachers can help with a particular part of a previous assignment or concept. Students can ask questions or connect with their teachers in ways that provide additional support and encouragement.

Teachers can structure this a variety of ways to fit the needs of their students on a given day. Encouraging students and providing supports for them should be the focus of this time.

Online Student
7:45-8:35 Zoom meetings with classroom teachers, office hours, and online communications. *See Weekly Online Morning Schedule
8:35-9:05 Break
9:05-9:40 Student work time
9:45-10:20 1 st hour classwork
10:24-10:59 2 nd hour classwork
11:03-11:28 3 rd hour classwork
11:42-12:13 Lunch
12:13-12:48 4 th hour classwork
12:52-1:27 5 th hour classwork
1:31-2:06 6 th hour classwork
2:10-2:45 7 th hour classwork

Online Student Expectations

From 9:45-2:45, online students are strongly encouraged to do their class work at the same time as their classmates who are in the classroom. Online students can watch all instructional/informational videos or materials that are posted in Google Classroom as they begin to work on the classwork during these times.

By doing their work during the recommended times, they can do digital activities at the same time as their classmates. Students have the opportunity to communicate and collaborate through Google Classroom and other online tools. Students who are not in the classroom can still build connections with their classmates and teachers during this time.

In-Person Student
7:45 Check all Google Classrooms and watch all instructional/informational videos or materials that are posted.
Students travel to school
The OHS main entrance will be open daily at 9:30 am. As students arrive by bus, they will be directed to the cafeteria and will sit in socially distanced seats until they are dismissed to their 1 st hour classroom.
9:45-10:20 1 st hour
10:24-10:59 2 nd hour
11:03-11:28 3 rd hour
11:42-12:13 Lunch in 4 th hour
12:13-12:48 4 th hour
12:52-1:27 5 th hour
1:31-2:06 6 th hour
2:10-2:45 7 th hour

In-Person Student Expectations

Students who come to the school building will also have the responsibility of checking all Google Classrooms to prepare for the upcoming lesson in school.

What is posted in Google Classrooms by teachers will often include a short instructional video. These could be introductions to key concepts, examples of questions or problems, reminders about important concepts from the previous lesson, information about an online tool or resources that will be used, or instructions to clarify an upcoming activity, assignment, or project.

These Google Classroom posts will be posted by teachers after each school day. This provides students and families with the flexibility to check some or all of their Google Classrooms that afternoon/evening or the next morning before they return to the classroom.

Owosso Middle School / Lincoln High School Sample Schedule & Expectations

Middle School Teacher & Student Schedule

Teacher Schedule:**

Contract time: 7:35 a.m. -3:00 p.m.

7:35-8:30 a.m. Planning

8:30-9:15 a.m. Online classroom preparation

9:15-9:45 a.m. Duty free breakfast/lunch

9:45-10:26 a.m. First hour

10:30-11:11 a.m. Second hour

11:15-11:56 a.m. Third hour

12:00-12:30 p.m. Lunch

12:30-1:11 p.m. Fourth hour

1:15-1:56 p.m. Fifth hour

2:00-2:45 p.m. Sixth hour

2:45—3:00 p.m. Planning

**Special Education will differ

Student Schedule:

9:45-2:45 Follow regular
6 hour schedule

Students will be
required to complete 1.5
hours of online
assignments at home
each school day.

6.5 hours of instruction



Online Student	In-Person Student	Teacher
7:45-8:35 Zoom meetings with classroom teachers, office hours, and online communications. *See Weekly Online Morning Schedule	7:45 Check all Google Classrooms and watch all instructional/informational videos or materials that are posted	7:45-9:10 Zoom meeting with classroom teachers, office hours, and online communications. *See Weekly Online Morning Schedule
8:35-9:05 Break	Students travel to school	8:35-9:05 Meal Break
9:05-9:35 Student work time	As students arrive by bus, they will report to their 1 st hour to silent read and check Google Classrooms	9:05-9:35 Teacher online prep and communication
9:45-10:26 1 st hour classwork	9:45-10:26 1 st hour	9:45-10:26 1 st hour
10:30-11:11 2 nd hour classwork	10:30-11:11 2 nd hour	10:30-11:11 2 nd hour
11:15-11:56 3 rd hour classwork	11:15-11:56 3 rd hour	11:15-11:56 3 rd hour
11:56-12:26 Lunch	11:56-12:26 Lunch in 3 rd hour	11:56-12:26 Lunch in 3 rd hour
12:30-1:11 4 th hour classwork	12:30-1:11 4 th hour	12:30-1:11 4 th hour
1:15-1:56 5 th hour classwork	1:15-1:56 5 th hour	1:15-1:56 5 th hour
2:00-2:45 6 th hour classwork	2:00-2:45 6 th hour	2:00-2:45 6 th hour

Middle School and Lincoln High School Teachers from 7:45-9:35			
	Mon(A)/ Wed(B)	Tues(A)/ Thur(B)	Fri
7:40-7:55	1 st hour Zoom	4 th hour Zoom	Teacher Office Hours: Teachers available to Zoom or communicate with students
8:00-8:15	2 nd hour Zoom	5 th hour Zoom	
8:20-8:35	3 rd hour Zoom	6 th hour Zoom	
8:35-9:05	Break		
9:05-9:35	Student work time/Teacher online prep and communication		

From 7:45-9:35, online students will have the opportunity to connect with all of their individual teachers each day. Students can check all materials and directions in Google Classroom.

This time can include communication and clarification about upcoming assignments or assessments. Teachers can help with a particular part of a previous assignment or concept. Students can ask questions or connect with their teachers in ways that provide additional support and encouragement.

Teachers can structure this a variety of ways to fit the needs of their students on a given day. Encouraging students and providing supports for them should be the focus of this time.

Online Student
7:45-8:35 Zoom meetings with classroom teachers, office hours, and online communications. *See Weekly Online Morning Schedule
8:35-9:05 Break
9:05-9:35 Student work time
9:45-10:26 1 st hour classwork
10:30-11:11 2 nd hour classwork
11:15-11:56 3 rd hour classwork
11:56-12:26 Lunch
12:30-1:11 4 th hour classwork
1:15-1:56 5 th hour classwork
2:00-2:45 6 th hour classwork

Online Student Expectations

From 9:45-2:45, online students are strongly encouraged to do their class work at the same time as their classmates who are in the classroom. Online students can watch all instructional/informational videos or materials that are posted in Google Classroom as they begin to work on the classwork during these times.

By doing their work during the recommended times, they can do digital activities at the same time as their classmates. Students have the opportunity to communicate and collaborate through Google Classroom and other online tools. Students who are not in the classroom can still build connections with their classmates and teachers during this time.

In-Person Student
7:45 Check all Google Classrooms and watch all instructional/informational videos or materials that are posted.
Students travel to school
As students arrive, they will report to their 1 st hour to silent read and check Google Classrooms.
9:45-10:26 1 st hour
10:30-11:11 2 nd hour
11:15-11:56 3 rd hour
11:56-12:26 Lunch in 3 rd hour
12:30-1:11 4 th hour
1:15-1:56 5 th
2:00-2:45 6 th hour

In-Person Student Expectations

Students who come to the school building will also have the responsibility of checking all Google Classrooms to prepare for the upcoming lesson in school.


What is posted in Google Classrooms by teachers will often include a short instructional video. These could be introductions to key concepts, examples of questions or problems, reminders about important concepts from the previous lesson, information about an online tool or resources that will be used, or instructions to clarify an upcoming activity, assignment, or project.

These Google Classroom posts will be posted by teachers after each school day. This provides students and families with the flexibility to check some or all of their Google Classrooms that afternoon/evening or the next morning before they return to the classroom.

Bryant / Central / Emerson Elementary Sample Schedule & Expectations

Elementary Teacher & Student Schedule

<p>Teacher Schedule:** Contract time: 8:00 a.m. - 3:25 p.m. 8:00-8:10 a.m. Planning 8:10-11:00 a.m. Instruction 11:00-11:30 a.m. Lunch in classroom with students 11:30 a.m. - 1:10 p.m. Instruction 1:10-1:40 p.m. Duty free lunch 1:40-2:25 p.m. Online classroom preparation 2:25-3:25 p.m. Planning **Encore, Title I and Special Education will differ.</p>	<p>Student Schedule: 8:10-1:10—In person (5 hours) Students will be required to complete 1.5 hours of online assignments at home or during their extended learning time (1:10-3:25 p.m.) each school day. 6.5 hours of instruction</p>
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Elementary Hybrid Face to Face Schedule ~ Phase 4

In-person

This is just a template. Teachers will be 'tweaking' for individual class recess and bathroom breaks.

Elementary Teacher Schedule: Pre K- 5th	
8:00-8:10	Teacher Planning
8:10-8:30	Breakfast / Clean up / Announcements
8:30-11:00	Session 1
	Session 2
11:00-11:30	Lunch / Clean up / Activity in classroom
11:30-1:10	Session 3
	Session 4
1:10-1:40	Duty free lunch time
1:40-2:25	Virtual Teaching (available) Making contact with students
2:25-3:25	Teacher planning/recording/uploading lessons in Google Classroom

Session times are for teachers to teach core subject areas (ELA, Math, Science, Social Studies).

Buildings will determine recess and bathroom breaks for each class. This will ensure social distancing on playground and in hallways. Schedules will adjust for these times.

Sample Elementary Online Schedule K-2	
8:30-9:30	Writing
9:30-10:15	Independent Reading- Mini Phonics lesson
10:15-10:30	Snack and Move Around Break
10:30-11:00	STEAM
11:00-11:30	Lunch and Recess (screen time free)
11:30-12:00	ELA
12:00-12:45	Math
12:45-1:40	Encore Classes (via Google Classroom)
1:40-2:25	Teacher Contact Time
2:25-3:25	Teacher Planning and Uploading Lessons to Google

Online students will have the opportunity to view lessons in Google Classroom and do lessons independently at home during the morning and early afternoon.

Phone calls and Zoom meetings with teacher for additional support will take place from 1:40-2:45.

See individual teacher schedule for times and links.

Sample Elementary Online Schedule 3-5	
8:30-9:30	Session 1: Math Lesson on Google Classroom
9:30-10:00	Encore Classes (via Google Classroom)
10:00-10:30	Independent Reading Time
10:30-11:00	Writing
11:00-11:30	Lunch and recess (screen time free)
11:30-12:30	ELA Classes (via Google Classroom)
12:30-1:40	Science/Social Studies (via Google Classroom)
12:45-1:40	Encore Classes (via Google Classroom)
1:40-2:25	Teacher Contact Time
2:25-3:25	Teacher Planning and Uploading Lessons to Google

Online students will have the opportunity to view lessons in Google Classroom and do lessons independently at home during the morning and early afternoon.

Phone calls and Zoom meetings with teacher for additional support will take place from 1:40-2:45.

See individual teacher schedule for times and links.

Additional changes that have been made to the original Extended COVID-19 Learning Plan and have been implemented throughout the 2020-2021 school year include:

1. OPS Food Services began serving hot lunches to OPS students in October 2020.
2. OPS Transportation Services made modifications to bus routes and pick up locations.
3. MHSAA changes that impacted athletic contests, such as adjustments to spectator allowance and face mask requirements.
4. MHSAA suspended athletic participation November 18, 2020–December 8, 2020.
5. MHSAA extended the suspension of athletic participation through December 20, 2020, in accordance with the extension of the MDHHS Emergency Order.
6. MHSAA resumed fall tournaments for football, girls volleyball, and girls swim/dive as part of an MDHHS pilot rapid testing program.
7. MHSAA first extended the suspension of winter sports competition through January 15, 2021, in accordance with the MDHHS Emergency Order issued on December 18, 2020. The suspension was further extended until February 21, 2021 in accordance with the MDHHS Emergency Order issued on January 22, 2021. Winter sports resumed practice on January 16, 2021 but all activity for basketball, wrestling, and competitive cheer remains non-contact until February 21, 2021. The non-contact sports of boys swim/dive and bowling resumed and began competition on January 22, 2021.
8. MHSAA, in accordance with the MDHHS Emergency Order issued on February 4, 2021, permitted full practices and contests in winter contact sports to begin, earlier than expected, on February 8, 2021. Additional MHSAA updates impacted athletic contests, such as requirements on spectator allowance, face masks, and rapid antigen testing.

- **Please describe** how instruction for core academic areas will expose each pupil to the academic standards that apply for each pupil’s grade level or course in the same scope and sequence as the Owosso Public Schools had planned for that exposure to occur for in-person instruction.

The Owosso Public Schools full instructional plan can be found in the [MI Safe Schools Roadmap--Sample District Preparedness Plan](#).

Curriculum and Instruction: Academic Standards

The Owosso Public Schools curriculum for core academic areas is aligned to state standards and International Baccourlettee philosophy is embedded PreK-12 grade. Course outlines and lesson plans are designed and created by (IB) International Baccourlettee district leaders along with ILC (Instructional Leadership Council) members. These units, plans, maps are reviewed annually

during grade level and department meetings. This ensures all teachers are teaching to standards as well as specific units of study.

As teachers navigate the wider usual range of competencies expected this fall, they will use the SLO (Student Learning Objectives) [SLO 2020-2021 Handbook](#) process as part of the teacher evaluation cycle. This system provides guidance to help them design new (or best utilize existing) pre-assessments to plan for differentiation of content, use results from pre-assessments to inform instruction and prioritize PreK-12 instructional standards for the 2020-2021 School Year. This management system will establish the range of student needs as they return to school in the fall, identify assessment ideas that allow students to demonstrate understanding in a variety of ways, assess and provide instruction in the content areas in face-to-face, virtual, and blended classroom environments, and incorporate well-being and SEL/trauma-informed practices into instruction.

All teachers should remember and embrace the following:

- Maslow hierarchy of needs
- Nurture a positive home climate for learning and parental involvement
- Establish and maintain remote classroom norms and learning routines
- Implement culturally responsive teaching practices
- Encourage student collaboration and discourse
- Create opportunities for and attend carefully to feedback
- Engage students in meaningful learning opportunities

- **Please describe** how pupil progress toward mastery of the standards described within this section will be graded or otherwise reported to the pupil and the pupil's parent or legal guardian.

The Owosso Public Schools will assess each student based on the curricula that were in place prior to the COVID-19 pandemic. Our assessment calendar has been established along with course syllabi that outlines expectations for all students PreK-12.

Owosso Public Schools uses standard based report cards for K-2 that are administered quarterly to parents to communicate progress on specific learning objectives. Students in grades 3-12 are scheduled to receive quarterly traditional report cards with assigned letter grades based on performance on classroom learning objectives and targets. These traditional grades translate into GPA (Grade Point Average) and high school credit at the high school level.

The district also communicates benchmark assessments including DRA (Developmental Reading Assessment), NWEA (NorthWest Educational Assessment) to all parents K-8. These individualized assessment results are included in quarterly traditional report cards. The district follows the IRIP (Individualized Reading Improvement Plan) which also communicates benchmark assessment results along with specific learning targets for each student that falls below specific cut lines.

Growth is monitored three times per year and learning targets continue to be adjusted.

Owosso Public Schools utilizes PowerSchool which allows parents to monitor progress in grades 3-12. Parents are able to monitor progress in real time as assignments/assessments are entered into the gradebook by the assigned teacher. Parents and students are able to communicate through PowerSchool via email.

The district has established predetermined Parent/Teacher conferences that are built into the OEA (Owosso Education Association) contract. Teachers are expected to discuss assessment results along with progress toward specific course learning objectives. It is also expected that professional staff make specific recommendations for improvement to parents and students. Specific goal setting strategies will be completed at the beginning of the year. Teachers will monitor and adjust learning goals and targets after each benchmark assessment.

Equitable Access

- If delivering pupil instruction virtually, please **describe** how the Owosso Public Schools will provide pupils with equitable access to technology and the internet necessary to participate in instruction.

We all know that online learning is not as effective as in-person instruction, especially for elementary students. Children need the social and emotional benefits of school (routine, schedules, social interaction, consistency, etc.) and a lot of our students receive important services at school. For many of our students, school is the best and safest place for them to be. For all these reasons our goal was to give all of our students the opportunity to return five days a week.

PreK-5 grade students who selected online learning options and are in need of a technology device will receive a district ChromeBook. Procedures are in place to loan out these valuable learning tools. All 6th-12th grade students will receive a Chromebook for online or in-person instruction.

The district has extended Wi-Fi access points at three buildings including Owosso High School, Bryant and Emerson Elementary Schools. Students that do not have Wi-Fi access may use this access point so that connectivity is not an issue.

The district has also been in touch with Spectrum and Day Starr, our local Wi-Fi providers, to advocate for Owosso Public School families that may need assistance during this unprecedented time.

Please describe how the District/PSA will ensure that students with disabilities will be provided with equitable access to instruction and accommodation in accordance with applicable state and federal laws, rules, and regulations.

While ultimately parents/guardians have the choice and options for choosing learning options for their children, we know that for most students there is no substitute for in-person learning. Owosso Public Schools' staff, in coordination with the service providers from the Shiawassee RESD, will make the best of this situation and meet the needs of all children, including those with special needs. Special Education staff will be reviewing Individual Education Plans (IEPs), holding IEPs (when necessary), performing progress monitoring, and if additional testing is needed, a formal Review of Existing Evaluation Data (REED) meeting will be held.

The district's intention is to have IEP meetings in-person, but also understand that not all parents may be able to make it in or feel comfortable to attend in person. Therefore, the district will offer their attendance via Zoom if they so choose. Owosso Teachers and SRES D staff will contact individual parents to schedule IEP meetings.

The delivery method for services may be different depending on the option that a parent chooses and will need to be discussed and handled on an individual basis with a child's special education providers. The key to success for each child in school will be open communication between staff and parents/guardians.

All special education services will be provided through the SRES D. Case managers will be in contact with special education parents and students to establish a schedule for both in-person and online options for students to receive instruction and services. Masks may be required to be worn if in-person options are selected. Online students may receive in-person therapy sessions that are scheduled with a provider.

Owosso Public Schools has worked with the Shiawassee RESD and increased the number of social workers in the district over the past two years. Social workers will be prepared to work with all PreK-12 students by providing online social-emotional engagement strategies along with working directly with the district's in-person students. All IEP goals will be addressed. All students will have access to instruction and accommodation in accordance with applicable state and federal laws, rules, and regulations.

- **Optional Considerations for Owosso Public Schools Extended COVID-19 Learning Plans:**
- 1. In addition to the students with disabilities noted above, please describe how the Owosso Public Schools will ensure that the needs of other vulnerable student populations, such as but not limited to, early English Learners and Fledgling/struggling students, are met.
- 2. Please describe how the Owosso Public Schools will ensure that students will, during pandemic learning, have continued access to programs such as, but not limited to, Early Childhood, CTE, Early-Middle College, Dual Enrollment and Advanced Placement as applicable within the Owosso Public Schools.

Owosso Public Schools prides itself in meeting the needs of all learners and is prepared to meet the needs of all at-risk students. The district has a District Behavior Team that meets regularly to analyze student data and determine best supports. Programs that primarily have evolved from this team address behavioral and attendance needs. Programs that follow the MTSS (Multi-Tier Support System) include: CICO (Check-in, Check-out) and Strive for 5.

Title I and At-Risk dollars have been allocated to support academic needs of all PreK-12 grade students.

Owosso Public Schools have developed a Phase IV and V plans to ensure all programs such as CTE, Dual-Enrollment, AP, and Early Childhood programs are options for qualified students to participate. These CTE hand-on programs are very valuable to the overall high school experience. These philosophical values helped drive the scheduling and decisions that were made during the planning of the upcoming 2020-2021 school year.

Preschool options were presented to parents to ensure preschool experiences were available to all students.

Please find the complete **Owosso Public Schools MI Safe Roadmap**. This roadmap outlines the full instructional plans that addresses all supports for our learners within our system.

OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
Report 20-120

FOR ACTION

Subject:

Awarding of miscellaneous projects to be done during summer of 2021 to be funded from Sinking and ESSER funds

Recommendation:

Recommend that the Board authorize the Superintendent to contract with the following entities for summer projects with the following funding sources: LA Construction, Flushing, Michigan for miscellaneous site improvements at the Owosso High school, Willman Field, Central, Emerson, Bryant Garage and Bentley and elementary inclusive of installation of playgrounds with rubber mulch in an amount not to exceed \$911,822.53 inclusive of \$35,000 in contingency and \$40,595 in soft costs; and RC Hendrick for bathroom and stairwell renovations at Emerson in an amount not to exceed \$874,350 inclusive of \$40,000 in contingency and \$17,750 of soft costs. Total costs for all projects \$1,786,172.53 with an amount not to exceed \$1,386,172.53 from sinking funds and amount not to exceed \$400,000 being funded from ESSER funds to promote air quality and safety for students.

Statement of Purpose/Issue:

To award the contract for the miscellaneous site and building improvements identified to be paid for out of a combination of sinking funds and ESSER funds.

Facts/Statistics:

The District is recommending that this project go directly “For Action” to assure that the contractors can start as soon as allowable and reasonably possibly. In addition, the projects have been reviewed with the Board during committee meetings.

The following projects were put out to bid and bids received from LA Construction and RC Hendrick for the following projects:

- High School site: renovations to tennis court inclusive of addition of concrete pad and a pergola, baseball fields inclusive of the baseball scoreboard and softball scoreboard;
- Willman field: Renovation to football scoreboard and fencing, field goal replacement and relocation; and gameclocks;
- Emerson: Bathroom and stairwell renovation;
- Bentley: Pergola installation;
- Various locations: Elementary playgrounds with rubber mulch, and tree removals.

Spicer, the District’s architects and engineers for the project have recommended splitting the contracts between LA Construction and RC Hendricks in order to achieve some economies of scale by combining like disciplines. Both contractors have provided services to the District and have been found to be reliable. The results of the full bids, inclusive of alternates are reflected in the accompanying table. NOTE: The recommendation reflects pulling out different disciplines for each contractor which is not reflected in the table provided. In addition, the recommendation for rubberized mulch provides long term savings to the district in labor and materials and therefore justifies a higher immediate cost.

Motion

Seconded

Vote – Ayes

Nays

Motion

**AWARDING OF CONTRACT
FOR MISCELLANEOUS SITE IMPROVEMENT
SINKING FUND
BIDS RECEIVED ON 3/26/21**

CONTRACTOR	BASE BID (Inclusive of \$75,000 in contingency)	Alternate 1 (without credit for wood mulch)*	TOTAL BID	AWARDED BID
LA Construction Flushing, MI	\$1,678,325.78	\$150,129.59	\$1,828,455.37	\$911,822.53
RC Hendrick, Saginaw, MI	\$541,964.00	\$122,600.00	\$1,822,100.00	\$874,350.00

OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
Report 20-121

FOR ACTION

Subject:

Edgar Revisions–February 2021, first reading.

Statement of Purpose/Issue:

Resolve that the Board of Education adopt as their first reading:

- New Policy 7450 – Property Inventory; and
- Revised Policy 7455 – Accounting System for Fixed Assets.

Facts / Statistics:

In December 2014, the U.S. Department of Education (ED) released the newly updated Education Department General Administrative Regulations (EDGAR). This major rewrite of the regulations was issued after nearly 40 years of very little change in the compliance measures that federally funded programs must meet. The regulations covered the application process, financial management, procurement, inventory management, time and effort accountability, cost allowability, record retention, and program oversight.

The Office of Management and Budget (OMB) has now revised sections of OMB Guidance for Grants and Agreements, also known as Uniform Grant Guidance (UGG). Proposed changes to 2 Code of Federal Regulations (C.F.R) Part 200 were published in the Federal Register in January 2020, comments closed on March 23, 2020, and Final Revisions were published in August 2020. Despite the intervening pandemic, OMB released its final revisions to the Uniform Grants Guidance (2 CFR Part 200) right on schedule! The revisions continue the OMB’s push for results-oriented accountability for grants, significantly rewrite the sections on procurement, and attempt to clarify prior requirements, including provisions related to the period of performance and indirect costs. The revised rules are effective November 12, 2020.

These revisions reflect changes outlined in the President's Management Agenda (PMA). This guidance is intended to focus on improved stewardship and ensuring that the American people are receiving value for funds spent on grant programs. The revisions are limited in scope to support implementation of statutory requirements, alignment of these provisions with other Federal requirements, and clarification of existing requirements to minimize risk in financial transactions.

These new regulations will require some revision to current policies. The greatest focus, however, will continue to be on compliant written procedures relative to many of the financial and program management functions. These procedures will necessarily be district-specific, providing a clear picture of how these functions are carried out in the District.

Adoption is required in order for the district’s policies to be compliant with current law.

District Goal Addressed:

Routine Business

Motion

Seconded

Vote – Ayes

Nays

Motion

Book Policy Manual
 Section For Board Consideration 35-2
 Title EDGAR Revisions - February 2021 Revised PROPERTY INVENTORY
 Code po7450
 Status

7450 - **PROPERTY INVENTORY**

As steward of this District's property, the Board of Education recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall

- conduct a complete inventory
- maintain a continuous inventory

of all District-owned equipment

- and supplies
 - annually.
 - every _____ years. **[specify number]**
 - at such intervals as will coincide with property insurance renewal.

and Generally Accepted Accounting Principles ("G.A.A.P.") reporting requirements.

For purposes of this policy, "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which retains its shape and appearance with use, is nonexpendable, costs at least \$5000.~~_____~~

- to replace
- as a single unit

and does not lose its identity when incorporated into a more complex unit. When defining supplies for inventory purposes, no items will be counted whose total value is less than \$ 5000. **[The Federal threshold for a supply designation is \$5,000 regardless of length of useful life, however, the District may set an early acquisition cost level for designation as supply.]**

It shall be the duty of the

- Superintendent
- Business Manager
- Chief Financial Officer

to ensure that inventories are recorded systematically and accurately and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board.

Property records of consumable supplies shall be maintained on a continuous inventory basis.

The business office shall maintain a system of property records which shall show, as appropriate to the item recorded, the:

- A. description and identification;
- B. manufacturer;
- C. year of purchase;
- D. initial cost;
- E. location;
- F. condition and depreciation;
- G. evaluation in conformity with insurance requirements.

Equipment acquired under a Federal award will vest upon acquisition to the District, subject to the following conditions:

- A. The equipment shall be used for the authorized purposes of the award project during the period of performance or until the equipment is no longer needed for the purposes of the project.
- B. The equipment shall not be encumbered without the approval of the Federal awarding agency or the pass-through entity.
- C. The equipment may only be used and disposed of in accordance with the provisions of the Federal awarding agency or the pass-through entity and Policy 7300 and Policy 7310, and AG 7310.
- D. Property records shall be maintained that include a description of the equipment, a serial number or other identification number, the source of funding for the equipment (including the Federal Award Identification Number (FAIN), title entity, acquisition date, cost of the equipment, percentage of Federal participation in the project costs for the award under which the equipment was acquired, the location, use, and condition of the equipment, and ultimate disposition data, including date of disposal and sale price of the equipment.
- E. A physical inventory of the property must be taken and results reconciled with property records at least once every two (2) years.
- F. A control system shall be developed to provide adequate safeguards to prevent loss, damage, or theft of the property. Any such loss, damage, or theft shall be investigated.
- G. Adequate maintenance procedures shall be implemented to keep the property in good condition.
- H. Proper sales procedures shall be established to ensure the highest possible return, in the event the District is authorized or required to sell the equipment/property.
- I. When original or replacement equipment acquired under a Federal award is no longer needed for the original project/program or for activities currently or previously supported by a Federal awarding agency, and except as otherwise provided by Federal statutes, regulations, or Federal awarding agency disposition instructions, the District shall request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment shall be made in accordance with the provisions of C.F.R. 200.313.

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2 C.F.R. 200.313

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	ACCOUNTING SYSTEM FOR FIXED ASSETS
Code	po7455
Status	
Adopted	July 11, 2005

7455 - ACCOUNTING SYSTEM FOR CAPITAL ~~FIXED~~ ASSETS

The Board of Education shall maintain a capital ~~fixed~~-asset accounting system. The capital ~~fixed~~-asset system shall maintain sufficient information to permit the preparation of year-end financial statements in accordance with generally-accepted, accounting principles.

The Superintendent shall be responsible for the development and maintenance of the capital ~~fixed~~-asset accounting system. The Superintendent shall develop procedures to ensure compliance with all capital ~~fixed~~-asset policies. Each site administration shall be assigned capital ~~fixed~~-asset responsibilities.

Capital- ~~Fixed~~-assets are defined as those tangible assets of the District system with 1.) a useful life in excess of one (1) year 2.) and an initial cost equal to or exceeding the amount determined () annually (X) every five (5) years in the District's administrative guidelines, ~~-\$5,000-~~ 3.) which are capitalized in accordance with GAAP, and 4.) which the District intends to hold or continue in use over an extended period of time. If a single item does not meet the threshold amount, but is typically purchased in aggregate by the District, the CFO shall verify which items shall be classified as capital-assets and recorded at the time of purchase or acquisition. Further ~~S~~some items may be identified as "controlled" assets that, although they do not meet all capital ~~fixed~~-asset criteria, are to be recorded on the capital ~~fixed~~-asset system to maintain control.

Capital ~~Fixed~~ assets shall be classified as follows:

- A. land, land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, exchange, or through a lease accounted for as financed purchase under Government Accounting Standards Board (GASB) standards or a finance lease under Financial Accounting Standards Board (FASB) standards, and
- B. building additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital-assets that materially increase their value or useful life (not ordinary repairs and maintenance).
- C. ~~improvements other than building~~
- D. ~~machinery and equipment~~
- E. ~~furniture and fixtures~~
- F. ~~vehicles~~
- G. ~~plant (aerator)~~
- H. ~~underground lines~~
- I. ~~construction in progress~~
- J. ~~computers shall be identified as "controlled" and shall be monitored in the fixed asset management system~~

Leased capital-~~fixed~~ assets and assets which are jointly-owned shall be identified and recorded on the capital-~~fixed~~-asset system.

Capital-~~Fixed~~ assets shall be recorded at historical cost or, if that amount is not practicably determinable, at estimated historical cost. The method(s) to be used to estimate historical cost shall be established by the Superintendent.

The purchase of ~~capital-fixed~~ assets, the transfer of ~~capital-fixed~~ assets between buildings, and the disposal of ~~fixed capital~~ assets shall be initiated by the site administration and require the prior written approval of the Superintendent. An asset to be disposed of by sale which has a current value in excess of \$10,000 may be sold at auction. An auction shall be held at the discretion of the Superintendent when sufficient assets have accumulated to warrant the cost. The Business Manager shall establish minimum acceptable prices for assets sold at auction.

Depreciation shall be recorded for fund ~~fixed capital-~~ assets using the method(s) determined by the Superintendent. Accumulated depreciation shall be calculated on a straight line basis and be recorded for general ~~capital-fixed~~ assets.

The following information shall be maintained for all ~~capital-fixed~~ assets:

- A. description
- B. asset classification (land, building, equipment, etc.)
- C. location
- D. purchase price
- E. vendor
- F. date purchased
- G. estimated useful life
- H. estimated salvage value
- I. replacement cost
- J. accumulated depreciation
- K. method of acquisition (purchase, trade-in, lease, donated, etc.)
- L. appropriation
- M. manner of asset disposal

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Last Modified by Alexa Stechsulte on April 20, 2021

OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
Report 20-122

FOR ACTION

Subject:

Volume 35, No. 2–February 2021, first reading.

Statement of Purpose/Issue:

Resolve that the Board of Education adopt as their first reading:

- Revised Policy 2260.01–Section 504/ADA Prohibition Against Discrimination Based on Disability;
- Revised Policy 2266–Nondiscrimination on the Basis of Sex in Education Programs or Activities;
- New Policy 5341–Emergency Medical Authorization;
- New Policy 5342–Do Not Resuscitate Orders (DNR) for Minor Students;
- New Policy 5343–Physician Order for Scope of Treatment (POST);
- Revised Policy 7440.01–Video Surveillance and Electronic Monitoring;
- Revised Policy 8321– Criminal Justice Information Security (Non-Criminal Justice Agency);
- Revised Policy 8330–Student Records;
- Revised Policy 8400–School Safety Information;
- Revised Policy 8500–Food Services; and
- Revised Policy 8510–Wellness.

Facts / Statistics:

- Policy 2260.01 places particular emphasis on protections for students who are identified under Section 504 and ADA, including accessibility to qualified individuals with regard to facilities, programs and activities according to federal law. Revisions to this policy are based on recent Office for Civil Rights (OCR) investigations and reviews of compliance issues, particularly related to vocational education/Career-Technical education programs with particular emphasis on vocational education. These revisions should be adopted and implemented in order to maintain compliance under Section 504 and ADA.
- Policy 2266 has been revised to reflect the recognized definition of “Rape” as of January 2021, deleting the original reference to the definition required by the Clery Act at the time of the release of the regulations in May 2020. The revised definition is that provided by the National Incident-Based Reporting System (NIBRS). Also, there is a suggested revision in the Appeals section of the policy. While the current regulation does not specifically address the implementation of remedies during the appeals process, it seems to be inappropriate to impose disciplinary sanctions while an appeal is pending. These revisions are recommended for adoption.
- Policy 5341 is necessary to comply with the revisions to the Do Not Resuscitate (DNR) laws that allow DNR orders for minors under appropriate circumstances. This is required to remain compliant with Michigan law.
- Policy 5342 is necessary to comply with revisions to the Do Not Resuscitate (DNR) laws that now allow DNR orders for minors under appropriate circumstances and require specific procedures school districts must follow if they receive such an order. The policy is in compliance with M.C.L. 380.1180.

- Policy 5343 is necessary to comply with the new statute setting out specific procedures that school districts must follow if they receive a physician order for scope of treatment (POST) form for a student. This policy is compliant with M.C.L. 380.1181.
- Due to the significant increase in the use of virtual/on-line learning, Policy 7440.01 has been revised to allow a District to use prerecorded lessons or observations of on-line or virtual learning sessions as part of an employee's evaluation, in accordance with a collective bargaining agreement or Memorandum of Understanding approved by the Board. These revisions are provided to enable expanded use of technology monitoring for appropriate purposes.
- Policy 8321 is revised to include the latest review of procedures by the Department of Homeland Security (DHS) of implementation reviews by the Michigan State Police (MSP) and the qualified use of criminal records information by school employers. These revisions should be adopted in order to maintain accurate policies.
- Policy 8330 has been revised to comply with the obligation not to disclose the address of a student who provides the District with notice that they have received a participation card issued by the attorney general under the address confidentiality program act. This revision should be adopted in order to remain compliant with Michigan law.
- Policy 8400 has been revised to reflect the changes required by amendments, approved by the Governor, to the Sex Offender Registration Act (SORA) (effective March 24, 2012). These revisions should be adopted in order to remain compliant with Michigan law.
- Policy 8500 has been revised to add the emphasis being sought by the United States Department of Agriculture (USDA) to prohibit stigmatizing students who lack the funds to pay for their meal or with unpaid meal charges. This revision is recommended for adoption.
- Revisions to Policy 8510 reflect updated requirements for evaluation and review of district wellness policies (at least every three years) and the updated regulations issued by the U.S. Department of Agriculture (USDA). These regulations provide the basis for USDA review and monitoring of district compliance with the Health and Hunger-Free Kids Act. WELLSAT:3.0 is the assessment tool widely used to audit school wellness policies. These revisions reflect the updated USDA regulations and are recommended for adoption.

District Goal Addressed:

Routine Business

Motion

Seconded

Vote – Ayes

Nays

Motion

Book	Policy Manual
Section	For Board Consideration 35-2
Title	SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY
Code	po2260.01
Status	
Adopted	November 24, 2008
Last Revised	May 11, 2015

2260.01 - SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Pursuant to Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Americans with Disabilities Act of 1990, as amended ("ADA") and the implementing regulations (collectively "Section 504/ADA"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Education does not discriminate in admission or access to, or participation or treatment in its programs or activities. As such, the Board's policies and practices will not discriminate against students with disabilities and the Board will make its facilities, programs, and activities accessible to qualified individuals with disabilities. ~~will make accessible to qualified individuals with disabilities its facilities, programs, and activities.~~ No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aides or services, or learned behavioral or adaptive neurological modifications.

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

- A. who is of an age during which nondisabled persons are provided educational services;
- B. who is of any age during which it is mandatory under Michigan law to provide educational services to disabled persons; or
- C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a person with a disability ~~disabled person~~ who meets the academic and technical standards requisite to admission or participation in the vocational program or activity. The Board will not deny a student with disabilities access to its vocational education programs or courses due to architectural and/or equipment barriers, or because the student needs related aids or services to receive an appropriate education.

Compliance Officer(s)

The Board designates the following individual(s) to serve as the District's 504 Compliance Officer(s)/ADA Coordinator(s) (hereinafter referred to as the "District Compliance Officer(s)").

Cathy Dwyer
 Dean of Students OMS
 219 North Water St.
 Owosso, MI 48867
 989-723-3460
 dwyerc@owosso.k12.mi.us

~~Dallas Lintner~~ ~~Jeff Phillips~~
~~Assistant Principal and Athletic Director OHS~~ ~~Principal OHS~~
 765 E. North St.
 Owosso, MI 48867
 989-723-8231
~~lintner@owosso.k12.mi.us~~ ~~phillips@owosso.k12.mi.us~~

The name(s), title(s), and contact information of this/these individual(s) will be published annually on the School District's web site.

Building Principals shall serve as Building Section 504/ADA Compliance Officer(s) ("Building Compliance Officers").

The District Compliance Officer(s) are responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA. A copy of Section 504 and the ADA, including copies of the implementing regulations, may be obtained from the District Compliance Officer(s).

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below. The Board will further establish and implement a system of procedural safeguards in accordance with Section 504, including the right to an impartial due process hearing. See AG 2260.01B.

Training

The District Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities.

Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who have a physical or mental impairment that substantially limits one or more major life activities, regardless of the nature or severity of their disabilities.

An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For ~~students with disabilities~~ ~~disabled students~~ who are not eligible for specially designed instruction under the IDEIA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with

their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan. The quality of education services provided to students with disabilities will be equal to the quality of services provided to students without disabilities.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment, even with the use of supplementary aids and services cannot be achieved satisfactorily. If the District places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home. **If the Board operates a separate class or facility that is identifiable as being for persons with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without a disability.**

The District will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Non-academic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and non-academic and extracurricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such services and activities to the maximum extent appropriate.

Notice

Notice of the Board's policy on nondiscrimination in education practices and the identity of the District's Compliance Officer(s) will be republished on the District's website and posted throughout the District, and included-published in the District's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), parents and students will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, students and their parents will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights. Finally, students and parents will be advised of their right to request a due process hearing before an Impartial Hearing Officer (IHO) regarding the identification, evaluation or educational placement of persons with disabilities, including the right to participation by the student's parents or guardian and representation of counsel, and their right to examine relevant education records.

Internal complaints and requests for due process hearings must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint or the request for a hearing, and offer possible solutions to the dispute. The complaint or request for due process hearing must be filed with a District Compliance Officer within specified time limits. The District's Compliance Officer is available to assist individuals in filing a complaint or request.

Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Internal Complaint Procedures

An internal complaint may be filed by a student and/or parent. A student and/or parent may initiate the internal complaint procedure when s/he/they believe that a violation, misapplication or misinterpretation of Section 504 has occurred. Additionally, the following procedure may be used for any disagreement with respect to actions regarding the identification, evaluation, or educational program or placement of students who are identified as disabled or believed to be disabled pursuant to Section 504, and are not eligible under the IDEIA, except in the case of disciplinary actions where the provisions of the Student Code of Conduct apply. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights or requesting a due process hearing.

Step 1

Investigation by the Building Compliance Officer: A student or parent may initiate an investigation by filing a written internal complaint with the Building Compliance Officer. The complaint should fully describe the circumstances giving rise to the dispute and how the child is adversely affected. The complaint must be filed as soon as possible, but not longer than thirty (30) ~~calendar~~ days after disclosure of the facts giving rise to the complaint. The Building Compliance Officer shall conduct an impartial investigation of the complaint. As part of the investigation, the Building Compliance Officer shall permit the complainant to present witnesses and other evidence in support of the complaint. The investigation shall be completed within fifteen (15) ~~school~~ days of the written complaint being filed. The Building Compliance Officer will notify the complainant in writing of his/her decision.

Step 2

Appeal to the District Compliance Officer: If the complaint is not resolved satisfactorily at Step 1, the student or parent may appeal the Building Compliance Officer's decision in writing to the District Compliance Officer. The appeal must be made within five (5) ~~school~~ days following receipt of the Building Compliance Officer's decision. The District Compliance Officer will review the case, may conduct an informal hearing, and will notify all parties in writing of his/her decision within ten (10) ~~school~~ days of receiving the appeal.

Step 3

If the complaint is not resolved satisfactorily at Step 2, the student or parent may request a due process hearing, provided the complaint involves an issue related to the identification, evaluation, or placement of the student.

If it is determined that the Complainant was subjected to unlawful discrimination, the Building and District Compliance Officers ~~EOs~~ must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if a student or parent believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue, Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Except in extraordinary circumstances, the OCR does not review the result of individual placement and other educational decisions, so long as the District complies with the "process" requirements of Subpart D of Section 504.

Retaliation

~~Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

Revised 8/9/10

Revised 1/10/11

Revised 1/16/12

Revised 6/23/14

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Legal 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended
 34 C.F.R. Part 104
 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

Last Modified by Alexa Stechschulte on April 20, 2021

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Title	NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2266
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2266 - **NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES**

Introduction

The Board of Education of the Owosso Public Schools (hereinafter referred to as "the Board" or "the District") does not discriminate on the basis of sex (including sexual orientation or gender identity), in its education programs or activities, and is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The Board is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

The Board prohibits Sexual Harassment that occurs within its education programs and activities. When the District has actual knowledge of Sexual Harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

Pursuant to its Title IX obligations, the Board is committed to eliminating Sexual Harassment and will take appropriate action when an individual is determined responsible for violating this policy. Board employees, students, third-party vendors and contractors, guests, and other members of the School District community who commit Sexual Harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education programs and activities.

Coverage

This policy applies to Sexual Harassment that occurs within the District's education programs and activities and that is committed by a member of the School District community or a Third Party.

This policy does not apply to Sexual Harassment that occurs off school grounds, in a private setting, and outside the scope of the District's education programs and activities; such Sexual Misconduct/Sexual Activity may be prohibited by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws, and/or Employee/Administrator Handbook(s) if committed by a Board employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in the District's education programs or activities. Sexual Harassment that occurs outside the geographic boundaries of the United States is governed by the Student Code of Conduct if committed by a student, or by Board policies and administrative guidelines, applicable State and/or Federal laws, and/or Employee/Administrator Handbook(s) if committed by a Board employee.

Definitions

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

Sexual Harassment: "Sexual Harassment" means conduct on the basis of sex that satisfies one (1) or more of the following:

- A. a Board employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (often called "quid pro quo" harassment);
- B. unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or

C. "sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

1. "Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, and the "nonforcible" sex offenses of Incest and Statutory Rape. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.

a. ~~Rape is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. Attempted rape is included. (Effective until the FBI retires the Summary Reporting System, which is scheduled for January, 2021.)~~

Rape is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. ~~(Effective upon retirement of the Summary Reporting System, which is scheduled for January 2021.)~~

b. Sodomy is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

c. Sexual Assault with an Object is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.

d. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

e. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.

f. Statutory Rape is sexual intercourse with a person who is under the statutory age of consent as defined by State law.

g. Consent refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.

h. Incapacitated refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.

2. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:

a. a current or former spouse or intimate partner of the victim;

b. a person with whom the victim shares a child in common;

c. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

d. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or

e. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

3. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the

length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

4. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

Complainant: "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the District investigate the allegation(s) of Sexual Harassment. At the time of filing a Formal Complaint with the District, a Complainant must be participating in or attempting to participate in the District's education program or activity. A "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal that the Board provides for this purpose) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party to the Formal Complaint and must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Actual Knowledge: "Actual knowledge" means notice of Sexual Harassment or allegations of Sexual Harassment to the District's Title IX Coordinator, or any District official who has authority to institute corrective measures on behalf of the Board, or any Board employee. The mere ability or obligation to report Sexual Harassment or to inform a student about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has the authority to institute corrective measures on behalf of the District. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. This standard is not met when the only District official with actual knowledge is the Respondent.

Supportive Measures: "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter Sexual Harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school/campus escort services, mutual restrictions of contact between the parties, changes in work locations), leaves of absence, increased security and monitoring of certain areas of the campus (including school buildings and facilities), and other similar measures.

Education Program or Activity: "Education program or activity" refers to all operations of the District, including but not limited to in-person and online educational instruction, employment, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes locations, events, and circumstances that take place off school property/grounds over which the Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

School District community: "School District community" refers to students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties: "Third Parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Inculpatory Evidence: "Inculpatory evidence" is evidence that tends to establish a Respondent's responsibility for alleged Sexual Harassment.

Exculpatory Evidence: "Exculpatory evidence" is evidence that tends to clear or excuse a Respondent from allegations of Sexual Harassment.

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

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

Title IX Coordinator(s)

The Board of Education designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Owosso Middle School Assistant Principal
989-723-3460
219 N Water St Owosso, MI 48867

Owosso High School Principal
989-723-8231
765 E North St Owosso, MI 48867

The Title IX Coordinator shall report directly to the Superintendent. Questions about this policy should be directed to the Title IX Coordinator.

The Superintendent shall notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Board of the following information:

The Board of Education of the Owosso Public Schools does not discriminate on the basis of sex in its education program or activity and is required by Title IX and its implementing regulations not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The District's Title IX Coordinator(s) is/are:

*Owosso Middle School Assistant Principal
989-723-3460
219 N Water St Owosso, MI 48867*

*Owosso High School Principal
989-723-8231
765 E North St Owosso, MI 48867*

Any inquiries about the application of Title IX and its implementing regulations to the District may be referred to the Title IX Coordinator(s), the Assistant Secretary for the U.S. Department of Education's Office for Civil Rights, or both.

The Board has adopted a grievance process that provides for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities, which is available at: <https://go.boarddocs.com/mi/owo/Board.nsf/Public>. The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the District will respond.

The Superintendent shall also prominently display the Title IX Coordinator's(s') contact information – including name(s) and/or title(s), phone number(s), office address(es), and e-mail address(es) – and this policy on the District's website and in each handbook or catalog that the Board makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, Board employees, and all unions or professional organizations holding collective bargaining or professional agreements.

Grievance Process

The Board is committed to promptly and equitably resolving student and employee complaints alleging Sexual Harassment. The District's response to allegations of Sexual Harassment will treat Complainants and Respondents equitably, including providing supportive measures to the Complainant and Respondent, as appropriate, and following this Grievance Process before the imposition of any disciplinary sanctions or other actions, other than supportive measures, against the Respondent.

The Title IX Coordinator(s), along with any investigator(s), decision-maker(s), or any person(s) designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

If a determination of responsibility for Sexual Harassment is made against the Respondent, the Board will provide remedies to the Complainant. The remedies will be designed to restore or preserve equal access to the District's education program or activity. Potential remedies include, but are not limited to, individualized services that constitute supportive measures. Remedies may also be disciplinary or punitive in nature and may burden the Respondent.

Report of Sexual Discrimination/Harassment

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s). Anonymous reports may be submitted using the hotline reporting number (989-729-5220).

Students, Board members, and Board employees are required (and other members of the School District community and Third Parties are encouraged) to report allegations of sex discrimination or Sexual Harassment promptly to the/a Title IX Coordinator or to any Board employee, who will, in turn, notify the/a Title IX Coordinator. Reports can be made orally or in writing and should be as specific as possible. The person making the report should, to the extent known, identify the alleged victim(s), perpetrator(s), and witness(es), and describe in detail what occurred, including date(s), time(s), and location(s).

If a report involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the person making the report should submit it to the Superintendent, or another Board employee who, in turn, will notify the Superintendent of the report. The Superintendent will then serve in place of the Title IX Coordinator for purposes of addressing that report of Sexual Harassment.

The Board does business with various vendors, contractors, and other third parties who are not students or employees of the Board. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this policy, the Board retains the right to limit any vendor's, contractor's, or third-party's access to school grounds for any reason. The Board further retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this policy.

A person may file criminal charges simultaneously with filing a Formal Complaint. A person does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to Title IX may be filed with the U.S. Department of Education's Office for Civil Rights at any time.

Any allegations of Sexual Misconduct/Sexual Activity not involving Sexual Harassment will be addressed through the procedures outlined in Board policies, the applicable Student Code of Conduct, applicable collective bargaining agreement, and/or Employee/Administrator Handbook.

Because the Board is considered to have actual knowledge of Sexual Harassment or allegations of Sexual Harassment if any Board employee has such knowledge, and because the Board must take specific actions when it has notice of Sexual Harassment or allegations of Sexual Harassment, a Board employee who has independent knowledge of or receives a report involving allegations of sex discrimination and/or Sexual Harassment must notify the/a Title IX Coordinator within two (2) days of learning the information or receiving the report. The Board employee must also comply with mandatory reporting responsibilities pursuant to M.C.L. 722.623 and Policy 8462 – Student Abuse and Neglect, if applicable. If the Board employee's knowledge is based on another individual bringing the information to the Board employee's attention and the reporting individual submitted a written complaint to the Board employee, the Board employee must provide the written complaint to the Title IX Coordinator.

If a Board employee fails to report an incident of Sexual Harassment of which the Board employee is aware, the Board employee may be subject to disciplinary action, up to and including termination.

When a report of Sexual Harassment is made, the Title IX Coordinator shall promptly (i.e., within two (2) days of the Title IX Coordinator's receipt of the report of Sexual Harassment) contact the Complainant (including the parent/guardian if the Complainant is under eighteen (18) years of age or under guardianship) to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and explain to the Complainant the process for filing a Formal Complaint. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any supportive measures provided to the Complainant or Respondent shall be maintained as confidential, to the extent that maintaining such confidentiality will not impair the ability of the District to provide the supportive measures.

Emergency Removal: Subject to limitations and/or procedures imposed by State and/or Federal law, the District may remove a student Respondent from its education program or activity on an emergency basis after conducting an individualized safety and risk analysis. The purposes of the individualized safety and risk analysis is to determine whether the student Respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment that justifies removal. If the District determines the student Respondent poses such a threat, it will so notify the student Respondent and the student Respondent will have an opportunity to challenge the decision immediately following the removal. See Policy 5610 – Emergency Removal, Suspension, and Expulsion of Students and Policy 5611 – Due Process Rights.

If the Respondent is a non-student employee, the District may place the Respondent on administrative leave during the pendency of the grievance process.

For all other Respondents, including other members of the School District community and Third Parties, the Board retains broad discretion to prohibit such persons from entering onto its school grounds and other properties at any time and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

Formal Complaint of Sexual Harassment

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information set forth above. If a Formal Complaint involves allegations of Sexual Harassment by or involving the Title IX Coordinator, the Complainant should submit the Formal Complaint to the Superintendent, who will designate another person to serve in place of the Title IX Coordinator for the limited purpose of implementing the grievance process with respect to that Formal Complaint.

When the Title IX Coordinator receives a Formal Complaint or signs a Formal Complaint, the District will follow its Grievance Process, as set forth herein. Specifically, the District will undertake an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations will not be based on a person’s status as a Complainant, Respondent, or witness.

It is a violation of this policy for a Complainant(s), Respondent(s), and/or witness(es) to knowingly making false statements or knowingly submitting false information during the grievance process, including intentionally making a false report of Sexual Harassment or submitting a false Formal Complaint. The Board will not tolerate such conduct, which is a violation of the Student Code of Conduct and the Employee Handbook.

The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Timeline

The District will seek to conclude the grievance process, including resolving any appeals, within sixty (60) days of receipt of the Formal Complaint.

If the Title IX Coordinator offers informal resolution processes, the informal resolution processes may not be used by the Complainant or Respondent to unduly delay the investigation and determination of responsibility. The timeline, however, may be subject to a temporary delay of the grievance process or a limited extension for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; and the need for language assistance or an accommodation of disabilities.

Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice of the following to the parties who are known:

- A. notice of the Board’s grievance process, including any informal resolution processes;
- B. notice of the allegations of misconduct that potentially constitutes Sexual Harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident, if known. The written notice must:
 1. include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 2. inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence;
 3. inform the parties of any provision in the Student Code of Conduct, this policy, and/or Employee Handbook that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of the investigation, the investigator becomes aware of allegations about the Complainant or Respondent that are not included in the original notice provided to the parties, the investigator will notify the Title IX Coordinator and the Title IX Coordinator will decide whether the investigator should investigate the additional allegations; if the Title IX Coordinator decides to include the new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

Dismissal of a Formal Complaint

The District shall investigate the allegations in a Formal Complaint unless the conduct alleged in the Formal Complaint:

- A. would not constitute Sexual Harassment (as defined in this policy) even if proved;
- B. did not occur in the District's education program or activity; or
- C. did not occur against a person in the United States.

If one (1) of the preceding circumstances exist, the Title IX Coordinator shall dismiss the Formal Complaint. If the Title IX Coordinator dismisses the Formal Complaint due to one (1) of the preceding reasons, the District may still investigate and take action with respect to such alleged misconduct pursuant to another provision of an applicable code of conduct, Board policy, and/or Employee/Administrator Handbook.

The Title IX Coordinator may dismiss a Formal Complaint, or any allegations therein, if at any time during the investigation:

- A. a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- B. the Respondent is no longer enrolled in the District or employed by the Board; or
- C. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

If the Title IX Coordinator dismisses a Formal Complaint or allegations therein, the Title IX Coordinator must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

Consolidation of Formal Complaints

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one (1) Respondent, or by more than one (1) Complainant against one (1) or more Respondents, or by one (1) party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Where a grievance process involves more than one (1) Complainant or more than one (1) Respondent, references in this policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

Informal Resolution Process

Under no circumstances shall a Complainant be required as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, to waive any right to an investigation and adjudication of a Formal Complaint of Sexual Harassment. Similarly, no party shall be required to participate in an informal resolution process.

If a Formal Complaint is filed, the Title IX Coordinator may offer to the parties an informal resolution process. If the parties mutually agree to participate in the informal resolution process, the Title IX Coordinator shall designate a trained individual to facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may be used at any time prior to the decision-maker(s) reaching a determination regarding responsibility.

If the Title IX Coordinator is going to propose an informal resolution process, the Title IX Coordinator shall provide to the parties a written notice disclosing:

- A. the allegations;
- B. the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; and
- C. any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint.

Before commencing the informal resolution process, the Title IX Coordinator shall obtain from the parties their voluntary, written consent to the informal resolution process.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur have stayed and all related deadlines are suspended.

The informal resolution process is not available to resolve allegations that a Board employee sexually harassed a student.

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

Investigation of a Formal Complaint of Sexual Harassment

In conducting the investigation of a Formal Complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility is on the District, not the parties.

In making the determination of responsibility, the decision-maker(s) is(are) directed to use the preponderance of the evidence standard. The decision-maker(s) is charged with considering the totality of all available evidence, from all relevant sources.

The District is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the District with voluntary, written consent to do so; if a student party is not an Eligible Student, the District must obtain the voluntary, written consent of a parent.

Similarly, the investigator(s) and decision-maker(s) may not require, allow, rely upon or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege in writing.

As part of the investigation, the parties have the right to:

- A. present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
- B. have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The District may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding.

Board Policy 2461 – Recording of District Meetings Involving Students and/or Parents controls whether a person is allowed to audio record or video record any meeting or grievance proceeding.

Neither party shall be restricted in their ability to discuss the allegations under investigation or to gather and present relevant evidence.

The District will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

Both parties shall have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Prior to completion of the investigative report, the investigator will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

At the conclusion of the investigation, the investigator shall create an investigative report that fairly summarizes relevant evidence and send the report to each party and the party's advisor, if any, for their review and written response. The investigator will send the investigative report in an electronic format or a hard copy, at least ten (10) calendar days prior to the decision-maker(s) issuing a determination regarding responsibility.

Determination of Responsibility

The Title IX Coordinator shall appoint a decision-maker(s) to issue a determination of responsibility. The decision-maker(s) cannot be the same person(s) as the Title IX Coordinator(s) or the investigator(s).

After the investigator sends the investigative report to the parties and the decision-maker(s), and before the decision-maker(s) reaches a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Determination regarding responsibility: The decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the decision-maker(s) must apply the preponderance of the evidence standard.

The written determination will include the following content:

- A. identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
- B. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- C. findings of fact supporting the determination;
- D. conclusions regarding the application of the applicable code of conduct to the facts;
- E. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the District impose on the Respondent(s), and whether remedies designed to restore or preserve equal access to the District's education program or activity should be provided by the District to the Complainant(s); and
- F. the procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

The following disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. Informal Discipline
- B. Formal Discipline:
 1. suspension of bus riding/transportation privileges;
 2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;
 3. emergency removal;
 4. suspension for up to ten (10) school days;
 5. long-term suspension or expulsion;
 6. any other sanction authorized by the Student Code of Conduct.

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 – Emergency Removal, Suspension, and Expulsion of Students, Policy 5610.02 - In-School Discipline, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the

applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

The following disciplinary sanctions/consequences may be imposed on an employee Respondent who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

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

If the decision-maker(s) determines the employee Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with applicable due process procedures, whether statutory or contractual.

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

The following disciplinary sanctions/consequences may be imposed on a non-student/non-employee member of the School District community or Third Party who is determined responsible for violating this policy (i.e., engaging in Sexual Harassment):

- A. oral or written warning;
- B. suspension or termination/cancellation of the Board's contract with the third-party vendor or contractor;
- C. mandatory monitoring of the third-party while on school property and/or while working/interacting with students;
- D. restriction/prohibition on the third-party's ability to be on school property; and
- E. any combination of the same.

If the decision-maker(s) determines the third-party Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including the imposition of sanctions. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so appropriate action can be taken.

The decision-maker(s) will provide the written determination to the Title IX Coordinator who will provide the written determination to the parties simultaneously.

In ultimately, imposing a disciplinary sanction/consequence, the Superintendent will consider the severity of the incident, previous disciplinary violations (if any), and any mitigating circumstances.

The District's resolution of a Formal Complaint ordinarily will not be impacted by the fact that criminal charges involving the same incident have been filed or that charges have been dismissed or reduced.

At any point in the grievance process, the Superintendent may involve local law enforcement and/or file criminal charges related to allegations of Sexual Harassment that involve a sexual assault.

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

Appeal

Both parties have the right to file an appeal from a determination regarding responsibility, or from the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, on the following bases:

- A. procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
- B. new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- C. the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter; and
- D. the recommended remedies (including disciplinary sanctions/consequences) are unreasonable in light of the findings of fact (i.e., the nature and severity of the Sexual Harassment).

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within five (5) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

Nothing herein shall prevent the Superintendent from implementing appropriate remedies, however, excluding imposing any remedy, including disciplinary sanction, while the appeal is pending.

As to all appeals, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

The decision-maker(s) for the appeal shall not be the same person(s) as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator(s). The decision-maker(s) for the appeal shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant(s) or Respondent(s) and shall receive the same training as required of other decision-makers.

Both parties shall have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The parties' written statements in support of, or challenging, the determination of responsibility must be submitted within five (5) days after the Title IX Coordinator provides notice to the non-appealing party of the appeal.

The decision-maker(s) for the appeal shall issue a written decision describing the result of the appeal and the rationale for the result. The original decision-maker's(s)' determination of responsibility will stand if the appeal request is not filed in a timely manner or the appealing party fails to show clear error and/or a compelling rationale for overturning or modifying the original determination. The written decision will be provided to the Title IX Coordinator who will provide it simultaneously to both parties. The written decision will be issued within five (5) days of when the parties' written statements were submitted.

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent.

Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or Sexual Harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of Sexual Harassment, filing a Formal Complaint, or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance process set forth above.

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

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Confidentiality

The District will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a Formal Complaint of Sexual Harassment, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the District's obligation to maintain confidentiality shall not impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

Application of the First Amendment

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

Training

The District's Title IX Coordinator, along with any investigator(s), decision-maker(s), or person(s) designated to facilitate an informal resolution process, must receive training on:

- A. the definition of Sexual Harassment (as that term is used in this policy);
- B. the scope of the District's education program or activity;
- C. how to conduct an investigation and implement the grievance process, appeals, and informal resolution processes, as applicable; and
- D. how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interests, and bias.

All Board employees will be trained concerning their legal obligation to report Sexual Harassment to the Human Resources Coordinator. This training will include practical information about how to identify and report Sexual Harassment.

Recordkeeping

As part of its response to alleged violations of this policy, the District shall create, and maintain for a period of seven (7) calendar years, records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of Sexual Harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If the District does not provide a Complainant with supportive measures, then the District will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

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

- A. each Sexual Harassment investigation including any determination regarding responsibility, any disciplinary sanctions recommended and/or imposed on the Respondent(s), and any remedies provided to the Complainant(s) designed to restore or preserve equal access to the District's education program or activity;
- B. any appeal and the result therefrom;
- C. any informal resolution and the result therefrom; and
- D. all materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process.

Outside Appointments, Dual Appointments, and Delegations

The Board retains the discretion to appoint suitably qualified persons who are not Board employees to fulfill any function of the Board under this policy, including, but not limited to, Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Board also retains the discretion to appoint two (2) or more persons to jointly fulfill the role of Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor.

The Superintendent may delegate functions assigned to a specific Board employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, investigator, decision-maker, decision-maker for appeals, facilitator of informal resolution processes, and advisor, to any suitably qualified individual and such delegation, may be rescinded by the Superintendent at any time.

Discretion in Application

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

Despite the Board's reasonable efforts to anticipate all eventualities in drafting this policy, it is possible unanticipated or extraordinary circumstances may not be specifically or reasonably addressed by the express policy language, in which case the Board retains the discretion to respond to the unanticipated or extraordinary circumstance in a way that is not clearly unreasonable.

The provisions of this policy are not contractual in nature, whether in their own right or as part of any other express or implied contract. Accordingly, the Board retains the discretion to revise this policy at any time, and for any reason. The Board may apply policy revisions to an active case provided that doing so is not clearly unreasonable.

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Legal	20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)
	20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
	42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964
	42 U.S.C. 2000d et seq.
	42 U.S.C. 2000e et seq.
	42 U.S.C. 1983
	34 C.F.R. Part 106
	OCR's Revised Sexual Harassment Guidance (2001)
	20 U.S.C. 1092(F)(6)(A)(v)
	34 U.S.C. 12291(a)(10)
	34 U.S.C. 12291(a)(8)
	34 U.S.C. 12291(a)(30)

Last Modified by Alexa Stechschulte on March 30, 2021

Book Policy Manual
Section For Board Consideration 35-2
Title Vol. 35, No. 2 - February 2021 Revised EMERGENCY MEDICAL AUTHORIZATION
Code po5341
Status

5341 - **EMERGENCY MEDICAL AUTHORIZATION**

The District will distribute annually to parents or guardians of all students the Emergency Medical Authorization Form. In the event emergency medical treatment for a student is necessary, the District will adhere to the instructions on the authorization form.

The Emergency Medical Authorization Form will be kept in a separate, easily accessible file in each school building during the school year.

Any time a student or a group of students is taken out of the District to participate in a school event, the staff in charge of the event must take the Emergency Medical Forms for those students. This includes, and is not limited to, students involved in music trips, athletic trips, field trips, and academic contests. This does not include student spectators at events.

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to follow the procedures described in this policy and in Policy 5342 related to Do Not Resuscitate Orders.

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Book	Policy Manual
Section	For Board Consideration 35-2
Title	Vol. 35, No. 2 - February 2021 New DO NOT RESUSCITATE ORDERS (DNR) FOR MINOR STUDENTS
Code	po5342
Status	

5342 - **DO NOT RESUSCITATE ORDERS (DNR) FOR MINOR STUDENTS**

After April 4, 2021, if a parent or legal guardian who is legally authorized to execute a "Do Not Resuscitate" order ("DNR Order") for a student provides school administration with a copy of a duly executed DNR Order compliant with the law and in substantially the same form as dictated by statute, District administration shall proceed as follows.

If the administrator who receives a copy of a DNR Order from a parent or legal guardian of a student is not the Superintendent, the administrator shall immediately provide the Superintendent with the DNR Order.

The Superintendent shall ensure that all of the following conditions are met:

- A. The copy of the DNR Order must be placed in a file created specifically for a copy of a DNR Order or the revocation of a DNR Order in a manner and location to be determined by the Superintendent, regardless of whether the order pertains to a student with an individualized education program.
- B. If the District received a copy of a DNR Order for a student during the immediately preceding school year, the Superintendent, or his/her designee, must inquire of the student's parent or legal guardian at the beginning of each school year subsequent to which the DNR Order was in effect to determine if the order is still in effect.
- C. The Superintendent, or his/her designee, must provide actual notice of the DNR Order to each teacher or other school employee who provides instructional or noninstructional services directly to the student.

If an administrator received actual notice of a revocation of a DNR Order, s/he shall immediately provide the revocation to the Superintendent and the Superintendent, or his/her designee shall immediately place the revocation in the file created per the instruction and provide actual notice of the revocation to each teacher or other school employee who provides instructional or noninstructional service directly to the student.

The Board shall ensure that timely and appropriate training regarding compliance with the DNR Order is provided to each teacher or other school employee who provides services to a student with a DNR Order, according to his/her level of responsibility.

An individual who determines that a minor student, while located at school, is wearing a do-not-resuscitate identification bracelet or an individual who has actual notice of valid DNR Order related to the minor student shall not attempt to resuscitate the minor student before an appropriate health professional arrives to assist.

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Legal	M.C.L. 333.1051, et. seq.
	M.C.L. 380.1180

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Book	Policy Manual
Section	For Board Consideration 35-2
Title	Vol. 35, No. 2 - February 2021 New PHYSICIAN ORDER FOR SCOPE OF TREATMENT (POST)
Code	po5343
Status	

5343 - **PHYSICIAN ORDER FOR SCOPE OF TREATMENT (POST)**

An administrator who receives a copy of a physician order for scope of treatment ("POST") form from a parent or legal guardian of a student enrolled in the District shall immediately provide the form to the Superintendent.

A. The Superintendent shall ensure that all of the following conditions are met:

1. The copy of the POST form must be placed in a file created specifically for a copy of a POST form or the revocation of a POST form, in a manner and location to be determined by the Superintendent or his/her designee, regardless of whether the form pertains to a student with an individualized education program.
2. If the District received a copy of a POST form for a student during the immediately preceding school year, the Superintendent, or his/her designee, must inquire of the student's parent or legal guardian at the beginning of each school year subsequent to which the POST form was in effect to determine if the order is still in effect and request an updated copy of the form, if applicable.
3. The Superintendent, or his/her designee, must provide actual notice of the POST form described in this subsection to each teacher or other school employee who provides instructional or noninstructional services directly to the student.

B. If an administrator receives actual notice of a revocation of a POST form, s/he shall immediately provide the revocation to the Superintendent and the Superintendent or his/her designee shall immediately place the revocation in the file described under subsection (1)(a) and shall provide actual notice of the revocation to each teacher or other school employee who provides instructional or noninstructional services directly to the student, regardless of whether the revocation pertains to a student with an individualized education program.

C. The Board shall ensure that timely and appropriate training regarding compliance with the POST form is provided to each teacher or other school employee who provides services to a student with a POST form, according to his/her level of responsibility.

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Legal M.C.L. 380.1181

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Book	Policy Manual
Section	For Board Consideration 35-2
Title	VIDEO SURVEILLANCE AND ELECTRONIC MONITORING
Code	po7440.01
Status	
Adopted	February 8, 2010

7440.01 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

In order to protect Board property, promote security and protect the health, welfare and safety of students, staff and visitors, the Board of Education authorizes the use of video surveillance and electronic monitoring equipment on school property, and in school buildings and school buses. Information obtained through video surveillance/electronic monitoring may be used to identify intruders and persons breaking the law, Board policy, or the Student Code of Conduct (i.e., it may be used as evidence in disciplinary actions and criminal proceedings).

The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school and student property. Video surveillance/electronic monitoring systems serve to complement other means being employed in the District to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video surveillance/electronic monitoring system does not replace the need for the ongoing vigilance of the school staff assigned by the building principal to monitor and supervise the school building. Rather, the video surveillance/electronic monitoring system serves as an appropriate and useful tool with which to augment or support the in-person supervision provided by staff. The building principal is responsible for verifying that due diligence is observed in maintaining general campus security.

The Superintendent is responsible for approving where and when to install and operate fixed-location video surveillance/electronic monitoring equipment in the District. The building principals and administrators responsible for other facilities shall be responsible for recommending use of video surveillance/electronic monitoring. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Video surveillance/electronic monitoring equipment may be placed in common areas in school buildings (e.g., school hallways, entryways, the front office where students, employees and visitors are permitted to freely come and go, gymnasiums, cafeterias, libraries), the school parking lots and other outside areas, and in school buses. Except in extraordinary circumstances and with the written authorization of the Superintendent or Board President, video surveillance/electronic monitoring equipment shall not be used in areas where persons have a reasonable expectation of privacy (e.g., restrooms, locker rooms, changing areas). The Superintendent shall carefully consider and consult with District legal counsel before authorizing placement in, private offices (unless there is express consent given by the office occupant), or conference/meeting rooms, or in individual classrooms during instructional times. The Board authorizes security personnel to use body-worn video cameras while on duty, but prohibits them from being operated while the individual is routinely patrolling restrooms and locker rooms, unless the staff member is responding to a specific incident.

Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

Legible and visible signs shall be placed at the main entrance to buildings and in the areas where video surveillance/electronic monitoring equipment is in use. Signs shall be reasonably designed to notify people that their actions/behavior are being monitored/recorded. Additionally, the Superintendent is directed to annually notify parents and students via school newsletters and the Student Handbook, and staff via the Staff Handbook, of the use of video surveillance/electronic monitoring systems in their schools.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the School District's schools and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding or criminal proceeding, subject to Board policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file.

Ordinarily video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on school grounds or property.

The Board will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring. However, prerecorded lessons or observations of on-line virtual learning sessions may be included as part of an employee's evaluation in accordance with a collective bargaining agreement or Memorandum of Understanding approved by the Board.

Recordings of students will be treated as confidential, to the extent allowed by law. Copies of video recordings containing personally identifiable information about students shall not be released except as required or authorized by law. Parents or guardians of minor students, and students who are eighteen (18) years of age or older, who are charged with disciplinary violations may view relevant portions of any video recording related to the charge, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any other students whose images appear on the recording). Likewise, school personnel may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recording). Absent a clear legal obligation, confidential recordings will only be released through subpoena or court order.

This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting), or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

Video surveillance is to be implemented in accordance with this policy and the related guidelines. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

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- Legal FERPA, 20 U.S.C. 1232g
- 34 C.F.R. 99.1-99.67
- Title I of the Electronic Communication Privacy Act of 1986
- 18 U.S.C. 2510-2521

Last Modified by Alexa Stechschulte on March 30, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)
Code	po8321
Status	
Adopted	February 25, 2013
Last Revised	December 1, 2017

8321 - **CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY)**

The District is required by State law to have the Michigan State Police (MSP) obtain both a State and a Federal Bureau of Investigation (FBI) criminal history record information (CHRI) background check report for all employees of the District and contractors, vendors and their employees who work on a regular and continuous basis in the District. To assure the security, confidentiality, and integrity of the CHRI background check information received from the MSP/FBI the following standards are established:

A. Sanctions for Non-Compliance

Employees who fail to comply with this policy and any guidelines issued to implement this policy will be subject to discipline for such violations. Discipline will range from counseling and retraining to discharge, based on the nature and severity of the violation. All violations will be recorded in writing, with the corrective action taken. The Superintendent shall review, approve, sign and date all such corrective actions.

B. Local Agency Security Officer (LASO)

The Human Resources Coordinator shall be designated as the District's Security Officer and shall be responsible for overall implementation of this policy and for data and system security. This shall include:

1. ensuring that personnel security screening procedures are being followed as set forth in this policy;
2. ensuring that approved and appropriate security measures are in place and working as expected;
3. supporting policy compliance and instituting the CSA incident response reporting procedures;
4. ensuring the CSA ISO is promptly informed of any security incidents involving the abuse or breach of the system and/or access to criminal justice information;
5. to the extent applicable, identifying and documenting how District equipment is connected to the Michigan State Police system;
6. to the extent applicable, identify who is using the Michigan State Police approved hardware, software and firmware, and ensuring that no unauthorized individuals have access to these items.

The District's LASO shall be designated on the appropriate form as prescribed and maintained by the Michigan State Police.

C. Agency User Agreements

The District shall enter into any required User Agreement for Release of CHRI ("User Agreement") required, and future amendments, by the Michigan State Police necessary to access the required CHRI on applicants, volunteers, and all other statutorily required individuals, such as contractors and vendors and their employees assigned to the District. The LASO shall be responsible for the District's compliance with the terms of any such User Agreement.

D. Personnel Security

Authorized users/personnel shall be individuals who have been appropriately vetted through a national fingerprint-based background check, as required by school safety legislation, and have been granted access to CHRI data, wherein access is only for the purpose of evaluating an individual's qualifications for employment or assignment.

~~All individuals that have require access to any criminal justice information shall be subject to the following standards prior to granting of access:~~

1. ~~**Background Checks**— A Michigan (or state of residency if other than Michigan) and a national fingerprint based criminal history record check shall be conducted within thirty (30) days of assignment to a position with direct access to criminal justice information or with direct responsibility to configure and maintain computer systems and networks with direct access to criminal justice information. Background re-checks should be conducted every five (5) years.~~
 - a. ~~A felony conviction of any kind will disqualify an individual for access to criminal justice information.~~
 - b. ~~If any other results/records are returned, the individual shall not be granted access until the LASO reviews and determines access is appropriate. This includes, but is not limited to, any record which indicates the individual may be a fugitive or shows arrests without convictions. Such approval shall be recorded in writing, signed, dated and maintained with the individual's file.~~
2. **Subsequent Arrest/Conviction** - If an individual granted access to criminal justice information is subsequently arrested and/or convicted, access shall be suspended immediately until the matter is reviewed by the LASO to determine if continued access is appropriate. Such determination shall be recorded in writing, signed, dated and maintained with the individual's file. In the event that the LASO has the arrest/conviction, the Superintendent (if not the designated LASO) shall make the determination.
3. **Public Interest Denial** - If the LASO determines that access to criminal justice information by any individual would not be in the public interest, access shall be denied whether that person is seeking access or has previously been granted access. Such decision and reasons shall be in writing, signed, dated and maintained in the individual's file.
4. **Approval for Access** - All requests for access to criminal justice information shall be as specified and approved by the LASO. Any such designee must be an employee of the District. The District must maintain a readily accessible list that includes the names of all LASO approved personnel with access to criminal justice information, as well as the reason for providing each individual access. This list shall be made available to Michigan State Police upon request.
5. **Termination of Employment/Access** - Within twenty-four (24) hours of the termination of employment, all access to criminal justice information shall be terminated immediately for that individual, such as closing the individual's account and/or blocking access to any systems containing such information at the District.
6. **Transfer/Re-assignment** - When an individual who has been granted access to criminal justice information has been transferred or re-assigned to other duties, the LASO shall determine whether continued access is necessary and appropriate. If not, s/he shall take such steps as necessary to block further access to such information.
7. ~~**Information Technology Contractors and Vendors**¹— Prior to granting access to criminal justice information to an IT contractor or vendor, identification must be verified via a Michigan (or state of residency if other than Michigan) or national fingerprint based criminal history record check, unless they are escorted by authorized personnel at all times when accessing the criminal justice information. A felony conviction of any kind, as well as any outstanding arrest warrant, will disqualify an IT contractor or vendor for access to criminal justice information. A contract or vendor with a criminal record of any other kind may be granted access if the LASO determines the nature or severity of the misdemeanor offense(s) does not warrant disqualifications. If any other results/records are returned, the individual shall not be granted access until the LASO reviews and determines access is appropriate.~~

E. Media Protection

Access to electronic and physical media in all forms, which contains criminal history background information provided by the Michigan State Police through the statutory record check process, is restricted to authorized individuals only. Only individuals involved in the hiring process of District employees, including contractors and vendors who act on behalf of, and work on a regular and continuous basis in, the District, shall be authorized to access electronic and physical media containing CHRI.

1. **Media Storage and Access** – All electronic and physical media shall be stored in a physically secure location or controlled area, such as locked office, locked cabinet or other similarly secure area(s) which can only be accessed by authorized individuals. If such security cannot be reasonably provided, then all electronic CHRI background data shall be encrypted. Electronic media shall be stored on a District or School server. Storage on a third party server, such as cloud service, is not permitted. Storage of electronic media must conform to the requirements in AG 8321.

2. **Media Transport** – Electronic and physical media shall only be transported upon sufficient justification approved by the LASO. Digital and physical media shall be protected when being transported outside of a controlled area. Only authorized individuals shall transport the media. Physical media (e.g. printed documents, printed imagery, etc.) shall be transported using a locked container, sealed envelope, or other similarly secure measure. To the extent possible, digital media (e.g., hard drives and removable storage devices such as disks, tapes, flash drives and memory cards) shall be either encrypted and/or be password protected during the transport process. The media shall be directly delivered to the intended person or destination and shall remain in the physical control and custody of the authorized individual at all times during transport. Access shall only be allowed to an authorized individual.
3. **Media Disposal/Sanitization** – When the CHRI background check is no longer needed, the media upon which it is stored shall either be destroyed or sanitized. The LASO and the Superintendent shall approve in writing the media to be affected. This record shall be maintained by the LASO for a period of at least five (5) years. [Note: the regulations do not specify a specific period for maintaining this information. This time period is suggested as it will likely cover most statutes of limitation and can be retained in digital format.
- a. **Electronic Media** - Sanitization of the media and deletion of the data shall be accomplished by either overwriting at least three (3) times or by degaussing, prior to disposal or reuse of the media. If the media is inoperable or will not be reused, it shall be destroyed by shredding, cutting, or other suitable method to assure that any data will not be retrievable.
 - b. **Physical Media** – Disposal of documents, images or other type of physical record of the criminal history information shall be cross-cut shredded or incinerated. Physical security of the documents and their information shall be maintained during the process by authorized individuals. Documents may not be placed in a waste basket or burn bag for unauthorized individuals to later collect and dispose of

All disposal/sanitization shall be either conducted or witnessed by authorized personnel to assure that there is no misappropriation of or unauthorized access to the data to be deleted. Written documentation of the steps taken to sanitize or destroy the media shall be maintained for ten (10) years, and must include the date as well as the signatures of the person(s) performing and/or witnessing the process. (See also, AG 8321.)

4. **Mobile Devices** – A personally owned mobile device (mobile phone, tablet, laptop, etc.) shall not be authorized to access, process, store or transmit criminal justice information unless the District has established and documented the specific terms and conditions for personally owned mobile devices through a Mobile Device Management (MDM) system. An MDM is not required when receiving CHRI from an indirect access information system (i.e., the system provides no capability to conduct transactional activities on State and national repositories, applications, or services).

4. **CHRI Background Check Consent and Documentation**

All individuals requested to complete a fingerprint-based CHRI background check must execute Michigan State Police Form RI-088A at time of application and be notified fingerprints will be used to check the criminal history records of the FBI, prior to completing a fingerprint-based CHRI background check. The most current and unaltered Livescan form (RI-030) will satisfy this requirement and must be retained. Individuals subject to a fingerprint-based CHRI background check shall be provided the opportunity to complete or challenge the accuracy of the individual's criminal history record.

Some type of documentation identifying the position for which a fingerprint-based CHRI background check has been obtained must be retained for every CHRI background check conducted, such as the "Agency User Agreement" (RI-087), an offer letter, employment agreement, new hire checklist, employment contract, volunteer background check form, etc.

5. **Controlled Area/Physical Protections**

All CHRI obtained from the Michigan State Police pursuant to the statutorily required background checks shall be maintained in the _____ Human Resource office area _____ [insert designated location, such as the Principal's, Human Resources, or other such office], which is a physically secure and controlled area. The following security precautions will apply to the controlled area:

1. Limited unauthorized personnel access to the area during times that criminal justice information is being processed or viewed.
2. The controlled area shall be locked at all times when not in use or attended by an authorized individual.

3. Information systems devices (e.g., computer screens) and physical documents, when in use, shall be positioned to prevent unauthorized individuals from being able to access or view them.
4. Encryption shall be used for digital storage of criminal justice information. (See AG 8321).

6. **Passwords (Standard Authentication)**¹

All authorized individuals with access to computer or systems where processing is conducted or containing criminal justice information must have a unique password to gain access. This password shall not be used for any other account to which the individual has access and shall comply with the following attributes and standards:

1. at least eight (8) characters long on all systems
2. not be a proper name or a word found in the dictionary
3. not be the same as the user identification
4. not be displayed when entered into the system (must use feature to hide password as typed)
5. not be transmitted in the clear outside of the secure location used for criminal justice information storage and retrieval
6. must expire and be changed every ninety (90) days
7. renewed password cannot be the same as any prior ten (10) passwords used (See also, AG 8321).

7. **Security Awareness Training**

All individuals who are authorized by the District to have access to criminal justice information or to systems which store criminal justice information shall have basic security awareness training within six (6) months of initial assignment/authorization and every two (2) years thereafter. The training shall, to the extent possible, be received through a program approved by the Michigan State Police. A template of the training is provided on the Michigan State Police's website. At a minimum, the training shall comply with the standards established by the U.S. Department of Justice and Federal Bureau of Investigation for Criminal Justice Information Services. (See AG 8321.) A record shall be kept current of all individuals who have completed the security awareness training.

8. **Secondary Dissemination of Information**

If criminal history background information received from the Michigan State Police is released to another authorized agency under the sharing provision designated by the revised school code, a log of such releases shall be maintained and kept current indicating:

1. the date of release;
2. record disseminated;
3. method of sharing;
4. agency personnel that shared the CHRI;
5. the agency to which the information was released;
6. the name of the individual recipient at the agency; and
7. whether authorization was obtained.

A log entry need not be kept if the receiving agency/entity is part of the primary information exchange agreements between the District and the Michigan State Police. A release form consenting to the sharing of CHRI shall be maintained at all relevant times.

If CHRI is received from another District or outside agency, an Internet Criminal History Access Tool (ICHAT) background check shall be performed to ensure the CHRI is based on personal identifying information, including the individual's name, sex, and date of birth, at a minimum.

Incident Handling and Responses

Information system security incidents shall be tracked using Form CJIS-016 and documented on an ongoing basis. Incident-related information may be obtained from audit monitoring, network monitoring, physical access monitoring, and user/administrator reports. The LASO shall maintain completed security incident reporting forms for three (3) years or until legal action (if warranted) is complete, whichever timeframe is greater. The District shall implement steps for incident handling capabilities, for both digital and physical CHRI media. At a minimum, the following will be implemented:

	Physical - Hard Copy CHRI	Digital - Digitally Saved CHRI
1. Preparation	The CHRI container will be locked at all times in the business office where it is stored. The office must be locked when the office staff is not present.	Firewalls, virus protection, and/or malware/spyware protection shall be implemented and maintained to prevent unauthorized access or intrusion of the information systems.
2. Detection	Unauthorized activities or physical intrusions to the building shall be monitored by building alarm or video surveillance. Doors must be locked and checked at night.	Electronic intrusions shall be monitored and detected by the firewalls, virus protection, and/or malware/spyware protection software.
3. Analysis	The LASO will work with police authorities to determine how the incident occurred and what data was affected.	The LASO shall work with the IT department to determine what systems or data were compromised and affected.
4. Containment	The LASO shall lock uncompromised CHRI information in a secure container, or transport CHRI to a secure area.	The IT department shall stop the spread of any intrusion of the information systems and prevent further damage.
5. Eradication	The LASO shall work with law enforcement to remove any threats and compromised CHRI data.	The IT department shall remove the intrusion of the information systems before restoring the system. All steps necessary to prevent recurrence shall be taken before restoring the system.
6. Recovery	The Police shall handle and/or oversee the recovery of stolen CHRI media. The LASO may contact MSP for assistance in re-fingerprinting if necessary.	The IT department shall restore the agency information system and media to a safe environment.

When an incident involving the security of CHRI or systems with access to CHRI is discovered, the following procedures shall be followed:

1. The LASO shall be notified immediately.
2. The breach shall be assessed and steps taken to correct the situation:
 1. access shall be stopped for any unauthorized user;
 2. media shall be secured;
 3. systems shall be shut down as necessary to avoid further exposure to unauthorized access or dissemination of CHRI;
 4. such other steps are deemed necessary by the LASO or authorized personnel involved in assessing the incident.
3. All necessary information regarding the security breach and District responses shall be recorded, analyzed, and preserved, including who was involved in taking incident response measures.

4. The LASO shall be responsible for filing the incident report with the MSP.

The LASO shall monitor MSP information/guidance on incident reports and train authorized users with access to CHRI on detection and response to security incidents.

5. Mobile Device - Incident Handling and Response

1. The LASO shall be notified immediately.
2. The breach shall be assessed and steps taken to correct the situations:
 1. access shall be stopped immediately, and remotely if necessary, for any authorized user;
 2. media shall be secured and steps taken to identify how the incident occurred and what systems or data were compromised or affected;
 3. systems shall be shut down as necessary to avoid further exposure to unauthorized access or dissemination of CJI;
 4. such other steps as are deemed necessary by the LASO or authorized personnel involved in assessing the incident.
3. All necessary information regarding the security breach and District responses shall be recorded, analyzed, and preserved, including who was involved in taking incident response measures.
4. Steps shall be taken to restore the device and media to a safe environment.
5. The LASO shall be responsible for filing the incident report with the MSP using form CJIS-016. A copy of the completed form shall be retained and produced to MSP upon request.

When a device is lost the District shall document and indicate how long the device has been lost. Special reporting procedures for mobile devices shall apply in any of the following situations:

1. for a lost device, report if the owner:
 1. believed the device was locked;
 2. believed the device was unlocked;
 3. could not validate the device's locked state.
2. for a total loss of a device, report if:
 1. CHRI was stored on the device;
 2. the device was locked or unlocked;
 3. capable of remote tracking or wiping of device.
3. report any compromise of a device when the intrusion occurs while still in the owner's possession
4. report any compromise outside of the United States

6. **Collection of Evidence**

Where an information security incident involves legal action against the District or an individual (either civil or criminal), evidence shall be collected, retained, and presented in accordance with the rules of evidence of the relevant jurisdiction(s).

4. ~~CHRI Background Check Consent and Documentation~~

~~All individuals requested to complete a fingerprint-based CHRI background check must have given written consent—properly signed and dated—at time of application and be notified fingerprints will be used to check the criminal history records of the FBI, prior to completing a fingerprint-based CHRI background check. The Livescan form (RI-030) will satisfy this requirement and must be retained. Individuals subject to a fingerprint-based CHRI background check shall be provided the opportunity to complete or challenge the accuracy of the individual's criminal history record.~~

~~Some type of documentation identifying the position for which a fingerprint-based CHRI background check has been obtained must be retained for every CHRI background check conducted, such as an offer letter, job posting indicating successful candidate, Board minutes of approved hiring for particular position, etc.~~

5. ~~Controlled Area~~

~~All CHRI obtained from the Michigan State Police pursuant to the statutorily required background checks shall be maintained in a controlled area, which shall be a designated office, room, area or lockable storage container. The following security precautions will apply to the controlled area:~~

- ~~1. Limited unauthorized personnel access to the area during times that criminal justice information is being processed or viewed.~~
- ~~2. The controlled area shall be locked at all times when not in use or attended by an authorized individual.~~
- ~~3. Information systems devices (e.g., computer screens) and physical documents, when in use, shall be positioned to prevent unauthorized individuals from being able to access or view them.~~
- ~~4. Encryption shall be used for electronic storage of criminal justice information. (See AG-8321.)~~

6. ~~Passwords (Standard Authentication)~~²

~~All authorized individuals with access to computer or systems where processing is conducted or containing criminal justice information must have a unique password to gain access. This password shall not be used for any other account to which the individual has access and shall comply with the following attributes and standards.~~

- ~~1. at least eight (8) characters long on all systems~~
- ~~2. not be a proper name or a word found in the dictionary~~
- ~~3. not be the same as the user identification~~
- ~~4. not be displayed when entered into the system (must use feature to hide password as typed)~~
- ~~5. not be transmitted in the clear outside of the secure location used for criminal justice information storage and retrieval~~
- ~~6. must expire and be changed every ninety (90) days~~
- ~~7. renewed password cannot be the same as any prior ten (10) passwords used (See also, AG-8321.)~~

7. ~~Security Awareness Training~~

~~All individuals who are authorized by the District to have access to criminal justice information or to systems which store criminal justice information shall have basic security awareness training within six (6) months of initial assignment/authorization and every two (2) years thereafter. The training shall, to the extent possible, be received through the Michigan State Police or a program approved by the Michigan State Police. At a minimum, the training shall comply with the standards established by the U.S. Department of Justice and Federal Bureau of Investigation for Criminal Justice Information Services. (See AG-8321.) A record shall be kept current of all individuals who have completed the security awareness training.~~

8. ~~Secondary Dissemination of Information~~

~~If criminal history background information received from the Michigan State Police is released to another authorized agency under the sharing provision designated by The Revised School Code, a log of such releases shall be maintained~~

and kept current indicating:

1. ~~the date of release;~~
2. ~~record disseminated;~~
3. ~~method of sharing;~~
4. ~~agency personnel that shared the CHRI;~~
5. ~~the agency to which the information was released;~~
6. ~~whether an authorization was obtained.~~

A log entry need not be kept if the receiving agency/entity is part of the primary information exchange agreements between the District and the Michigan State Police.

If CHRI is received from another District or outside agency, an Internet Criminal History Access Tool (ICHAT) background check shall be performed to ensure the CHRI is based on personal identifying information, including the individual's name, sex, and date of birth, at a minimum.

K. **Audit and Accountability**

The District or the responsible party, such as the RESD, shall generate audit records for the events listed below.

The District's information system shall produce, at the application and/or operating system level, audit records containing sufficient information to establish what events occurred, the sources of the events, and the outcomes of the events. In the event the District does not use an automated system, manual recording of activities shall still take place.

The following events shall be logged:

1. ~~Successful and unsuccessful system log on attempts.~~
2. ~~Successful and unsuccessful attempts to:~~
 - a. ~~access permission on a user account, file, directory or other system resource;~~
 - b. ~~create permission on a user account, file, directory or other system resource;~~
 - c. ~~write permission on a user account, file, directory or other system resource;~~
 - d. ~~delete permission on a user account, file, directory or other system resource;~~
 - e. ~~change permission on a user account, file, directory or other system resource.~~
3. ~~Successful and unsuccessful attempts to change account passwords.~~
4. ~~Successful and unsuccessful actions by privileged accounts.~~
5. ~~Successful and unsuccessful attempts for users to:~~
 - a. ~~access the audit log file;~~
 - b. ~~modify the audit log file;~~
 - c. ~~destroy the audit log file.~~

The following content shall be included with every audited event: 1) date and time of the event; 2) the component of the information system (e.g., software component, hardware component) where the event occurred; 3) type of event; 4) user identity; and 5) outcome (success or failure) of the event.

~~The District's information system shall provide alerts to the appropriate District officials in the event of an audit processing failure. Audit processing failures include, for example software/hardware errors, failures in the audit capturing mechanisms, and audit storage capacity being reached or exceeded.~~

~~**Audit Monitoring, Analysis and Reporting**—The District shall designate an individual or position to review/analyze information system audit records for indications of inappropriate or unusual activity, to investigate suspicious activity or suspected violations, to report findings to appropriate officials, and to take necessary actions. Audit review/analysis shall be conducted at a minimum once a week, and should be increased if volume indicates an elevated need for audit review.~~

~~**Time Stamps**—The District's information system shall provide time stamps for use in audit record generation. The time stamps shall include the date and time values generated by the internal system clocks in the audit records.~~

~~**Protection of Audit Information**—The District's information system shall protect audit information and audit tools from modification, deletion and unauthorized access.~~

~~**Audit Record Retention**—The District shall retain audit records for at least one (1) year. Once the minimum retention time period has passed, the District may continue to retain audit records until it is determined they are no longer needed for administrative, legal, audit, or other operational purposes.~~









~~¹Non-Information Technology contractors or vendors shall not have access to criminal justice information.~~

²₁Applicable to districts that maintain CHRI within an electronic system of records, such as an electronic database, filing system, record keeping software, spreadsheets, etc. Not applicable if CHRI kept solely via e-mail and/or paper copies.

Revised 3/24/14

Revised 1/25/16

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- Legal
-   Criminal Justice Information Services - Security Policy (Version 5.2, 2013) undefined
 -   U.S. Dept. of Justice and Federal Bureau of Investigation undefined
 -   Noncriminal Justice Agency Compliance Audit Review, Michigan State Police, Criminal Justice Information Center, Audit and Training Section undefined
 -   Conducting Criminal Background Checks, Michigan State Police, Criminal Justice Information Center undefined

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	STUDENT RECORDS
Code	po8330
Status	
Adopted	July 11, 2005
Last Revised	June 26, 2017

8330 - **STUDENT RECORDS**

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard student's privacy and restrict access to student's personally identifiable information.

After June 26, 2021, if the parent or legal guardian of a student provides the District with notice that s/he/they have received a participation card issued by the attorney general under the address confidentiality program act, the District shall not disclose the confidential address of the student, regardless of any other provision of this policy. The Superintendent, or his or her designee, shall develop a process to ensure that a student's participation in the address confidentiality program act is appropriately noted to avoid disclosure of this information to any person or entity.

Student "personally identifiable information" ("PII") includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board of Education is responsible for maintaining records of all students attending schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees. The Board hereby authorizes collection of the following student records, in addition to the membership record required by law:

- A. observations and ratings of individual students by professional staff members acting within their sphere of competency
- B. information obtained from professionally acceptable standard instruments of measurement such as:
 - 1. interest inventories and aptitude tests
 - 2. vocational preference inventories
 - 3. achievement tests
 - 4. standardized intelligence tests
- C. authenticated information provided by a parent or adult student concerning achievements and other school activities which the parent or student wants to make a part of the record
- D. rank in class and academic honors earned
- E. psychological tests
- F. attendance records

G. health records

H. custodial arrangements

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, and designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older or a student of any age who is enrolled in a postsecondary institution.

In situations in which a student has both a custodial and a noncustodial parent, both shall have access to the student's educational records unless stipulated otherwise by court order. In the case of eligible students parents will be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as "school officials" for the purpose of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant);
- B. contractors, consultants, volunteers or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers) is also considered a "school official" for purposes of FERPA provided s/he meets the above-referenced criteria applicable to other outside parties.

"Legitimate educational interest" shall be defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of this District seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request;
- C. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- D. report a crime committed by a child with or without a disability to appropriate authorities and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and school officials for their consideration;

- E. release de-identified records and information in accordance with Federal regulations;
- F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.) Further, the following personally identifiable information will not be disclosed to any entity: a student or his/her family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identified information be used whenever possible. This reduces the risk of unauthorized disclosure.

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as state and local educational authorities. The disclosed records must be used to audit or evaluate a federal or state supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

The District will verify that the authorized representative complies with FERPA regulations.

- H. request each person or party requesting access to a student's record to abide by the Federal regulations concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of those persons to whom information about a student has been disclosed. Such disclosure records will indicate the student, person viewing the record, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Upon written request by a student's parent or legal guardian, the District shall disclose to the parent or legal guardian any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records.

If the District provides any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records to any person, agency, or organization, then the District shall disclose to the student's parent or legal guardian upon his or her written request:

- A. the specific information that was disclosed;
- B. the name and contact information of each person, agency, or organization to which the information has been disclosed;
- C. the legitimate reason that the person, agency, or organization had in obtaining the information.

This information shall be provided without charge within thirty (30) days after the District receives the written request and without charge to the parent or legal guardian.

The District is not required to disclose to the parent or legal guardian, even upon written request, any personally identifiable information concerning the student that is collected or created by the District as part of the student's education records and is provided to any person, agency, or organization in any of the following situations:

- A. provision of such information to the Michigan Department of Education or CEPI
- B. provision of such information to the student's parent or legal guardian
- C. provision of such information to its authorizing body or to an educational management organization with which it has a management agreement
- D. provision of such information to or from its intermediate school district or to another intermediate school district providing services to the District or its students pursuant to a written agreement
- E. provision of such information to a person, agency, or organization with written consent from the student's parent or legal guardian or, if the student is at least age eighteen (18), the student
- F. provision of such information to a person, agency, or organization seeking or receiving records in accordance with an order, subpoena, or ex parte order issued by a court of competent jurisdiction
- G. provision of such information as necessary for standardized testing that measures the student's academic progress and achievement
- H. provision of such information that is covered by the opt-out form described above, unless the student's parent or legal guardian or, if the student is at least age eighteen (18) or is an emancipated minor, the student has signed and submitted the opt-out form referenced below

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent; or, if the student is an eligible student, the written consent of the student, except those persons or parties stipulated by the Board policy and administrative guidelines and/or those specified in the law.

The Board shall exempt from disclosure directory information, as requested for the purpose of surveys, marketing, or solicitation, unless the Board determines that the use is consistent with the educational mission of the Board and beneficial to the affected students. The Board may take steps to ensure that directory information disclosed shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitations. Before disclosing the directory information, the Board may require the requester to execute an affidavit stating that directory information provided shall not be used, rented, or sold for the purpose of surveys, marketing, or solicitation.

DIRECTORY INFORMATION

Each year the Superintendent shall provide public notice to students and their parents of its intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- A. a student's name;
- B. address (except for students participating in the address confidentiality program act);
- C. telephone number;
- D. date and place of birth;
- E. major field of study;
- F. participation in officially recognized activities and sports;
- G. height and weight, if member of an athletic team;
- H. dates of attendance;
- I. date of graduation;
- J. awards received;

- K. honor rolls;
- L. scholarships;
- M. telephone numbers for inclusion in school or PTO directories;
- N. school photographs or videos of students participating in school activities, events or programs.

The Board designates school-assigned e-mail accounts as "directory information" for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes. School-assigned e-mail accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider and internal users of the District's Education Technology.

The District Administration will also develop a list of uses for which the District commonly would disclose a student's directory information and develop an opt-out form that lists all of the uses or instances and allows a parent or legal guardian to elect not to have his or her child's directory information disclosed for one (1) or more of these uses.

Each student's parent or legal guardian will be provided with the opt-out form within the first thirty (30) days of the school year. The form shall also be provided to a parent or legal guardian at other times upon request.

If an opt-out form is signed and submitted to the District by a student's parent or legal guardian, the District shall not include the student's directory information in any of the uses that have been opted out of in the opt-out form. A student who is at least age eighteen (18) or is an emancipated minor may act on his or her own behalf with respect to the opt-out form.

Parents and eligible students may also refuse to allow the District to disclose any or all of such "directory information" upon written notification to the District within ten (10) days after receipt of the District's public notice.

Armed Forces Recruiting

The Board shall provide United States Armed Forces recruiters with at least the same access to the high school campus and to student directory information (names, addresses (except for students participating in the address confidentiality program act), and telephone listings of secondary students) as is provided to other entities offering educational or employment opportunities to those students. "Armed forces of the United States" means the armed forces of the United States and their reserve components and the United States Coast Guard.

If a student or the parent or legal guardian of a student submits a signed, written request to the Board that indicates that the student or the parent or legal guardian does not want the student's directory information to be accessible to official recruiting representatives, then the officials of the school shall not allow that access to the student's directory information. The Board shall ensure that students and parents and guardians are notified of the provisions of the opportunity to deny release of directory information.

Public notice shall be given regarding the right to refuse disclosure of any or all "directory information" including to the armed forces of the United States and the service academies of the armed forces of the United States.

A fee, not to exceed the actual costs incurred by the high school, for copying and mailing student directory information under this section, may be charged an official recruiting representative.

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

Annually the Board will notify male students age eighteen (18) or older that they are required to register for the selective service.

Requests to the District records officer shall be presented on a standardized form developed by the armed forces of the United States requesting access to a high school campus and a time for the access. Requests should bear the signature of the ranking recruiting officer of the armed service making the request.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's education records or for the release of "directory information", either parent may provide such consent unless stipulated otherwise by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information" on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not sell or otherwise provide to a for-profit business entity any personally identifiable information that is part of a student's education records. This does not apply to any of the following situations:

- A. providing the information as necessary for standardized testing that measures the student's academic progress and achievement
- B. providing the information as necessary to a person that is providing educational or educational support services to the student under a contract with the District

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town, unless a parent is prohibited from doing so due to a student's participation in the address confidentiality program act), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible students, must submit a written request to the building principal at least 7 work days before the scheduled date of the activity. The instrument will be provided to the parent within 3 business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure or use of personal information collected from students from the exclusive purpose of developing, evaluating, or providing educational products or service for, or to, students or educational institutions, such as the following:

- 1. college or other postsecondary education recruitment, or military recruitment;
- 2. book clubs, magazines, and programs providing access to low-cost literary products;
- 3. curriculum and instructional materials used by elementary and secondary schools;
- 4. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- 5. the sale by students of products or services to raise funds for school- related or education-related activities; and
- 6. student recognition programs.

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release. This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep their account information. Neither the District nor its employees will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

The Superintendent shall prepare administrative guidelines to ensure that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;

- D. challenge the Board's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this District specifically as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board of Education delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Education. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

Revised 2/13/06
 Revised 10/26/09
 Revised 1/24/11
 Revised 8/27/12
 Revised 1/26/15

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Legal

M.C.L. 380.1135, 380.1136

Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education

34 C.F.R. Part 99, 2002

Section 444 of subpart of part C of the General Education Provisions Act

Title IV of Public Law 90-247

20 U.S.C., Section 1232f through 1232i (FERPA)

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act

20 U.S.C. 7165(b)

26 U.S.C. 152

20 U.S.C. 7908

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	SCHOOL SAFETY INFORMATION
Code	po8400
Status	
Adopted	July 11, 2005
Last Revised	June 22, 2020

8400 - **SCHOOL SAFETY INFORMATION**

The Board of Education is committed to maintaining a safe school environment. The Board believes that school crime and violence are multifaceted problems which need to be addressed in a manner that utilizes the best resources and coordinated efforts of School District personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-sponsored activity or while enroute to or from school, or a school-sponsored activity. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

In furtherance of its commitment to a safe school environment, the Board has prohibited weapons on school property and at school-sponsored events, except in very limited circumstances. See Board Policy 3217, Policy 4217, and Policy 5772. This prohibition is reasonably related to legitimate educational concerns, including the ability to provide a safe and secure learning and social environment for its students and controlling and minimizing disruptions to the educational process. The presence of dangerous weapons on school property or at school-sponsored events, except under very controlled circumstances, creates a potentially dangerous situation for students, staff and visitors, and may trigger precautionary safety responses which disrupt the educational process and learning environment for students.

Federal law establishes a "Student Safety Zone" that extends 1,000 feet from the boundary of any school property in relation to weapons ~~and~~ drugs ~~and registered sex offenders~~. Individuals are prohibited from possessing or using weapons or drugs engaging in these activities at any time on District property, within the Student Safety Zone, or at any District-related event.

The District will work with local officials in arranging signage defining the 1,000 foot boundary.

~~The Superintendent shall take the necessary steps so that an individual eighteen (18) years of age or older who is a registered sex offender, and resides, works, or loiters in violation of the Student Safety Zone, is prosecuted to the fullest extent of the law.~~

The Shiawassee Regional Service District (SRES D) shall convene a meeting for the purpose of conferring regarding the *School Safety Information Policy Agreement*, and making modifications as deemed necessary and proper; discussing additional training that might be needed; and, discussing any other such related matters as may be deemed to be necessary by the participants. Participants in this meeting shall include the Superintendent, members of the Board, the County Prosecutor or his/her designee, and representatives from the local law enforcement agencies. The following may also be invited to participate in the meeting:

- A. Chief Judge of Circuit and/or District Courts or his/her designee, including a representative of the family division;
- B. representative from the Intermediate School District (SRES D);
- C. representative(s) from the local child protection agency;
- D. building administrators;
- E. Fire Marshal or his/her designee;
- F. representative(s) from emergency medical services;

G. representative(s) from county emergency management service agency;

H. School Resource Officer.

The Superintendent shall make a report to the Board about all such reviews and recommend the approval and adoption of any proposed revisions or additions.

District Contact Person

Furthermore, in accordance with State law, the Board hereby designates the Superintendent as the District contact person who shall receive information from law enforcement officials, prosecutors and the court officials, including receipt of information provided from the Michigan State Police relating to the student safety act hotline ("OK2Say"). The current contact information for Superintendent shall be provided to the Michigan State Police in the manner and frequency required by law.

The District contact person shall notify the principal of the school of attendance of a student about whom information is received from law enforcement officials, prosecutors, or court officials within twenty-four (24) hours of the receipt of that information. The principal shall, in turn, notify the building staff members who s/he determines have a need to know the information that has been received within twenty-four (24) hours of receipt of that information.

The District contact person shall notify the appropriate law enforcement officials when an adult or a student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement* and shall report all information that is required to be reported to State or local law enforcement agencies and prosecutors. Reporting such information is subject to 20 U.S.C. 1232g, commonly referred to as the Family Educational Rights and Privacy Act of 1974.

If a student is involved in an incident that is reported to law enforcement officials pursuant to the District's *School Safety Information Policy Agreement*, then, upon request by school officials, the student's parent or legal guardian shall execute any waivers or consents necessary to allow school officials access to school, court, or other pertinent records of the student concerning the incident and action taken as a result of the incident.

Required Reporting

The Superintendent shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the District during the preceding school year and the reason for the expulsion.

The Superintendent shall post a report on the District website at least annually, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at school. At least annually, a copy of the most recent report of incidents of crime, disaggregated by school building, shall be made available to the parent or legal guardian of each student enrolled in the District. This report will include at least crimes involving:

- A. physical violence;
- B. gang related acts;
- C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;
- D. trespassing;
- E. property crimes, including but not limited to theft and vandalism, including an estimate of the cost to the District resulting from the property crime.

Each school building shall collect and keep current on a weekly basis the information required from the report of incidents of crime, and must provide that information, within seven (7) days, upon request.

Additionally, the District shall report all incidents of and attempted commissions of the crimes listed above to the Michigan State Police, in the form and manner prescribed by the Michigan State Police, within twenty-four (24) hours after the incident occurs.

Law Enforcement Information Network (LEIN)

The Board authorizes the Superintendent to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

Threat Assessment

The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. This policy is designed to be consistent with the process for identifying, assessing, and managing students who may pose a threat as set forth in the joint U.S. Secret Service and Department of Homeland Security publication, *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each Team shall be headed by the Principal and include a school counselor, school psychologist, instructional personnel, and, where appropriate, the School Resource Officer. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.

The Team will meet on a regular basis and when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target. If an inquiry indicates that there is a risk of violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

- A. identifying team participants by position and role;
- B. requiring team participants to undergo appropriate training;
- C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment;
- D. defining that types of information that may be gathered during the assessment;
- E. stating when and how parents/guardians of the student making the threat shall be notified and involved;
- F. designating the individuals (by position) who would be responsible for gathering and investigating information;
- G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by Board Policy 8330 – Student Records, and State and Federal law.

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any

year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall discuss this at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall discuss the school’s designation as a persistently dangerous school at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

If a school in a neighboring district is identified as persistently dangerous and there is not another school in that district, the District will admit students from that school in accordance with Board Policy 5113.02.

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

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Revised 1/28/19

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Legal Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended
M.C.L. 380.1241, 380.1308, 380.1308a, 380.1310a, 752.913, 771.2a

Last Modified by Alexa Stechschulte on March 30, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	FOOD SERVICES
Code	po8500
Status	
Adopted	July 11, 2005
Last Revised	October 28, 2019

8500 - **FOOD SERVICES**

The Board of Education shall provide cafeteria facilities in all school facilities where space and facilities permit, and will provide food service for the purchase and consumption of lunch for all students.

The Board shall also provide a breakfast program in accordance with procedures established by the Department of Education.

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities. Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. See Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA's school meal pattern requirements for Americans and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

Substitutions

If determined appropriate by a student's Section 504 team, substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a healthcare provider who has prescriptive authority in the State of Michigan has provided medical certification that the student has a disability which restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. 15(b). To qualify for such substitutions the medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- B. an explanation of why the disability affects the students diet; and
- C. the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

For non-disabled students who need nutritional equivalent milk substitute, only a signed request by a parent or guardian is required.

Lunches sold by the school may be purchased by students and staff members and community residents in accordance with the administrative guidelines established by the Superintendent.

The operation and supervision of the food-service program shall be the responsibility of the Superintendent and the Director of Food Service. Food services shall be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program.

A periodic review of the food-service accounts shall be made by the Chief Financial Officer. Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account.

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

The Superintendent is authorized to develop and implement an administrative guideline regarding meal charge procedures. This guideline will provide consistent directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service and shall also address feeding students with unpaid meal balances without stigmatizing them.

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the school or School District during the school year.

With regard to the operation of the school food service program, the Superintendent shall require:

- A. the maintenance of sanitary, neat premises free from fire and health hazards;
- B. the preparation of food that complies with Federal food safety regulations;
- C. the planning and execution of menus in compliance with the USDA requirements;
- D. the purchase of foods and supplies in accordance with State and Federal law, USDA regulations, and Board policy (See Policy 1130, Policy 3110, and Policy 4110);
- E. complying with food holds and recalls in accordance with USDA regulations;
- F. the accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. the safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- H. the regular maintenance and replacement of equipment;
- I. all District employees whose salaries are paid for with USDA funds or non-federal funds used to meet a match or cost share requirement must comply with the District's time and effort record-keeping policy (See Policy 6116).

The District shall serve only nutritious food as determined by the Food Service Department in compliance with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages unassociated with the food-service program may be vended in accordance with Board Policy 8540.

The Superintendent will require that the food service program serve foods in District schools that are wholesome and nutritious and reinforce the concepts taught in the classroom.

Revised 12/11/06

Revised 9/26/11

Revised 1/26/15

Revised 12/14/15

Revised 6/27/16

Revised 6/26/17

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Legal

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

M.C.L. 380.1272, 1272a, 1272d et seq.

7 C.F.R. Parts 15b, 127, 210, 215, 220, 225, 226, 240, 245, 3015

42 U.S.C. 1758, 1760

OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

Last Modified by Alexa Stechschulte on March 30, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	WELLNESS
Code	po8510
Status	
Adopted	April 10, 2006
Last Revised	June 26, 2017

8510 - **WELLNESS**

As required by law, the Board of Education establishes the following wellness policy for the Owosso Public Schools.

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

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

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

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

1. Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.
2. Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.

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

1. **Physical Education**

- a. The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
- b. Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, or harassment of any kind.

2. **Physical Activity**

All students in grades K-5 shall be provided with a daily recess period. Recess shall not be used as a reward or punishment.

C. With regard to other school-based activities ~~the District shall:~~

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

1. The school shall provide attractive, clean environments in which the students eat.

2. Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.

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

Additionally, the District shall:

1. encourage students to increase their consumption of healthful foods during the school day;
2. create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods:
 - a. a variety of fresh produce to include those prepared without added fats, sugars, refined sugars, and sodium
 - b. a variety of vegetables daily to include specific subgroups as defined by dark green, red/orange, legumes, and starchy
 - c. whole grain products - half of all grains need to be whole grain-rich upon initial implementation and all grains must be whole grain-rich within two (2) years of implementation
 - d. fluid milk that is fat-free (unflavored and flavored) and low- fat (unflavored)
 - e. meals designed to meet specific calorie ranges for age/grade groups
3. eliminate trans-fat from school meals
4. require students to select a fruit or vegetable as part of a complete reimbursable meal

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

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

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

- C. The sale of foods and beverages to students that do not meet the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards to be consumed on the school campus during the school day is prohibited.
- D. All food items and beverages available for sale to students for consumption on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) between midnight and thirty (30) minutes after the close of the regular school day shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, including, but not limited to, competitive foods that are available to students a la carte or as entrees in the dining area (except entree items that were offered on the National School Lunch Program (NSLP) or School Breakfast Program (SBP) menu on the day of and the day after they are offered on the NSLP or SBP menu), as well as food items and beverages from vending machines, from school stores, or as fund-raisers, including those operated by student clubs and organizations, parent groups, or boosters clubs.
- E. All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, or from vending machines.
- F. All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include classroom snacks, for classroom parties, and at holiday celebrations) shall comply with the food and beverage standards approved by the Principal.

G. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well

The Board designates the Superintendent or Superintendent's designee as the individual(s) charged with operational responsibility for verifying that the District meets the goals established in this policy.

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

The Wellness Committee shall be responsible for:

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

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

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

The Superintendent is also responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the Superintendent shall distribute information at the beginning of the school year to families of school children and post the policy on the District’s website, including the Wellness Committee's assessment of the implementation of the policy.

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

Revised 7/28/14
Revised 1/26/15

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Legal 42 U.S.C. 1751, Sec. 204
 42 U.S.C. 1771
 7 C.F.R. Parts 210 and 220

Last Modified by Alexa Stechschulte on March 30, 2021

OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
Report 20-123

FOR ACTION

Subject:

Nondiscrimination/Anti-Harassment Policies Update, first reading.

Statement of Purpose/Issue:

Resolve that the Board of Education adopt as their first reading:

- Revised Policy 1422–Nondiscrimination and Equal Employment Opportunity;
- Revised Policy 1623–Section 504/ADA Prohibition Against Disability Discrimination in Employment;
- Revised Policy 1662–Anti-Harassment;
- Revised Policy 2260–Nondiscrimination and Access to Equal Educational Opportunity;
- Revised Policy 3122–Nondiscrimination and Equal Employment Opportunity;
- Revised Policy 3123–Section 504/ADA Prohibition Against Disability Discrimination in Employment;
- Revised Policy 3362–Anti-Harassment;
- Revised Policy 4122–Nondiscrimination and Equal Employment Opportunity;
- Revised Policy 4123– Section 504/ADA Prohibition Against Disability Discrimination in Employment;
- Revised Policy 4362– Anti-Harassment;
- Revised Policy 5517– Anti-Harassment;

Facts / Statistics:

These policies have been revised to reflect changes in terminology and definitions, terms, and processes that are consistent with the latest regulations released by the United States Department of Education (USDOE), specifically Title IX regulations released in May 2020 (effective August 2020).

These revisions are recommended for adoption.

District Goal Addressed:

Routine Business

Motion

Seconded

Vote – Ayes

Nays

Motion

Book	Policy Manual
Section	For Board Consideration 35-2
Title	NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po1422
Status	
Adopted	May 12, 2014
Last Revised	January 28, 2019

1422 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex, (including sexual orientation or ~~trans~~gender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category, (collectively, "Protected Classes"), in its programs and activities, including employment opportunities.

Definitions:

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

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

For purposes of this policy, "military status" refers to a person's status in the uniformed services, which includes the performance of duty, on a voluntary basis, or involuntary basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

Cathy Dwyer

Assistant Principal OMS
~~765 E. North St. 219 North Water St.~~
 Owosso, MI 48867
 989-723-3460
 dwyerc@owosso.k12.mi.us

~~Dallas Lintner~~ Jeff Phillips
 Assistant Principal and Athletic Director OHS ~~Principal OHS~~
 765 E. North St.
 Owosso, MI 48867
 989-723-8231
~~lintner@owosso.k12.mi.us~~ ~~phillips@owosso.k12.mi.us~~

The names, titles, and contact information of these individuals will be published annually on the School District's web site.

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, ~~Title IX of the Education Amendment Act of 1972~~, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. ~~(.)~~ Any sections of the District's collective bargaining agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based is available upon request from the CO. ~~may be found in the CO's office.~~

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are ~~required to~~ encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level ~~employee or~~ official who receives such a report ~~complaint~~ shall file it with the CO within two (2) ~~school~~ days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's ~~complain~~ individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports ~~complaints~~ of unlawful discrimination/retaliation directly from any member of the School District community or a Third Party, or received reports that are initially filed with another Board employee. ~~visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation); Upon receipt of a report of alleged~~ discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent. ~~any person who files a complaint.~~ In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any District employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any District employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other District employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant ~~employee~~ within two (2) business days to advise him/her of the District's intent to investigate the wrongdoing.

Investigation and Complaint Procedure (See Form 1422 F2)

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been ~~Any employee who believes that s/he has been~~ subjected to unlawful discrimination or retaliation may seek resolution of the his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged ~~should make every effort~~ to file a complaint within thirty (30) ~~calendar~~ days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop ~~stop quickly~~ inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation ~~believes s/he has been unlawfully discriminated or retaliated against~~. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually ~~parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination)~~ agree to participate in it.

The Complainant ~~Employees who believe that they have been unlawfully discriminated/retaliated against~~ may proceed immediately to the formal complaint process and individuals who participate in ~~seek resolution through~~ the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community and against a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe ~~an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe~~ doing so, the individual should tell or otherwise inform the Respondent that ~~person who engaged in~~ the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant ~~complaining individual~~ should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant ~~individuals~~ when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant ~~An individual~~ who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct ~~may file~~ ~~inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing~~ an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), ~~such as sexual discrimination~~, the CO may advise against the use of the informal complaint process.

~~An individual who believes s/he has been unlawfully discriminated/retaliated against~~ A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a building administrator; (2) directly to one of the COs; and/or (3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide the Complainant ~~employees who believe they are being unlawfully discriminated/retaliated against~~ with a range of options aimed at bringing about a prompt resolution of their concerns.

Depending upon the nature of the complaint and the wishes of the Complainant ~~individual claiming unlawful discrimination/retaliation~~, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant ~~individual~~ about how to communicate his/her concerns to the Respondent ~~person who allegedly engaged in the discriminatory/retaliatory behavior~~.
- B. Distributing a copy of Policy 1422 – Non-Discrimination and Equal Employment Opportunity ~~as a reminder~~ to the individuals in the school building or office where the Respondent ~~individual whose behavior is being questioned~~ works.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution ~~between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution~~.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed ~~will exercise his/her authority~~ to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is ~~Parties who are~~ dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. ~~And~~, as stated above, either party ~~parties~~ may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process,~~individual elects to file a formal complaint initially;~~ the formal complaint process shall be implemented.

A Complainant~~An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant");~~ may file a formal complaint, either orally or in writing, with a principal, the CO, Superintendent, or other District official-level employee~~employee~~. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) ~~calendar~~ days after the conduct occurs. If a Complainant informs a principal, Superintendent, or other District official-level employee~~employee~~, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO/designee within two (2) business days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known it is available: the identity of the Respondent individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent, person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed/s/he deems appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal~~individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a~~ complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 1422 - Non- Discrimination and Equal Employment Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO/~~or the~~ designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant~~Complainant has been subjected to unlawful discrimination/retaliation~~. The CO's recommendations must be based upon the totality of the circumstances. In determining if

discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the District's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the Superintendent must either issue a ~~written~~ **final** decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/ retaliation toward the Complainant, the Superintendent ~~Complainant was subjected to unlawful discrimination/retaliation, s/he~~ must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the unlawful discrimination/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties ~~Complainant~~ may be represented, at their ~~his/her~~ own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies. ~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.~~

Privacy/Confidentiality

The ~~School~~ District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. ~~All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).~~

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided ~~s/he learns and/or provides~~ during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/ retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an

investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

~~Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent ~~or designee~~ shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any ~~supportive interim~~ measures offered and/or provided to the Complainant and/ or Respondent, ~~complainants and/or the alleged perpetrators~~, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;

- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks ~~or Codes of Conduct~~);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- O. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

- M.C.L. 37.2101 et seq., 37.1101 et seq.
- Fourteenth Amendment, U.S. Constitution
- 20 U.S.C. Section 1681, Title IX of Education Amendment Act
- 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
- 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
- 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
- 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
- 34 C.F.R. Part 110 (7/27/93)
- 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
- 42 U.S.C. 2000e et seq., Civil Rights Act of 1964
- 29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended
- 29 C.F.R. Part 1635

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po1623
Status	
Adopted	January 16, 2012
Last Revised	May 12, 2014

1623 - **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board of Education prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability.

Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Compliance Officer(s)

The Board designates the following individual(s) to serve as the District's 504 Compliance Officer(s)/ADA Coordinator(s) (hereinafter referred to as the "District Compliance Officer(s)").

Cathy Dwyer

[Assistant Principal OMS](#) ~~[Dean of Students OMS](#)~~

~~765 E. North St. 219 North Water St.~~

Owosso, MI 48867

989-723-3460

dwyerc@owosso.k12.mi.us

~~Dallas Lintner Jeff Phillips~~

~~Assistant Principal and Athletic Director OHS Principal OHS~~

765 E. North St.

Owosso, MI 48867

989-723-8231

~~lintner@owosso.k12.mi.us phillips@owosso.k12.mi.us~~

The name(s), title(s), and contact information of this/these individual(s) will be published annually on the School District's web site.

The District Compliance Officer(s) are responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the District Compliance Officer(s).

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

Training

The District Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the District's Compliance Officer(s) will be published on the District's website and ~~will be~~ posted throughout the District, and included ~~published~~ in the District's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with a District Compliance Officer within the time limits specified below. The District's Compliance Officer is available to assist individuals in filing a complaint.

Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the District Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the District Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the District Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) ~~calendar~~ days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the District Compliance Officer for good cause.
- C. The District Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The District Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) ~~work~~-days. If no decision is rendered within ten (10) ~~work~~-days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Superintendent. The District Compliance Officer shall maintain the District's files and records relating to the complaint.
- D. The Superintendent will, within ten (10) ~~work~~-days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The Superintendent will render his/her decision within ten (10) ~~work~~-days of the hearing.
- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

If it is determined that the ~~C~~complainant was subjected to unlawful discrimination, the CO must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Retaliation

~~Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten or interfere~~

~~with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

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Legal	29 C.F.R. Part 1630 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended, 34 C.F.R. Part 104 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
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Last Modified by Alexa Stechsulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	ANTI-HARASSMENT
Code	po1662
Status	
Adopted	May 12, 2014
Last Revised	January 28, 2019

1662 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as ~~third parties~~, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

~~For purposes of this policy, "School District community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board. For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).~~

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

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

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Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

~~Pursuant to~~ For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964 ~~and Title IX of the Educational Amendments of 1972~~, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of ~~any~~either gender against a person of the same or ~~another~~opposite gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions ~~of a sexual nature~~, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, video, tapes, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably ~~which may~~ embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities;
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship;
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin;
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. ~~Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;~~
- M. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- N. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- O. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's ~~disability~~ ~~disabling condition~~, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Anti-Harassment Compliance Officers

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The same individual(s) assigned to serve as Compliance Officer(s) may also be assigned to serve as the District's Section 504 Compliance Officer(s) /ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) Compliance Officers, there should also be a Compliance Officer available to investigate a claim of harassment that pertains to the other Compliance Officer.]

Cathy Dwyer
(Name)

Assistant Principal OMS
(School District Title)

989 723 3460
(Telephone Number)

765 E. North St.
Owosso, MI 48867

(Office Address)

dwycrc@owosso.k12.mi.us

(E-mail Address)

-

Dallas Lintner

(Name)

-

Assistant Principal and Athletic Director OHS

(School District Title)

-

989 723 8231

(Telephone Number)

-

765 E. North St.

(Office Address)

-

lintner@owosso.k12.mi.us

(E-mail Address)

-

The names, titles, and contact information of these individuals will be published annually on the District's web site () and:

-

1. (X) in the parent and staff handbooks.
2. () in the School District Annual Report to the public.
3. () on each individual school's web site.
4. () in the School District's calendar.
5. () _____.

-

The Compliance Officer(s) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

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The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

-

Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

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Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Reports and Complaints of Harassing Conduct

Members of the School District community, ~~which includes all staff, and third parties~~ along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a ~~report-complaint~~ shall file it with the ~~District's Anti-Harassment~~ Compliance Officer within two (2) days of receiving the report of harassment, at his/her first convenience.

Members of the School District community and Third Parties ~~or third parties~~ who believe they have been unlawfully harassed by another member of the School District community or a ~~Third Party~~ third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the ~~Complainant's~~ complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying, aggressive behavior and/or harassment to ~~the one of the Anti-Harassment~~ Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend ~~the his/her~~ Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide ~~the~~ Principal ~~him/her~~ with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

~~Anti-Harassment Compliance Officers~~

~~The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers":~~

~~Cathy Dwyer~~

~~Assistant Principal OMS~~

~~219 North Water St.~~

~~Owosso, MI 48867~~

~~989-723-3460~~

~~dwyere@owosso.k12.mi.us~~

~~Jeff Phillips~~

~~Principal OHS~~

~~765 E. North St.~~

~~Owosso, MI 48867~~

~~989-723-8231~~

~~phillips@owosso.k12.mi.us~~

~~The names, titles, and contact information of these individuals will be published annually on the School District's web site.~~

~~The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.~~

~~Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.~~

~~Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.~~

Investigation and Complaint Procedure (See Form 1662 F1)

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Program or Activities, any Any employee or other member of the School District community or ~~Third Party~~ Third Party (e.g., visitor to the District) who believes that ~~they have~~ they has/he has been subjected to unlawful harassment may seek resolution of ~~the his/her~~ the his/her complaint through either the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated. ~~informal or formal procedures as described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of legally prohibited harassment was substantiated are set forth below.~~

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) ~~calendar~~ days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) ~~business~~ days of the complaint being received).

The ~~informal and formal~~ procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights and/ or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to ~~investigate and~~ facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or Third Party who alleges unlawful harassment or retaliation. ~~third party who believes s/he has been unlawfully harassed or retaliated against.~~ This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it. ~~and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.~~

The Complainant ~~Employees, other members of the School District community, or third parties who believe that they have been unlawfully harassed or retaliated against~~ may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated. ~~However, all complaints of harassment involving a District employee, any other adult member of the School District community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.~~

As an initial course of action, if a Complainant feels comfortable and safe in ~~an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe~~ doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing ~~harasser that the~~ conduct is unwelcome and must stop. ~~Such direct communication should not be utilized in circumstances involving sexual violence.~~ The Complainant ~~complaining individual~~ should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant ~~individual~~ if requested to do so. ~~An~~ Complainant ~~individual~~ who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file ~~inform the harasser of his/her complaint is not prohibited from otherwise filing~~ an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant ~~An individual who believes s/he has been unlawfully harassed~~ may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) directly to one of the Compliance Officers; and/or (3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below ~~on his/her own~~, or appoint another individual to facilitate an informal resolution.

The Board's ~~School District's~~ informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant ~~individual claiming unlawful harassment~~, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant ~~individual~~ about how to communicate the unwelcome nature of the behavior to the Respondent ~~alleged harasser~~.
- B. Distributing a copy of this ~~the anti harassment~~ policy as a reminder to the individuals in the school building or office where the Respondent ~~individual whose behavior is being questioned~~ works or attends.

- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution. ~~between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.~~

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer ~~or~~ designee is directed will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) ~~business~~ days of receiving the informal complaint. If the Complainant is ~~Parties who are~~ dissatisfied with the ~~results of the~~ informal complaint process, the Complainant may proceed to file a formal complaint. ~~And, as stated above,~~ either party ~~parties~~ may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, ~~if the individual elects to file a formal complaint initially,~~ the formal complaint process shall be implemented.

The Complainant ~~An individual who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant";~~ may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District official employee. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) ~~calendar~~ days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer ~~or~~ designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known it is available: the identity of the Respondent ~~individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation~~; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent ~~alleged harasser~~. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer ~~or a~~ designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal ~~individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a~~ complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/ or Administrative Guidelines, including the Board's Anti-Harassment Policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) ~~business~~ days.

Although certain cases may require additional time, the Compliance Officer ~~or a~~ designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) ~~business~~ days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;

- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer ~~/ or the~~ designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. ~~Complainant has been subjected to unlawful harassment.~~ The Compliance Officer's recommendations must be based upon the totality of the circumstances, ~~including the ages and maturity levels of those involved.~~ In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a written final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's his/her receipt ~~of the date~~ of the Superintendent's ~~final~~ decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each ~~concerned~~ party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or ~~t~~Third ~~p~~Party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

[X] The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The ~~School~~ District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. ~~All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.~~

During the course of a formal investigation, the Compliance Officer or ~~his/her~~ designee will instruct all members of the School District community and ~~t~~Third ~~p~~Parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that is learned or provided s/he provides during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a

student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, ~~including the ages and maturity levels of those involved.~~ In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

~~Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.~~

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child under the age of eighteen (18) or that a person with a disability receiving services as a student from the school regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent ~~or designee~~ shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any ~~supportive interim~~ measures offered and/or provided to the Complainant and/ or the Respondent, ~~complainants and/or the alleged perpetrators,~~ including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks ~~or Codes of Conduct~~);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- O. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent, ~~complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
29 U.S.C. 621 et seq, Age Discrimination in Employment Act of 1967
29 U.S.C. 6101, The Age Discrimination Act of 1975
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po2260
Status	
Adopted	July 11, 2005
Last Revised	January 28, 2019

2260 - **NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth.

As such, the Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or ~~trans~~gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Superintendent shall:

A. **Curriculum Content**

review current and proposed courses of study and textbooks to detect any bias based upon Protected Classes, ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

B. **Staff Training**

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon Protected Classes in all aspects of the program;

C. **Student Access**

1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;
2. verify that facilities are made available, in accordance with Board Policy 7510 - Use of District Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;

This language does not prohibit the District from establishing and maintaining a single-gender school, class, or program within a school if a comparable school, class, or program is made available to students of each gender.

D. **District Support**

verify that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Evaluation

verify that tests, procedures, or guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of Protected Classes.

Definitions:

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

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

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District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

Cathy Dwyer
Assistant Principal OMS
~~765 E. North St. 219 North Water St.~~
Owosso, MI 48867
989-723-3460
dwyerc@owosso.k12.mi.us

~~Dallas Lintner~~ Jeff Phillips
Assistant Principal and Athletic Director OHS ~~Principal OHS~~
765 E. North St.
Owosso, MI 48867
989-723-8231
~~lintner@owosso.k12.mi.us~~ ~~phillips@owosso.k12.mi.us~~

The names, titles, and contact information of these individuals will be published annually on the School District's web site.

The District will accommodate the use of certified service animals when there is an established need for such supportive aid in the school environment. Certain restrictions may be applied when necessary due to allergies, health, safety, disability or other issues of those in the classroom or school environment. The goal shall be to provide all students with the same access and participation opportunities provided to other students in school. Confirmation of disability, need for a service animal to access the school programming, and current certification/training of the service animal may be required.

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, ~~Title IX of the Education Amendment Act of 1972~~, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Superintendent shall annually attempt to identify children with disabilities, ages 0-25, who reside in the District but do not receive public education.

The Board is committed to educating (or providing for the education of) each qualified person with a disability with persons who are not disabled to the maximum extent appropriate. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment, even with the use of supplementary aids and services cannot be achieved satisfactorily. If the Board operates a separate class or facility that is identifiable as being for persons with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without a disability.

In addition, the Superintendent/s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (also see Policy 2225). The Superintendent is responsible for verifying that a concentration of students who are Limited English Proficient (LEP) in one or more programs is not the result of discrimination.

Reports and Complaints of Unlawful Discrimination and Retaliation

Students and Board employees are required, and all other members of the School District community and ~~Third Parties~~ are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the CO within two (2) ~~school~~ days.

Members of the School District community, which includes students or ~~Third Parties~~, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's/complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Principal shall report the act to one of the COs who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend ~~the his/her~~ Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Principal informed of the status of the Policy 2260 investigation and provide the Principal/him/her with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports/complaints of unlawful discrimination/retaliation directly from any member of the School District community or a Third Party, or receive reports that are initially filed with another Board employee, visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), ~~complaint either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation),~~ or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent/any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) ~~business~~ days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law

enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO/~~designee or designee~~ must contact the Complainant student; if age eighteen (18) or older, or the Complainant's student's parents/guardians if the Complainant student is under the age eighteen (18), within two (2) ~~school~~ days to advise ~~s/he/them~~ of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Programs or Activities, any student who alleges to have been ~~Any student who believes that s/he has been~~ subjected to unlawful discrimination or retaliation may seek resolution of the his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged ~~should make every effort~~ to file a complaint within thirty (30) ~~calendar~~ days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) ~~business~~ days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"). The Cleveland Office of the OCR can be reached at 1350 Euclid Avenue, Suite 325, Cleveland, Ohio 44115; Telephone: (216) 522-4970; Fax: (216) 522-2573; TDD: (216) 522-4944; E-mail: ocr.cleveland@ed.gov; Web: <http://www.ed.gov/ocr>.

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful discrimination or retaliation ~~believes s/he has been unlawfully discriminated or retaliated against~~. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the Complainant and the Respondent mutually ~~parties (the alleged target of the discrimination and individual(s) alleged to have engaged in the discrimination)~~ agree to participate in it.

The Complainant ~~Students who believe that they have been unlawfully discriminated/retaliated against~~ may proceed immediately to the formal complaint process and individuals who participate in ~~seek resolution through~~ the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community and against a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe ~~student feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe~~ doing so, the individual should tell or otherwise inform the Respondent that ~~person who engaged in~~ the allegedly discriminatory/retaliatory conduct ~~that it~~ is inappropriate and must stop. The Complainant ~~complaining individual~~ should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant ~~An individual~~ who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file ~~inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing~~ an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), ~~such as sexual discrimination~~, the CO may advise against the use of the informal complaint process.

~~A student who believes s/he has been unlawfully discriminated/retaliated against~~ A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the COs.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide the Complainant ~~students who believe they are being unlawfully discriminated/retaliated against~~ with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the Complainant's wishes, ~~wishes of the student claiming unlawful discrimination/retaliation~~, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant student about how to communicate his/her concerns to the Respondent ~~person who allegedly engaged in the discriminatory/retaliatory behavior~~.

- B. Distributing a copy of Policy 2260 – Non-Discrimination and Access to Equal Educational Opportunity ~~as a reminder~~ to the individuals in the school building or office where the Respondent ~~individual whose behavior is being questioned~~ works or attends.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution. ~~between the student claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.~~

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed ~~will exercise his/her authority~~ to attempt to resolve all informal complaints within fifteen (15) ~~business~~ days of receiving the informal complaint. If the Complainant is Parties who are dissatisfied with ~~the results of~~ the informal complaint process, the Complainant may proceed to file a formal complaint. ~~A, and, as stated above, either party parties~~ may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one (1) of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process, ~~student elects to file a formal complaint initially,~~ the formal complaint process shall be implemented.

The Complainant ~~A student who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant")~~ may file a formal complaint, either orally or in writing, with a teacher, Principal, or other District official employee at the student's school, the CO, Superintendent, or another District official employee who works at another school or at the District level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) ~~calendar~~ days after the conduct occurs. If a Complainant informs a teacher, Principal, or other District official employee at the student's school, Superintendent, or other District employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO/ designee within two (2) ~~business~~ days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known it is available: the identity of the Respondent ~~individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct~~; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent ~~person alleged to have engaged in the misconduct.~~ In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed s/he deems appropriate in consultation with the Superintendent.

Within two (2) ~~business~~ days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation. The Principal will not conduct an investigation unless directed to do so by the CO.

Simultaneously, the CO will inform the Respondent that a formal ~~individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent") that a~~ complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) ~~business~~ days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) ~~business~~ days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO/ ~~or~~ designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful discrimination/ retaliation of the Complainant. ~~Complainant has been subjected to unlawful discrimination/retaliation.~~ The CO's recommendations must be based upon the totality of the circumstances, ~~including the ages and maturity levels of those involved.~~ In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent must either issue a written final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/ retaliation toward the Complainant, the Superintendent ~~Complainant was subjected to unlawful discrimination/retaliation, s/he~~ must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) ~~business~~ days of the party's his/her receipt of the Superintendent's ~~final~~ decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) ~~business~~ days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) ~~business~~ days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the student alleging the unlawful discrimination/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

[X] The parties ~~Complainant~~ may be represented, at their his/her own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies. ~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.~~

Privacy/Confidentiality

The ~~School~~ District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. ~~All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).~~

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided ~~s/he learns and/or provides~~ during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participate or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

~~Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent ~~or designee~~ shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

The District will endeavor to assist the student and/or his/her parents in their access to District programs by providing notices to the parents and students in a language and format that they are likely to understand.

Materials approved by the State Department of Education describing the benefits of instruction in Braille reading and writing shall be provided to each blind student's individualized planning committee. The District shall not deny a student the opportunity for instruction in Braille, reading, and writing solely because the student has some remaining vision.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315) created and received as part of an investigation, which may include, but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive interim measures offered and/or provided to the Complainant and/or the Respondent~~complainants and/or the alleged perpetrators~~, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks ~~or Codes of Conduct~~);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- O. copies of any notices sent to the Complainant and the Respondent in advance of any interview, meeting, or hearing;
- P. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent~~complainant or the alleged perpetrator~~.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

These investigative records and materials created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 12/11/06
 Revised 1/10/11
 Revised 6/23/14

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Legal

M.C.L. 380.1146, 380.1704, 37.1101 et seq., 37.2402, 37.1402, 37.2101-37.2804

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendments Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

29 U.S.C. Section 794, Rehabilitation Act of 1973, as amended

29 C.F.R. Part 1635

42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964

42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

34 C.F.R. Part 110 (7/27/93)

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services,
Department of Education, Office of Civil Rights, March 1979

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

Title III of the No Child Left Behind Act of 2001

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po3122
Status	
Adopted	July 11, 2005
Last Revised	January 28, 2019

3122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex, (including sexual orientation and ~~trans~~gender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information or any other legally protected category, (collectively, "Protected Classes"), in its programs and activities, including employment opportunities.

Definitions:

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

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

For purposes of this policy, "military status" refers to a person's status in the uniformed services, which includes the performance of duty, on a voluntary basis, or involuntary basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinator") (hereinafter referred to as the "COs").

Cathy Dwyer
Assistant Principal OMS

~~765 E. North St. 219 North Water St.~~

Owosso, MI 48867

989-723-3460

dwyerc@owosso.k12.mi.us

~~Dallas Lintner~~ Jeff Phillips

~~Assistant Principal and Athletic Director OHS~~ Principal OHS

765 E. North St.

Owosso, MI 48867

989-723-8231

~~lintner@owosso.k12.mi.us~~ ~~phillips@owosso.k12.mi.us~~

The names, titles, and contact information of these individuals will be published annually on the School District's web site.

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II, of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, ~~Title IX of the Education Amendment Act of 1972~~, and Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members, and the general public. ~~Any sections of the District's collective bargaining agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender specific terms should be eliminated from such contracts.~~ A copy of each of the Acts and regulations on which this notice is available upon request from the CO. ~~based may be found in the CO's office.~~

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are required to ~~encouraged to promptly~~ report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level ~~employee or~~ official who receives such a report ~~complaint~~ shall file it with the CO within two (2) ~~school~~ days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's ~~complaining individual's~~ employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports ~~complaints~~ of unlawful discrimination/retaliation directly from any member of the School District community or a Third Party, or received reports that are initially filed with another Board employee. ~~visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation);~~ Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation). ~~or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent.~~ ~~any person who files a complaint.~~ In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any District employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days.

Additionally, any District employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant ~~employee~~ within two (2) business days to advise ~~him/her~~ of the District's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure (See Form 3122 F2)

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been ~~Any employee who believes that s/he has been~~ subjected to unlawful discrimination or retaliation may seek resolution of the ~~his/her~~ complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged ~~should make every effort~~ to file a complaint within thirty (30) ~~calendar~~ days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop ~~quickly stop~~ inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation ~~believes s/he has been unlawfully discriminated or retaliated against~~. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually ~~parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination)~~ agree to participate in it.

The Complainant ~~Employees who believe that they have been unlawfully discriminated/retaliated against~~ may proceed immediately to the formal complaint process and individuals who participate in ~~seek resolution through~~ the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community against a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe ~~an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe~~ doing so, the individual should tell or otherwise inform the Respondent that ~~person who engaged in~~ the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant ~~complaining individual~~ should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant ~~individuals~~ when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant ~~An individual~~ who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file ~~inform the person who allegedly engaged in the unlawful misconduct of his/her concerns is not prohibited from otherwise filing~~ an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), ~~such as sexual discrimination~~, the CO may advise against the use of the informal complaint process.

~~An individual who believes s/he has been unlawfully discriminated/retaliated against~~ A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a building administrator; (2) directly to one of the COs; and/or (3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide the Complainant ~~employees who believe they are being unlawfully discriminated/retaliated against~~ with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant ~~individual claiming unlawful discrimination/retaliation~~, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant ~~individual~~ about how to communicate his/her concern to the Respondent ~~person who allegedly engaged in the discriminatory/retaliatory behavior~~.
- B. Distributing a copy of Policy 3122 – Non-Discrimination and Equal Employment Opportunity ~~as a reminder~~ to the individuals in the school building or office where the Respondent ~~individual whose behavior is being questioned~~ works.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution ~~between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution~~.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed ~~will exercise his/her authority~~ to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is ~~Parties who are~~ dissatisfied with ~~the results of~~ the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party ~~parties~~ may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process,~~individual elects to file a formal complaint initially;~~ the formal complaint process shall be implemented.

A Complainant~~An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant");~~ may file a formal complaint, either orally or in writing, with a Principal, the CO, Superintendent, or other District official-level employee~~employee~~. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) ~~calendar~~ days after the conduct occurs. If a Complainant informs a Principal, Superintendent, or other District official-level employee~~employee~~, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO/designee within two (2) business days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known it is available: the identity of the Respondent~~individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct~~; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent~~person who allegedly engaged in the misconduct~~. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed/s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal~~individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a~~ complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 3122 - Non- Discrimination and Equal Employment Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) ~~business~~ days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO/~~or the~~ designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provide recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant.~~Complainant has been subjected to unlawful discrimination/retaliation.~~ The CO's recommendations must be based upon the totality of the circumstances. In determining if

discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the District's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the Superintendent must either issue a ~~written~~ final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent ~~Complainant was subjected to unlawful discrimination/retaliation, she/he~~ must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's ~~his/her~~ receipt of the Superintendent's ~~final~~ decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the misconduct pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

[X] The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.~~

Privacy/Confidentiality

The ~~School~~ District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. ~~All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).~~

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided ~~s/he learns and/or provides~~ during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination /retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

~~Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent ~~or designee~~ shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);

- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive interim measures offered and/or provided to the Complainant and/or Respondent~~complainants and/or the alleged perpetrators~~, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks~~or Codes of Conduct~~);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. copies of any notices sent to the alleged Respondent~~perpetrator/responding party~~ of the allegations constituting a potential violation of this policy;
- O. copies of any notices sent to the Complainant and the Respondent in advance of any interview, meeting, or hearing;
- P. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent. ~~complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 1/10/11

Revised 5/12/14

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Legal

M.C.L. 37.2101 et seq., 37.1101 et seq.
Fourteenth Amendment, U.S. Constitution
20 U.S.C. Section 1681, Title IX of Education Amendment Act
20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
34 C.F.R. Part 110 (7/27/93)
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
42 U.S.C. 2000e et seq., Civil Rights Act of 1964
29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended
29 C.F.R. Part 1635

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po3123
Status	
Adopted	January 16, 2012
Last Revised	May 12, 2014

3123 - **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board of Education prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability.

Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Compliance Officer(s)

The Board designates the following individual(s) to serve as the District's 504 Compliance Officer(s)/ADA Coordinator(s) (hereinafter referred to as the "District Compliance Officer(s)").

Cathy Dwyer

[Assistant Principal OMS](#) ~~[Dean of Students OMS](#)~~

~~765 E. North St. 219 North Water St.~~

Owosso, MI 48867

989-723-3460

dwyerc@owosso.k12.mi.us

~~Dallas Lintner~~ Jeff Phillips

~~Assistant Principal and Athletic Director OHS~~ Principal OHS

765 E. North St.

Owosso, MI 48867

989-723-8231

~~lintner@owosso.k12.mi.us~~ ~~phillips@owosso.k12.mi.us~~

The name(s), title(s), and contact information of this/these individual(s) will be published annually on the School District's web site.

The District Compliance Officer(s) are responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the District Compliance Officer(s).

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

Training

The District Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the District's Compliance Officer(s) will be published on the District's website and posted throughout the District, and included ~~published~~ in the District's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with a District Compliance Officer within the time limits specified below. The District's Compliance Officer is available to assist individuals in filing a complaint.

Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the District Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the District Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the District Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) ~~calendar~~ days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the District Compliance Officer for good cause.
- C. The District Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The District Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) ~~work~~-days. If no decision is rendered within ten (10) ~~work~~-days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Superintendent. The District Compliance Officer shall maintain the District's files and records relating to the complaint.
- D. The Superintendent will, within ten (10) ~~work~~-days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The Superintendent will render his/her decision within ten (10) ~~work~~-days of the hearing.
- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

If it is determined that the ~~C~~complainant was subjected to unlawful discrimination, the CO must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Retaliation

~~Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten or interfere~~

~~with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

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Legal 29 C.F.R. Part 1630
 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended
 34 C.F.R. Part 104
 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	ANTI-HARASSMENT
Code	po3362
Status	
Adopted	July 11, 2005
Last Revised	January 28, 2019

3362 - **ANTI-HARASSMENT**

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

~~For purposes of this policy, "School District community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board. For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).~~

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

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

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Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

~~Pursuant to For purposes of this policy and consistent with~~ Title VII of the Civil Rights Act of 1964, ~~and Title IX of the Educational Amendments of 1972,~~ "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of ~~either~~any gender against a person of the same or ~~opposite~~another gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions ~~of a sexual nature~~, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, ~~video~~tapes, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably~~which may~~ embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. ~~Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.~~
- M. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- N. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- O. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's ~~disability~~ ~~disabling condition~~, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Anti-Harassment Compliance Officers

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s))":

[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The same individual(s) assigned to serve as Compliance Officer(s) may also be assigned to serve as the District's Section 504 Compliance Officer(s)/ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) Compliance Officers, there should also be a Compliance Officer available to investigate a claim of harassment that pertains to the other Compliance Officer.]

Cathy Dwyer
(Name)

Assistant Principal OMS
(School District Title)

989 723 3460
(Telephone Number)

765 E. North St.
(Office Address)

dwycrc@owosso.k12.mi.us
(E-mail Address)

Dallas Lintner
(Name)

Assistant Principal and Athletic Director OHS
(School District Title)

989 723 8231
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(E-mail Address)

The names, titles, and contact information of these individuals will be published annually on the School District's web site () and:

1. (X) in the parent and staff handbooks.
2. () in the School District Annual Report to the public.
3. () on each individual school's web site.
4. () in the School District's calendar.
5. () _____.

The Compliance Officer(s) () is (X) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Reports and Complaints of Harassing Conduct

Members of the School District community, ~~which includes all staff, and third parties~~ along with Third Parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a ~~report/complaint~~ shall file it with the ~~District's Anti-Harassment~~ Compliance Officer within two (2) days of receiving the report of harassment, at his/her first convenience.

Members of the School District community ~~or third parties~~ and Third Parties who believe they have been unlawfully harassed by another member of the School District community or a ~~Third Party~~third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the ~~Complainant's/complaining individual's~~ employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying, aggressive behavior and/or harassment to ~~the one of the Anti-Harassment~~ Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, ~~or the matter is being addressed pursuant to Policy 2266,~~ the Principal shall suspend ~~the his/her~~ Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 3362 investigation and provide ~~the~~ Principal/him/her with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

~~Anti-Harassment Compliance Officers~~

~~The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers":~~

~~Cathy Dwyer~~

~~Assistant Principal OMS~~

~~219 North Water St.~~

~~Owosso, MI 48867~~

~~989-723-3460~~

~~dwyere@owosso.k12.mi.us~~

~~Jeff Phillips~~

~~Principal OHS~~

~~765 E. North St.~~

~~Owosso, MI 48867~~

~~989-723-8231~~

~~phillips@owosso.k12.mi.us~~

~~The names, titles, and contact information of these individuals will be published annually on the School District's web site.~~

~~The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.~~

~~Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.~~

~~Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.~~

~~Investigation and Complaint Procedure~~ (See Form 3362 F1)

Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any Any employee or other member of the School District community or ~~Third Party~~third party (e.g., visitor to the District)

who believes that ~~they have/s/he has~~ been subjected to unlawful harassment may seek resolution of ~~the his/her~~ complaint through ~~the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated, either the informal or formal procedures as described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of legally prohibited harassment was substantiated are set forth below.~~

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) ~~calendar~~ days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The ~~informal and formal~~ procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights ~~and/or~~ Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is ~~promptly~~ to stop inappropriate behavior and to ~~investigate and~~ facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or ~~Third Party who alleges unlawful harassment or retaliation, third party who believes s/he has been unlawfully harassed or retaliated against.~~ This informal procedure is not required as a precursor to the filing of a formal complaint. ~~The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it, and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.~~

~~The Complainant~~ ~~Employees, other members of the School District community, or third parties who believe that they have been unlawfully harassed or retaliated against~~ may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

~~All complainants involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated. However, all complaints of harassment involving a District employee, any other adult member of the School District community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.~~

As an initial course of action, if ~~a Complainant feels comfortable and safe in~~ ~~an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe~~ doing so, the individual should tell or otherwise inform the ~~Respondent that the alleged harassing harasser that the~~ conduct is unwelcome and must stop. ~~Such direct communication should not be utilized in circumstances involving sexual violence.~~ The ~~Complainant complaining individual~~ should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the ~~Complainant individual~~ if requested to do so. ~~A Complainant~~ ~~An individual~~ who is uncomfortable or unwilling to ~~directly approach the Respondent about the alleged inappropriate conduct may file~~ ~~inform the harasser of his/her complaint is not prohibited from otherwise filing~~ an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

~~A complainant~~ ~~An individual who believes s/he has been unlawfully harassed~~ may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) directly to one of the Compliance Officers; and/or (3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below ~~on his/her own~~, or appoint another individual to facilitate an informal resolution.

The ~~Board's School District's~~ informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the ~~Complainant individual claiming unlawful harassment~~, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the ~~Complainant individual~~ about how to communicate the unwelcome nature of the behavior to the ~~Respondent alleged harasser~~.
- B. Distributing a copy of ~~this the anti harassment~~ policy as a reminder to the individuals in the school building or office where the ~~Respondent works or attends.~~ ~~individual whose behavior is being questioned works or attends.~~

- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution. ~~between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.~~

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer ~~/ or~~ designee is directed will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is ~~Parties who are~~ dissatisfied with the ~~results of the~~ informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party ~~parties~~ may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process, ~~if the individual elects to file a formal complaint initially,~~ the formal complaint process shall be implemented.

The Complainant ~~An individual who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant";~~ may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District employee official. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) ~~calendar~~ days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer ~~/ or~~ designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision making process.

All formal complaints must include the following information to the extent known it is available: the identity of the Respondent ~~individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation~~; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent ~~alleged harasser~~. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer ~~/ or a~~ designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal ~~individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a~~ complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or A ~~Administrative G~~ guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) ~~business~~ days.

Although certain cases may require additional time, the Compliance Officer ~~/ or a~~ designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;

- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer ~~/ or the~~ designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the ~~Respondent engaged in unlawful harassment/retaliation of the Complainant. Complainant has been subjected to unlawful harassment.~~ The Compliance Officer's recommendations must be based upon the totality of the circumstances, ~~including the ages and maturity levels of those involved.~~ In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer ~~/ or the~~ designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's ~~final~~ written decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a ~~final~~ written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's ~~his/her~~ receipt of the Superintendent's ~~final~~ decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each ~~concerned~~ party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party ~~third-party~~ alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the ~~Respondent individual(s) against whom the complaint is filed,~~ and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. ~~All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.~~

During the course of a formal investigation, the Compliance Officer ~~/ or his/her~~ designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided ~~s/he learns or that s/he provides~~ during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a

student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil right law, or because that individual made a report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or the policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

~~Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.~~

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child under the age of eighteen (18) or that a person with a disability receiving services as a student from the school regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent ~~or designee~~ shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive interim measures offered and/or provided to the Complainant and/or the Respondent, ~~complainants and/or the alleged perpetrators~~, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks ~~or Codes of Conduct~~);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- O. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent, ~~complainant or the alleged perpetrator~~.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 7/12/10

Revised 5/12/14

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Legal

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
29 U.S.C. 621 et seq, Age Discrimination in Employment Act of 1967
29 U.S.C. 6101, The Age Discrimination Act of 1975
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	po4122
Status	
Adopted	July 11, 2005
Last Revised	January 28, 2019

4122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, genetic information, or any other legally protected category, (collectively, "Protected Classes") in its programs and activities, including employment opportunities.

Definitions:

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

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means a business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

For purposes of this policy, "military status" refers to a person's status in the uniformed services, which includes the performance of duty, on a voluntary basis, or involuntary basis, in a uniformed service including active duty, active duty for training, initial active duty for training, inactive duty for training, full-time National Guard duty. It also includes the period of time for which a person is absent from employment for the purpose of an examination to determine the fitness of the person to perform any such duty as listed above.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinator") (hereinafter referred to as the "COs").

Cathy Dwyer

Assistant Principal OMS
~~765 E. North St. 219 North Water St.~~
 Owosso, MI 48867
 989-723-3460
 dwyerc@owosso.k12.mi.us

~~Dallas Lintner~~ Jeff Phillips
 Assistant Principal and Athletic Director OHS ~~Principal OHS~~
 765 E. North St.
 Owosso, MI 48867
 989-723-8231
lintner@owosso.k12.mi.us phillips@owosso.k12.mi.us

The names, titles, and contact information of these individuals will be published annually on the School District's web site.

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, ~~Title IX of the Education Amendment Act of 1972, and~~ Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975, is provided to staff members, and the general public. ~~(.)~~ Any sections of the District's collective bargaining agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the District's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is available upon request from the CO. ~~based may be found in the CO's office.~~

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are ~~required to~~ encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level ~~employee or~~ official who receives such a report/complaint shall file it with the CO within two (2) ~~school~~ days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports/complaints of unlawful discrimination/retaliation directly from any member of the School District community or a Third Party, or received reports that are initially filed with another Board employee. ~~visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation);~~ Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent. ~~any person who files a complaint.~~ In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any District employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any District employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the Complainant/employee within two (2) business days to advise him/her of the District's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure (See Form 4122 F2)

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been ~~Any employee who believes that s/he has been~~ subjected to unlawful discrimination or retaliation may seek resolution of the his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged~~should make every effort~~ to file a complaint within thirty (30) ~~calendar~~ days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop~~quickly stop~~ inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation~~believes s/he has been unlawfully discriminated or retaliated against~~. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the Complainant and the Respondent mutually~~parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination)~~ agree to participate in it.

The Complainant~~Employees who believe that they have been unlawfully discriminated/retaliated against~~ may proceed immediately to the formal complaint process and individuals who participate in~~seek resolution through~~ the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community and~~against~~ a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe~~an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe~~ doing so, the individual should tell or otherwise inform the Respondent that~~person who engaged in~~ the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant~~complaining individual~~ should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant~~individuals~~ when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant~~An individual~~ who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct~~may file~~~~inform the person who allegedly engaged in the unlawful misconduct of his/her concerns is not prohibited from otherwise filing~~ an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), ~~such as sexual discrimination~~, the CO may advise against the use of the informal complaint process.

~~An individual who believes s/he has been unlawfully discriminated/retaliated against~~ A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a building administrator; (2) directly to one of the COs; and/or (3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide the Complainant~~employees who believe they are being unlawfully discriminated/retaliated against~~ with a range of options aimed at bringing about a prompt resolution of their concerns.

Depending upon the nature of the complaint and the wishes of the Complainant~~individual claiming unlawful discrimination/retaliation~~, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant~~individual~~ about how to communicate ~~his/her~~ concern to the Respondent~~person who allegedly engaged in the discriminatory/retaliatory behavior~~.
- B. Distributing a copy of Policy 4122 – Non-Discrimination and Equal Employment Opportunity~~as a reminder~~ to the individuals in the school building or office where the Respondent~~individual whose behavior is being questioned~~ works.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution~~between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution~~.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed~~will exercise his/her authority~~ to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is~~Parties who are~~ dissatisfied with ~~the results of~~ the informal complaint process, the Complainant may proceed to file a formal complaint. ~~And~~, as stated above, either party~~parties~~ may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process,~~individual elects to file a formal complaint initially;~~ the formal complaint process shall be implemented.

A Complainant~~An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant");~~ may file a formal complaint, either orally or in writing, with a Principal, the CO, Superintendent, or other District ~~level~~ official ~~employee~~. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) ~~calendar~~ days after the conduct occurs. If a Complainant informs a Principal, Superintendent, or other District ~~official~~ level ~~employee~~, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO/designee within two (2) business days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision- making process.

All formal complaints must include the following information to the extent known~~it is available~~: the identity of the Respondent~~individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct~~; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent~~person who allegedly engaged in the misconduct~~. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed~~he deem~~ appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the Respondent that a formal~~individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a~~ complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 4122 - Non- Discrimination and Equal Employment Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO/~~or the~~ designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful harassment/retaliation of the Complainant~~Complainant has been subjected to unlawful discrimination/retaliation~~. The CO's recommendations must be based upon the totality of the circumstances. In determining if

discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the District's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the Superintendent must either issue a written final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent ~~Complainant was subjected to unlawful discrimination/retaliation, she/he~~ must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's ~~his/her~~ receipt of the Superintendent's ~~final~~ decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the misconduct pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties ~~Complainant~~ may be represented, at their ~~his/her~~ own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies. ~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.~~

Privacy/Confidentiality

The ~~School~~ District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the District's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. ~~All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).~~

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided ~~s/he learns and/or provides~~ during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

~~Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent ~~or designee~~ shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;

- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any ~~supportive~~~~interim~~ measures offered and/or provided to the Complainant and/or Respondent, ~~complainants and/or the alleged perpetrators~~, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks ~~or Codes of Conduct~~);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. copies of any notices sent to the Respondent~~alleged perpetrator/responding party~~ of the allegations constituting a potential violation of this policy;
- O. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent, ~~complainant or the alleged perpetrator~~.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 1/10/11
Revised 5/12/14

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Legal	M.C.L. 37.2101 et seq., 37.1101 et seq. Fourteenth Amendment, U.S. Constitution 20 U.S.C. Section 1681, Title IX of Education Amendment Act 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended 34 C.F.R. Part 110 (7/27/93) 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act 42 U.S.C. 2000e et seq., Civil Rights Act of 1964 29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended 29 C.F.R. Part 1635
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Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po4123
Status	
Adopted	January 16, 2012
Last Revised	May 12, 2014

4123 - **SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT**

The Board of Education prohibits discrimination against any employee or applicant based upon his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aides or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Compliance Officer(s)

The Board designates the following individual(s) to serve as the District's 504 Compliance Officer(s)/ADA Coordinator(s) (hereinafter referred to as the "District Compliance Officer(s)").

Cathy Dwyer
[Assistant Principal OMS](#)~~Dean of Students OMS~~
[765 E. North St.](#)~~219 North Water St.~~
 Owosso, MI 48867

989-723-3460
dwyerc@owosso.k12.mi.us

~~Dallas Lintner~~ ~~Jeff Phillips~~
~~Assistant Principal and Athletic Director OHS~~ ~~Principal OHS~~
765 E. North St.
Owosso, MI 48867
989-723-8231
~~lintner@owosso.k12.mi.us~~ ~~phillips@owosso.k12.mi.us~~

The name(s), title(s), and contact information of this/these individual(s) will be published annually on the School District's web site.

The District Compliance Officer(s) are responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act, as amended ("ADA"). A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the District Compliance Officer(s).

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

Training

The District Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

The Board will provide in-service training and consultation to staff responsible for the education of persons with disabilities, as necessary and appropriate.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

Notice

Notice of the Board's policy on nondiscrimination in employment practices and the identity of the District's Compliance Officer(s) will be published on the District's website and posted throughout the District, and included ~~published~~ in the District's recruitment statements or general information publications.

Complaint Procedures

If a person believes that s/he has been discriminated against on the basis of his/her disability, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

Internal complaints must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint, and offer possible solutions to the dispute. The complaint must be filed with a District Compliance Officer within the time limits specified below. The District's Compliance Officer is available to assist individuals in filing a complaint.

Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

Internal Complaint Procedure

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the District Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the District Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, besigned by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the District Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) ~~calendar~~ days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the District Compliance Officer for good cause.
- C. The District Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The District Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) ~~work~~-days. If no decision is rendered within ten (10) ~~work~~-days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Superintendent. The District Compliance Officer shall maintain the District's files and records relating to the complaint.
- D. The Superintendent will, within ten (10)-~~work~~-days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The Superintendent will render his/her decision within ten (10) ~~work~~ days of the hearing.
- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

If it is determined that the complainant was subjected to unlawful discrimination, the CO must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

OCR Complaint

At any time, if an employee believes that s/he has been subjected to discrimination based upon his/her disability in violation of Section 504 or the ADA, the individual may file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR"). The OCR can be reached at:

U.S. Department of Education
Office for Civil Rights
Cleveland Office
1350 Euclid Avenue
Suite 325
Cleveland, Ohio 44115
(216) 522-4970
FAX: (216) 522-2573
TDD: (216) 522-4944
E-mail: OCR.Cleveland@ed.gov
Web: <http://www.ed.gov/ocr>

Retaliation

~~Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation, is prohibited. Specifically, the Board will not discriminate/retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by Section 504 or the ADA, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those~~

~~laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.~~

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

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Legal

- 29 C.F.R. Part 1630
- 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended
- 34 C.F.R. Part 104
- 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

Last Modified by Alexa Stechschulte on April 20, 2021

Book	Policy Manual
Section	For Board Consideration 35-2
Title	ANTI-HARASSMENT
Code	po4362
Status	
Adopted	July 11, 2005
Last Revised	January 28, 2019

4362 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as ~~third parties~~, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

~~For purposes of this policy, "School District community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board. For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).~~

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

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

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Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

~~Pursuant to~~ For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, ~~and Title IX of the Educational Amendments of 1972,~~ "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of ~~either~~any gender against a person of the same or ~~opposite~~another gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions ~~of a sexual nature~~, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, ~~videos~~tapes, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably~~which may~~ embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggest the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. ~~Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.~~
- M. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

- N. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- O. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's ~~disability~~ **disabling condition**, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Anti-Harassment Compliance Officers

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The same individual(s) assigned to serve as Compliance Officer(s) may also be assigned to serve as the District's Section 504 Compliance Officer(s)/ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) Compliance Officers, there should also be a Compliance Officer available to investigate a claim of harassment that pertains to the other Compliance Officer.]

Cathy Dwyer
(Name)

Assistant Principal OMS
(School District Title)

989 723 3460
(Telephone Number)

765 E. North St.
Owosso, MI 48867
(Office Address)

dwyerc@owosso.k12.mi.us
(E-mail Address)

Dallas Lintner
(Name)

Assistant Principal OHS
(School District Title)

989 723 8231
(Telephone Number)

765 E. North St.
Owosso, MI 48867
(Office Address)

lintner@owosso.k12.mi.us
(E-mail Address)

The names, titles, and contact information of these individuals will be published annually on the School District's web site () and:

1. (X) in the parent and staff handbooks.
2. () in the School District Annual Report to the public.
3. () on each individual school's web site.
4. () in the School District's calendar.
5. () _____.

The Compliance Officer(s) () is () are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Reports and Complaints of Harassing Conduct

Members of the School District community, ~~which includes all staff, and third parties along with Third Parties~~ are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a ~~report/complaint~~ shall file it with the ~~District's Anti-Harassment~~ Compliance Officer within two (2) days of receiving the report of harassment, at his/her first convenience.

Members of the School District community ~~or third parties and Third Parties~~ who believe they have been unlawfully harassed by another member of the School District community or a ~~Third Party~~ third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the ~~Complainant's complaining individual's~~ employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying, aggressive behavior and/or harassment to ~~the one of the Anti-Harassment~~ Compliance Officer(s) who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend ~~the his/her~~ Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of the Policy 4362 investigation and provide the Principal him/her with a copy of the resulting written report. **Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.**

~~Anti-Harassment Compliance Officers~~

~~The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers":~~

~~Cathy Dwyer~~

~~Assistant Principal OMS~~

~~219 North Water St.~~

~~Owosso, MI 48867~~

~~989-723-3460~~

~~dwyere@owosso.k12.mi.us~~

~~Jeff Phillips~~

~~Principal OHS~~

~~765 E. North St.~~

~~Owosso, MI 48867~~

~~989-723-8231~~

~~phillips@owosso.k12.mi.us~~

~~The names, titles, and contact information of these individuals will be published annually on the School District's web site.~~

~~The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.~~

~~Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the member of the School District community alleging harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.~~

~~Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.~~

Investigation and Complaint Procedure (See Form 4362 F1)

~~Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any~~ Any employee or other member of the School District community or ~~Third Party~~ third party (e.g., visitor to the District) who believes that ~~they have~~ s/he has been subjected to unlawful harassment may seek resolution of ~~the~~ his/her complaint through ~~the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated. either the informal or formal procedures as described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of legally prohibited harassment was substantiated are set forth below.~~

Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) ~~calendar~~ days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The ~~informal and formal~~ procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights and/or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is promptly to stop inappropriate behavior and to ~~investigate and~~ facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or ~~Third Party who alleges unlawful harassment or retaliation. third party who believes s/he has been unlawfully harassed or retaliated against.~~ This informal procedure is not required as a precursor to the filing of a formal complaint. ~~The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it. and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.~~

~~The Complainant~~ Employees, other members of the School District community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

~~All complainants involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated. However, all complaints of harassment involving a District employee, any other adult member of the School District community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.~~

As an initial course of action, if a Complainant feels comfortable and safe in ~~an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe~~ doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing ~~harasser that the~~ conduct is unwelcome and must stop. ~~Such direct communication should not be utilized in circumstances involving sexual violence.~~ The Complainant complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant individual if requested to do so. A Complainant ~~An individual~~ who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file ~~inform the harasser of his/her complaint is not prohibited from otherwise filing~~ an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant ~~An individual who believes s/he has been unlawfully harassed~~ may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) directly to one of the Compliance Officers; and/or (3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The ~~Board's School District's~~ informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a

resolution of their concerns. Depending upon the nature of the complaint and the wishes of the Complainant~~individual-claiming unlawful harassment~~, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant~~individual~~ about how to communicate the unwelcome nature of the behavior to the Respondent~~alleged harasser~~.
- B. Distributing a copy of this~~the anti-harassment~~ policy as a reminder to the individuals in the school building or office where the Respondent works or attends~~individual whose behavior is being questioned works or attends~~.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution~~between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence~~.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer ~~/or~~ designee is directed~~will exercise his/her authority~~ to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is~~Parties who are~~ dissatisfied with the results of~~the~~ informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party~~parties~~ may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process~~,if the individual elects to file a formal complaint initially~~, the formal complaint process shall be implemented.

The Complainant~~An individual who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant"~~, may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District employee~~official~~. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar~~calendar~~ days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District official~~employee~~, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer ~~/or~~ designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known~~it is available~~: the identity of the Respondent~~individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation~~; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent~~alleged harasser~~. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed~~s/he deem~~ appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer ~~/or a~~ designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent~~that a formal individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent"~~, that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or ~~A~~ administrative G guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer ~~/or the~~ designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant ~~Complainant has been subjected to unlawful harassment.~~ The Compliance Officer's recommendations must be based upon the totality of the circumstances, ~~including the ages and maturity levels of those involved.~~ In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer ~~/or the~~ designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's ~~final~~ written decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a ~~final~~ written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's ~~his/her~~ receipt of the Superintendent's ~~final~~ decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each ~~concerned~~ party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party ~~third-party~~ alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

~~[X]~~ The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

~~The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.~~

Privacy/Confidentiality

The ~~School~~ District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent ~~individual(s) against whom the complaint is filed~~, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law.

Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. ~~All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.~~

During the course of a formal investigation, the Compliance Officer/~~or his/her~~ designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided/~~he learns or that s/he provides~~ during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil right law, or because that individual made a report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or the policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

~~Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.~~

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child under the age of eighteen (18) or that a person with a disability receiving services as a student from the school regardless of age has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent ~~or designee~~ shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where

appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any ~~supportive interim~~ measures offered and/or provided to the Complainant and/or the Respondent~~complainants and/or the alleged perpetrators~~, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks ~~or Codes of Conduct~~);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- O. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent~~complainant or the alleged perpetrator~~.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 7/12/10

Revised 5/12/14

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Legal

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
29 U.S.C. 621 et seq, Age Discrimination in Employment Act of 1967
29 U.S.C. 6101, The Age Discrimination Act of 1975
42 U.S.C. 2000e et seq.
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

Last Modified by Alexa Stechschulte on April 20, 2021

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5517 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, height, weight, marital or family status, military status, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as Third Parties~~third parties~~, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its recurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

~~For purposes of this policy, "School District community" means students, administrators, and professional and support staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board. For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).~~

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions

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

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Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful harassment, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged harassment.

Respondent is the individual who has been alleged to have engaged in unlawful harassment, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged harassment.

School District community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and the bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation, or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or

C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

~~Pursuant to~~ For Purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964 ~~and Title IX of the Educational Amendments of 1972~~, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of ~~any~~either gender against a person of the same or ~~another~~opposite gender.

Sexual Harassment covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Programs or Activities is not included in this policy. Allegations of such conduct shall be addressed solely by Policy 2266.

Prohibited acts that constitute sexual harassment under this policy may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs, activities, or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions ~~of a sexual nature~~, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, ~~video~~tapes, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably~~which may~~ embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. Asking about, or telling about, sexual fantasies, sexual preferences, or sexual activities.
- H. Speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Giving unwelcome personal gifts such as lingerie that suggests the desire for a romantic relationship.
- J. Leering or staring at someone in a sexual way, such as staring at a person's breasts, buttocks, or groin.
- K. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- L. ~~Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.~~
- M. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- N. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's ~~disability~~ ~~disabling condition~~, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Anti-Harassment Compliance Officers

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

[DRAFTING NOTE: Neola suggests the Board appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The same individual(s) assigned to serve as Compliance Officer(s) may also be assigned to serve as the District's Section 504 Compliance Officer(s) /ADA Coordinator(s) and/or Title IX Coordinator(s). Additionally, by appointing two (2) Compliance Officers, there should also be a Compliance Officer available to investigate a claim of harassment that pertains to the other Compliance Officer.]

Cathy Dwyer
(Name)

Assistant Principal OMS
(School District Title)

989 723 3460
(Telephone Number)

- 765 E. North St.
Owosso, MI 48867
 (Office Address)

- dwyerc@owosso.k12.mi.us
 (E-mail Address)

- Dallas Lintner
 (Name)

- Assistant Principal and Athletic Director OHS
 (School District Title)

- 989 723 8231
 (Telephone Number)

- 765 E. North St.
Owosso, MI 48867
 (Office Address)

- lintner@owosso.k12.mi.us
 (E-mail Address)

The names, titles, and contact information of these individuals will be published annually on the School District's web site () and:

-
1. (X) in the parent and staff handbooks.
 2. () in the School District Annual Report to the public.
 3. () on each individual school's web site.
 4. () in the School District's calendar.
 5. () _____.

- The Compliance Officer(s) () is (X) are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding harassment.

- The Compliance Officer(s) will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

- Compliance Officers shall accept reports of unlawful harassment directly from any member of the School District community or a Third Party or receive reports that are initially filed with an administrator, supervisor, or other District-level official. Upon receipt of a report of alleged harassment, the Compliance Officer(s) will contact the Complainant and begin either an informal or formal complaint process (depending on the request of the Complainant or the nature of the alleged harassment), or the Compliance Officer(s) will designate a specific individual to conduct such a process. The Compliance Officer(s) will provide a copy of this policy to the Complainant and Respondent. In the case of a formal complaint, the Compliance Officer(s) will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All Board employees must report incidents of harassment that are reported to them to the Compliance Officer within two (2) days of learning of the incident.

- Any Board employee who directly observes unlawful harassment is obligated, in accordance with this policy, to report such observations to the Compliance Officer(s) within two (2) days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local

law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer(s) or designee must contact the Complainant, if age eighteen (18) or older, or Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Reports and Complaints of Harassing Conduct

Students and other members of the School District community along with Third Parties ~~and third parties~~ are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor or other District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a report ~~complaint~~ shall file it with the District's Anti-Harassment Compliance Officer within two (2) days of receiving the report of harassment. ~~within two (2) school days.~~

Members of the School District community and Third Parties, which includes students, or third parties who believe they have been unlawfully harassed are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's ~~complaining individual's~~ employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to the one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. If the alleged harassment involves Sexual Harassment as defined by Policy 2266, the matter will be handled in accordance with the grievance process and procedures outlined in Policy 2266. While the Compliance Officer investigates the allegation, or the matter is being addressed pursuant to Policy 2266, the Principal shall suspend the his/her Policy 5517.01 investigation to await the Compliance Officer's written report or the determination of responsibility pursuant to Policy 2266. The Compliance Officer shall keep the Principal informed of the status of Policy 5517 investigation and provide the Principal ~~him/her~~ with a copy of the resulting written report. Likewise, the Title IX Coordinator will provide the Principal with the determination of responsibility that results from the Policy 2266 grievance process.

Anti-Harassment Compliance Officers

~~The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers."~~

~~Cathy Dwyer~~

~~Assistant Principal OMS~~

~~219 North Water St.~~

~~Owosso, MI 48867~~

~~989-723-3460~~

~~dwyerc@owosso.k12.mi.us~~

~~Jeff Phillips~~

~~Principal OHS~~

~~765 E. North St.~~

~~Owosso, MI 48867~~

~~989-723-8231~~

~~phillips@owosso.k12.mi.us~~

~~The names, titles, and contact information of these individuals will be published annually on the School District's web site.~~

~~The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student, other member of the School District community or third party in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.~~

~~Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.~~

~~Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any Board employee who observes~~

~~an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.~~

Investigation and Complaint Procedure

~~Except for Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any~~ Any student who believes that ~~they have s/he has~~ been subjected to unlawful harassment may seek resolution of ~~the his/her~~ complaint through the procedures described below. The formal complaint process involves an investigation of the Complainant's claims of harassment or retaliation and a process for rendering a decision regarding whether the charges are substantiated. ~~either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.~~

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) ~~calendar~~ days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The ~~informal and formal~~ procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and to ~~investigate and~~ facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. **The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.**

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

The Complainant ~~Students who believe that they have been unlawfully harassed or retaliated~~ may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complainants involving a District employee, any other adult member of the School District community, or a Third Party and a student will be formally investigated. ~~However, all complaints of harassment involving a District employee or any other adult member of the School District community against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.~~

As an initial course of action, if a Complainant feels comfortable and safe in ~~student feels that s/he is being unlawfully harassed and s/he is able and feels safe~~ doing so, the individual should tell or otherwise inform the Respondent that the allegedly harassing ~~harasser that the~~ conduct is unwelcome and must stop. ~~Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual~~ The Complainant should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the Complainant individual if requested to do so. A Complainant ~~An individual~~ who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file ~~inform the harasser of his/her complaint is not prohibited from otherwise filing~~ an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A Complainant ~~A student who believes s/he has been unlawfully harassed~~ may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below ~~on his/her own~~, or appoint another individual to facilitate an informal resolution.

The ~~Board's School District's~~ informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint

and the wishes of the Complainant~~student claiming unlawful harassment~~, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant~~student~~ about how to communicate the unwelcome nature of the behavior to the Respondent~~alleged harasser~~.
- B. Distributing a copy of this~~the~~ anti-harassment policy as a reminder to the individuals in the school building or office where the Respondent works or attends~~individual whose behavior is being questioned works or attends~~.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution~~between the student claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence~~.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/~~or~~ designee is directed~~will exercise his/her authority~~ to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is~~Parties who are~~ dissatisfied with the results of the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party~~parties~~ may request that the informal process be terminated at any time to move to the formal complaint process.

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or the Complainant, from the outset, elects to file a formal complaint, or the CO determines the allegations are not appropriate for resolution through the informal process~~, if the student elects to file a formal complaint initially~~, the formal complaint process shall be implemented.

The Complainant~~A student who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant,"~~ may file a formal complaint, either orally or in writing, with a teacher, principal, or other District employee at the student's school, the Compliance Officer, Superintendent, or another District official~~employee~~ who works at another school or at the district level. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District official~~employee~~ at the student's school, Superintendent, or other District employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer/~~or~~ designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known~~it is available~~: the identity of the Respondent~~individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation~~; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent ~~alleged harasser~~. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer/~~or a~~ designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal ~~individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent,"~~ that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines,

including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) ~~business~~ days.

Although certain cases may require additional time, the Compliance Officer ~~/or a~~ designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer ~~/or the~~ designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Respondent engaged in unlawful harassment/retaliation of the Complainant. Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, ~~including the ages and maturity levels of those involved.~~ In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within ten (10) ~~school~~ days of receiving the report of the Compliance Officer ~~/or the~~ designee, the Superintendent must either issue a written ~~final~~ decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) school days. At the conclusion of the additional investigation, the Superintendent shall issue a ~~final~~ written decision as described above.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of the party's ~~his/her~~ receipt of the Superintendent's ~~final~~ decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each ~~concerned~~ party within ten (10) business days of this meeting. The decision of the Board will be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the student alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The ~~School~~ District will employ all reasonable efforts to protect the rights of the complainant, the Respondent individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer/ ~~or his/her~~ designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that is learned or provided ~~s/he learns or that s/he provides~~ during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment/retaliation by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful harassment/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person from making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanction/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

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

~~Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.~~

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a student with a disability who is twenty-six (26) years or younger or a student under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent ~~or designee~~ shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where

appropriate. All training, as well as information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive interim measures offered and/or provided to the Complainant and/or the Respondent~~complainants and/or the alleged perpetrators~~, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks ~~or Codes of Conduct~~);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;
- N. copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;
- O. copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the Complainant or the Respondent~~complainant or the alleged perpetrator~~.

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 8/23/10

Revised 6/23/14

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Legal

Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.
20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
20 U.S.C. 1681 et seq.
29 U.S.C. 794, Rehabilitation Act of 1973, as amended
29 U.S.C. 6101, The Age Discrimination Act of 1975
42 U.S.C. 2000d et seq.
42 U.S.C. 2000e et seq.
42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
42 U.S.C. 1983
42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. Part 1635
Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794
The Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.
The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.
The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.
Policies on Bullying, Michigan State Board of Education, 7-19-01
Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006
National School Boards Association Inquiry and Analysis – May 2008

Last Modified by Alexa Stechschulte on April 20, 2021

For Future Action

OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
Report 20-124

FOR FUTURE ACTION

Subject:

Approval of Course Listings

Recommendation:

Resolve that the Board of Education approve the course listings presented for the Middle School, High School and Lincoln High School for the 2021-22 school year.

Facts/Statistics:

Under the “Required Documentation” section of the Michigan Department of Education Pupil Accounting Manual is the indication of the following required documentation to be retained by the district:

“The school district's board of education shall adopt a list of approved courses. The list includes all courses offered by the district for credit or grade promotion, and is used when determining which courses may be included in membership for state aid purposes, as well as for auditing purposes when examining the membership counted for state school aid on the count days. The list of approved courses must include traditional offerings and courses offered through other means, such as experiential or online learning opportunities.”

In addition, to the Pupil Accounting Manual, the requirement for such Board approval is contained within Board Policy 2220 “Adoption of Courses of Study” in compliance with Michigan Compiled Law. In the past this was done through the approval by the Board of Education of new classes that were being offered in the upcoming school year. In order to reflect all of the changes in the courses being offered at the secondary level, including Middle School, it was considered prudent to supply the Board of Education a complete listing of all of the courses being offered during the 2021-22 school year which is accompanying this Board report. All courses being offered have gone through the appropriate review to determine alignment with curriculum standards and provide assurance that the courses enhance the ability of the district to “provide for a comprehensive instructional program to serve the educational needs of the students of this district” as outlined in Board Policy 2220.

It should be noted that “course” offerings are not applicable for the elementary level but comprehensive “new adoptions” of curriculum at the elementary level are brought before the Board for approval to satisfy the necessary requirements.

Owosso High School:

[OHS Course Offerings Link](#)

[Edgenuity Course Offerings Link](#)

Lincoln Alternative High School:

[LHS Course Offerings Link](#)

[Edgenuity Course Offerings Link](#)

Owosso Middle School:

[OMS Course Offerings Link](#)

Motion

Seconded

Vote – Ayes

Nays

Motion

OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
20-125

FOR FUTURE ACTION

Subject:

Permanent easement granted to the City of Owosso (Grantee) to construct and maintain a canoe launch, boat lockers and pedestrian walking path to and from the proposed launch area located on the current Middle school's property (referred to as the "Junior High").

Recommendation:

Resolve that the Board of Education (grantor) authorize the Superintendent to sign off on the permanent easement for the City to construct a canoe launch, boat lockers and pedestrian walking path to and from the launch in the area specified in the accompanying Deed of Easement.

Facts/Statistics:

The City of Owosso (grantee) has requested a permanent easement to provide access to the Shiawassee river for canoes. The easement has the following provisions that protect the grantor (the Owosso Public School District):

- Grantee accepts the property "as is" and in its current condition.
- Grantee's use will not interfere with any utilities located in the area unless allowed by the Grantor.
- Grantee will have the sole responsibility of maintaining the canoe launch and surrounding area.
- Grantee will not install fences to obstruct grantor's access to the property.
- Grantee and any successor will hold harmless and defend grantor for any lawsuits arising out of use of the property.

In addition, the District has reached out to Community Housing Network, the proposed purchaser of the property, to determine if there would be any objection to the proposed easement. Their response was "it (the proposed easement) fits everything we told you (the District), the city and the community partners on how to incorporate the reiver and walkway as a community asset". They also indicated they were very comfortable with the location.

Motion

Seconded

Vote – Ayes

Nays

Motion

DEED OF EASEMENT

THIS DEED OF EASEMENT is dated the ____ day of _____, 2021, and is between Owosso Public Schools, of 645 Alger Street, Owosso, Michigan, ("Grantor") and the City of Owosso, a Michigan municipal corporation, of 301 West Main Street Owosso, Michigan, ("Grantee").

WHEREAS Grantor owns a parcel of real property described as "Junior High School" on Exhibit A;

WHEREAS Grantee has constructed and maintains the James Miner Bikeway* which crosses Grantor's property; and

WHEREAS Grantee desires to construct and maintain a canoe launch with boat lockers, for public use, in addition to the bikeway/walkway loop on Grantor's property and Grantor has agreed to an easement for such purpose.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Grantor hereby conveys to Grantee a permanent non-exclusive easement for the purpose of constructing and maintaining a canoe launch, boat lockers and pedestrian walking path to and from said launch and lockers on the property further described hereinafter, for the sum of One and No/100 (\$1.00) Dollars.

2. Grantee may construct and maintain a permanent canoe launch structure and boat storage lockers at the most convenient location as Grantee sees fit, so long as they are located north of the Heritage Foot Bridge* and west of the demarcated westerly north-south boundary line of the James Miner Bikeway Easement as recorded at the Shiawassee County Register of Deeds (Liber 1261 Page 0427) to the centerline of the Shiawassee River. See Exhibit A.

3. Grantee accepts the property "as is" and in its current condition.

4. Grantee's use of the property will not interfere with any utilities or drainage servicing Grantor's property unless Grantor agrees in writing to the contrary. Grantor retains the right to install underground utilities on the property herein conveyed.

STATE O F MICHIGAN)
) ss.
COUNTY OF SHIAWASSEE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by Christopher T. Eveleth, Mayor, of the City of Owosso, a Michigan municipal corporation, on behalf of the corporation.

, Notary Public
Shiawassee County, Michigan
My commission expires: _____
Acting in Shiawassee County, Michigan

STATE O F MICHIGAN)
) ss.
COUNTY OF SHIAWASSEE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by Amy K. Kirkland, City Clerk, of the City of Owosso, a Michigan municipal corporation, on behalf of the corporation.

, Notary Public
Shiawassee County, Michigan
My commission expires: _____
Acting in Shiawassee County, Michigan

PREPARED BY:
Scott J. Gould P 76101
City Attorney
114 East Main Street, Suite 218
Owosso, Michigan 48867
(989) 729-0071

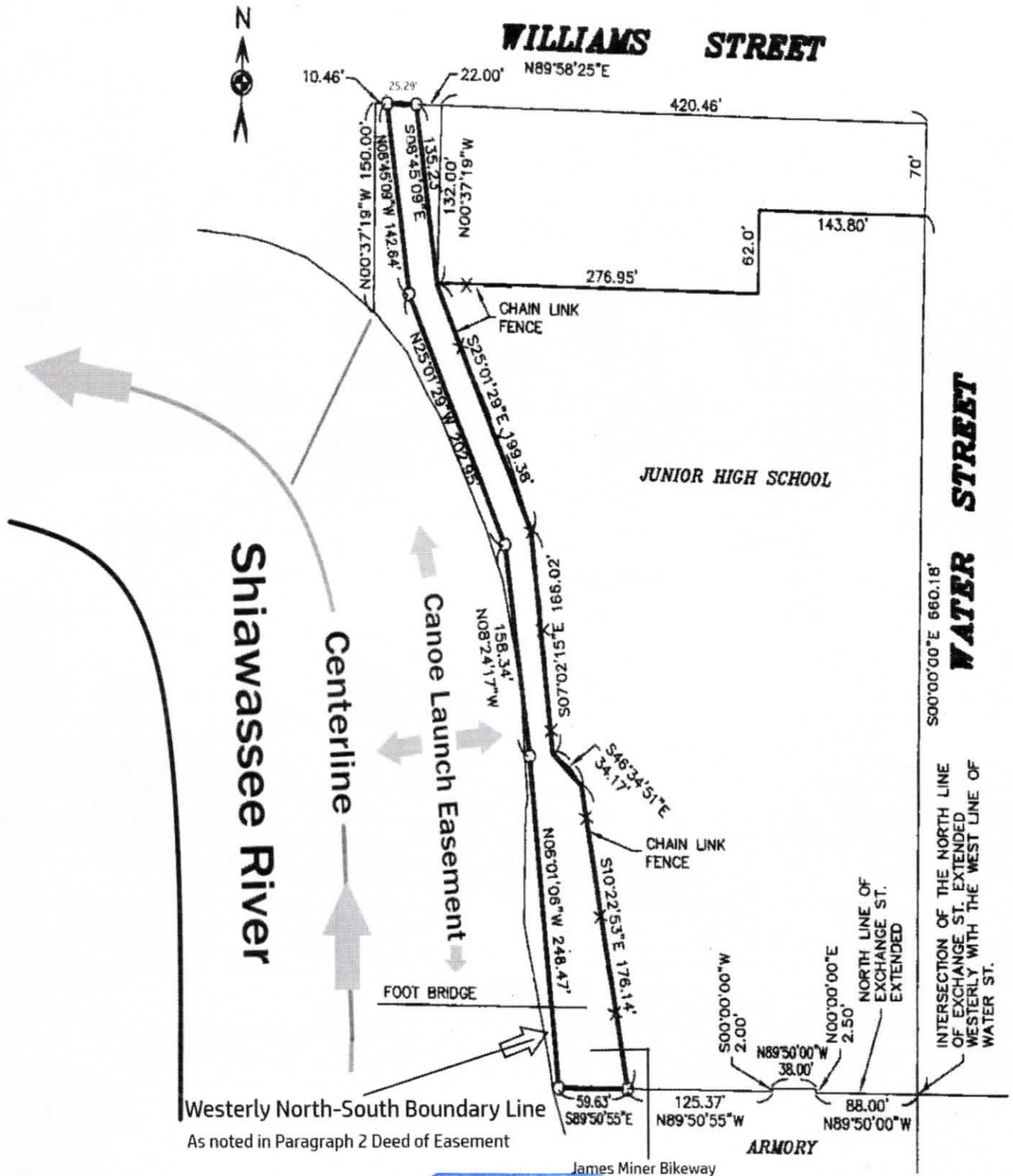


EXHIBIT
A
 Gould Law P.C.

**OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021**

Report 20-126

FOR FUTURE ACTION

Subject:

Agreement for the continued use of ESS Midwest (formerly PCMI/Willsub) to provide contracted services for the Athletic department for non-employee coaches, Bentley Bright Beginnings non-certified/non-Administrative staff and for special circumstances in which specialized non-union staff are needed

Recommendation:

Resolve that the Board of Education authorize the Superintendent to sign the proposed contract with ESS Midwest (formerly PCMI/Willsub) for the contract for the 2021-22 fiscal year.

Facts /Statistics:

The original goals of the District have continued to be met with this ongoing relationship which were primarily as follows:

- Provide a mechanism to reduce the costs associated with providing Childcare and preschool services while trying to preserve the programming
- Reduce the costs for coaches in the Athletic area while trying to preserve the programming
- Contract for non-primary educational services in order to satisfy the push from the State to contract for services
- Fees will remain unchanged from the previous year.

The contracted relationship between ESS Midwest (formerly PCMI/Willsub) for these services has been ongoing since 2011. The services have been deemed to be satisfactory during this time period and beneficial to the District in meeting the goals outlined above. Other opportunities have been reviewed since 2011 and ESS Midwest (formerly PCMI/Willsub) has continued to be determined to be the best fit for the District’s needs. All terms remain of the agreement remain unchanged including rates. The Administrative fee has remained steady over the last several years and ESS has provided assurances that they have attempted to keep the increase to a minimum. Given the uncertainty of the current employment environment, it is considered prudent for the District to continue its relationship with ESS that is known and reliable partner through the last 10 years.

Motion

Seconded

Vote – Ayes

Nays

Motion

ADDENDUM TO EXTEND AGREEMENT

This is an Addendum to an Agreement between **ESS Midwest, Inc.**, (the “Company”) located at 212 Kent St., Suite 12, P.O. Box 516, Portland, MI 48875, and the **Owosso Public Schools** (hereinafter referred to as “LEA” for Local Education Agency).

Whereas, the LEA and the Company entered into an Agreement whereby Company is to provide staffing to fill positions at the request of the LEA for a period ending June 30, 2021;

Whereas, LEA and Company are desirous of extending the term of the Agreement through June 30, 2022 with the provisions set forth below;

Now, Therefore, be it agreed between the parties, as follows:

1. The Term of the Agreement is hereby extended from July 1, 2021 through June 30, 2022;
2. This Agreement will automatically renew for additional one (1) year periods unless either party provides written notice of termination at least ninety days prior to the end of the fiscal school year.
3. Except as specifically and explicitly set forth herein, all other terms of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first set forth below.

Owosso Public Schools

ESS Midwest, Inc.

By: _____

By: _____

Title: _____

Title: Executive V.P., ESS Midwest, Inc.

Date: _____

Date: _____

**OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
Report 20-127**

FOR FUTURE ACTION

Subject:

Revised Policy 5460–Graduation Requirements, first reading

Statement of Purpose/Issue:

Resolve that the Board of Education adopt Revised Policy 5460–Graduation Requirements as their first reading.

Facts / Statistics:

Revisions to policy 5460 clarify that students in the Class of 2022, Class of 2023, and Class of 2024 must have a minimum of twenty-four (24) credits to graduate from Owosso High School. Revisions increase the credit requirement for students in the Class of 2025 and beyond to twenty-six (26) credits. By virtue of having seven (7) class periods each day, students have the ability to earn twenty-eight (28) credits. Revisions also add a personal curriculum option for Owosso High School students.

These revisions are recommended for adoption.

District Goal Addressed:

Policy Update

Motion

Seconded

Vote – Ayes

Nays

Motion

Book	Policy Manual
Section	5000 Students
Title	Copy of GRADUATION REQUIREMENTS
Code	po5460
Status	
Adopted	July 11, 2005
Last Revised	April 8, 2019

5460 - **GRADUATION REQUIREMENTS**

Each student in the Class of 2022, Class of 2023, and Class of 2024 is required to be enrolled in and to attend a minimum of seven (7) class periods per semester until he/she reaches a minimum of twenty four (24) credits to graduate from Owosso High School, of which eighteen (18) credits (subject to modification in some areas as provided by statute) will be comprised of Michigan Merit Curriculum (MMC) requirements.

Each student in the Class of 2025 and beyond is required to be enrolled in and to attend a minimum of seven (7) class periods per semester until he/she reaches a minimum of twenty six (26) credits to graduate from Owosso High School, of which eighteen (18) credits (subject to modification in some areas as provided by statute) will be comprised of Michigan Merit Curriculum (MMC) requirements.

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

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

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

Credit may be earned by:

- A. traditional course work;
- B. demonstrating mastery of subject area content expectations or guidelines for the credit;
- C. related course work in which content standards are embedded;
- D. non-traditional course work;
- E. independent teacher-guided study;
- F. testing out;
- G. dual enrollment;
- H. advanced placement courses;
- I. international baccalaureate or other "early college" programs; or

J. Michigan Department of Education (MDE)-approved formal career and technical (CTE) program or curriculum.

K. on-line class

Students shall successfully complete an on-line course or learning experience OR shall have the on-line learning experience incorporated into each of the required credits of the Michigan Merit Curriculum.

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

For State-mandated curriculum requirements, a student shall be granted credit toward graduation if s/he successfully completes the subject area content expectations or guidelines developed by the department that apply to the credit. A student may also receive credit if s/he earns a qualifying score, as determined by the State on the assessments developed or selected for the subject area by the State or the student earns a qualifying score, as determined by the District on one or more assessments developed or selected by the School District that measure a student's understanding of the subject area content expectations or guidelines that apply to the credit. For subject areas and courses in which a final examination is used as the assessment for successful attainment of the subject area content, a grade of eighty percent (80%) or better is required.

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

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

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

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

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

Personal Curriculum Option

Owosso High School students and parents/legal guardians have the right to request a Personal Curriculum (PC) which modifies certain requirements of the Michigan Merit Curriculum (MMC) as permitted by state law. All requests will be reviewed for eligibility before any modification is executed.

Testing Requirement

All District students are required to take all parts of the State mandated test, Michigan Merit Exam and/or any other State of Federal required testing program. These tests will be administered at the high school level. All students are expected to put forth their reasonable best effort.

If a student refuses to take the state-mandated test during the prescribed testing window or make-up testing window, s/he will not be allowed to participate/walk at graduation ceremonies of OHS.

Diplomas

Any student issued a diploma from Owosso High School (who is enrolled in off site classes for credit) will be required to complete these graduation requirements.

Obligations

Students who have not fulfilled all financial obligations to the school or who have not returned issued textbooks, library books and/or equipment belonging to the school may have their schedule, report card, transcripts or cap and gown withheld until all obligations

are met.

Commencement

Commencement exercises will include only those students who have successfully completed requirements as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. Because participation in commencement ceremonies is a privilege, not a right, a student may be denied such participation when personal conduct so warrants.

Revised 4/06

Revised 1/22/07

Revised 6/11/07

Revised 12/10/07

Revised 5/27/08

Revised 1/12/09

Revised 12/14/09

Revised 1/24/11

Revised 5/11/15

Revised 4/26/21

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Legal	M.C.L.A. 380.1166, 380.1278a(1), 380.1278a(2), 380.1278a(4)(c), 380.1279b
	M.C.L. 380.1278d, 380.1279h
	20 U.S.C. 1400 et seq.
	20 U.S.C. 1401 et seq.
	29 U.S.C. 794
	42 U.S.C. 12131 et seq.

Last Modified by Alexa Stechschulte on April 21, 2021

**OWOSSO PUBLIC SCHOOLS
Board of Education Meeting
April 26, 2021
Report 20-128**

FOR FUTURE ACTION

Subject:

Revised Policy 5460.01–Lincoln High School Graduation Requirements, first reading

Statement of Purpose/Issue:

Resolve that the Board of Education adopt Revised Policy 5460.01–Lincoln High School Graduation Requirements as their first reading.

Facts / Statistics:

Revisions to policy 5460.01 increase the number of subjects or courses Lincoln High School students must enroll in each trimester from six (6) to seven (7). Having seven (7) class periods each day aligns with Owosso High School and allows for shared opportunities to occur. Additionally, having seven (7) class periods allows increased flexibility in scheduling. Revisions increase the number of credits granted in a subject or course at Lincoln High School from three (3) to three and one half (3.5); thereby, the number of credits a student has the opportunity to earn each year increases from nine (9) to ten and one half (10.5). Revisions also add a personal curriculum option for Lincoln High School students.

These revisions are recommended for adoption.

District Goal Addressed:

Policy Update

Motion

Seconded

Vote – Ayes

Nays

Motion

Book	Policy Manual
Section	5000 Students
Title	Copy of LINCOLN HIGH SCHOOL GRADUATION REQUIREMENTS
Code	po5460.01
Status	
Adopted	July 11, 2005
Last Revised	February 22, 2021

5460.01 - **LINCOLN HIGH SCHOOL GRADUATION REQUIREMENTS**

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

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

Credit may be earned by:

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

Students shall successfully complete an on-line course or learning experience OR shall have the on-line learning experience incorporated into each of the required credits of the Michigan Merit Curriculum.

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

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

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

For elective courses, which are not State-mandated curriculum requirements, the Board shall grant credit to any high school student who is not enrolled in the course, but has exhibited a reasonable level of knowledge of the subject matter of the course by achieving C+ or better in the final exam for the course, or, if there is no final exam, through the basic assessment used for the course, which may consist of a portfolio, paper, project, presentation or other established means.

Credit earned through mastery without enrollment in the course shall be based on a "credit" (CR) grade and shall not be included in the computation of grade point average for any purpose. Such credit shall be counted toward the required number of credits needed for graduation. Mastery credits shall be counted toward any subject area requirement and any course sequence requirement. Once mastery credit is earned in a subject area, a student may not receive further credit for a lower sequence course in the same subject area.

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

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

Commencement exercises will include only those students who have successfully completed requirements as certified by the high school principal. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. Because participation in commencement ceremonies is a privilege, not a right, a student may be denied such participation when personal conduct so warrants.

The principal will offer all graduating seniors an opportunity to audition to address the graduating class at commencement. The Principal, in consultation with the Superintendent, has the right to remove the student if s/he can reasonably forecast a disruption to the ceremony.

Personal Curriculum Option

Lincoln High School students and parents/legal guardians have the right to request a Personal Curriculum (PC) which modifies certain requirements of the Michigan Merit Curriculum (MMC) as permitted by state law. All requests will be reviewed for eligibility before any modification is executed.

COURSE REQUIREMENTS

Minimum graduation requirements are established by the State of Michigan and Michigan Department of Education. The Owosso Board of Education shall ensure that each student in the Owosso Public Schools is offered the curriculum necessary to meet these requirements.

Special Education students: The Individualized Education Plan (IEP) shall identify the appropriate course or courses of study and identify the supports, accommodations, and modifications necessary to allow the student to progress in the curricular requirements, or in a Personal Curriculum, and meet the requirements for a high school diploma. The role of the IEP is to support the student's progress in the general curriculum where possible; however exceptions to the general curriculum may affect the student's ability to meet the curriculum requirements for a diploma. IDEA 2004 establishes a right to a free and appropriate public education however it does not establish an entitlement to a diploma.

Personal Curriculum modifications are allowed to the above requirements as outlined by the State Board of Education.

Credits

One half (0.5±) unit of credit may be earned for a course when the requirements have been successfully completed.

A student must be enrolled each trimester in ~~seven~~ (7.6) subjects or courses totaling three ~~and one half~~ (3.53) credits. Therefore, during each year at Lincoln High School, the student will have had the opportunity to earn ~~ten and one half~~ (10.59) units of credit. (Any deviation from this requirement must have the principal's approval.)

The Lincoln High School principal is delegated the authority to interpret credits needed to graduate for students who transfer into the school district from other school systems which may require fewer credits for graduation.

Credit Deficiencies: A student with credit deficiencies may earn credits via night school, independent study, and/or summer school. These options may be taken with the approval of the building principal or his/her designee in addition to the credits earned in the day school program. A maximum of two (2) credits may be earned outside of the mandated academic school year(s) unless administrative approval is granted.

Testing Requirement

All District students are required to take all parts of the State mandated test, Michigan Merit Exam and/or any other State of Federal required testing program. These tests will be administered at the high school level. All students are expected to put forth their reasonable best effort.

If a student refuses to take the state-mandated test during the prescribed testing window or make-up testing window, s/he will not be allowed to participate/walk at graduation ceremonies of Lincoln High School. Students who meet or exceed the standards set for the State mandated test, Michigan Merit Exam or an alternative test will receive one-half (0.5) elective credit.

Unit Requirements for Graduation

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

Diplomas

Any student issued a diploma from Lincoln High School (who is enrolled in off site classes for credit) will be required to complete these graduation requirements.

Obligations

Students who have not fulfilled all financial obligations to the school or who have not returned issued textbooks, library books and/or equipment belonging to the school may have their schedule, report card, transcripts or cap and gown withheld until all obligations are met.

Revised 4/06

Revised 1/22/07

Revised 6/11/07

Revised 12/10/07

Revised 5/27/08

Revised 1/12/09

Revised 12/14/09

Revised 1/24/11

Revised 6/22/15

Revised 4/26/21

Legal	M.C.L.A. 380.1166, 380.1278a(1), 380.1278a(2), 380.1278a(4)(c), 380.1279b
	20 U.S.C. 1400 et seq.
	20 U.S.C. 1401 et seq.
	29 U.S.C. 794
	42 U.S.C. 12131 et seq.

Last Modified by Alexa Stechschulte on April 21, 2021

For Information

OWOSSO PUBLIC SCHOOLS
Board of Education
April 26, 2021
Report 20-129

FOR INFORMATION

Subject:

Personnel Update

Accepted Positions

Mandi Hallett has accepted the Custodian II position at Owosso Middle School.

Resignations

Maddie Krantz, Monitor at Central Elementary resigned effective March 26, 2021.

Charlene Gonyou, Paraprofessional at Bryant Elementary has submitted her letter of resignation effective at the conclusion of the 2020-2021 school year.