

Policy Revisions

Policy 0142.1 - Electoral Process (Revised)

This policy has been updated to clarify the requirements for a qualified elector to file a Declaration of

Candidacy as well as the requirements for incumbents seeking re-election. The legal citations have also been updated.

Recommended for consistency with statutes.

Policy 0143.1 - Public Expression of Board Members (Revised)

This policy has been updated to include instances when Board members make statements to individuals or members of the community that may cause issues for the Board and/or District if not made clear that those statements do not reflect the views of the Board or their colleagues on the Board.

Recommended but not required.

Policy 0144.3 - Conflict of Interest (Revised)

Language has been added to this policy clarifying that Board members may not be a paid employee of the District. Also added is the statutory language that provides an opportunity for Board members to serve as unpaid volunteers. The appropriate legal reference has also been added.

Recommended for comprehensiveness and clarity.

Policy 0164V1 - Meetings [Common/Union High Schools Only] (New)

This policy has been revised to incorporate all references to meetings, including regular and special meetings, into a single policy specific to Common/Union High School Districts. Additional optional language has been added to address virtual attendance.

Recommended for clarity.

Policy 0164V2 - Meetings [Unified School Districts Only] (New)

This policy has been revised to incorporate all references to meetings, including regular and special meetings, into a single policy specific to Unified School Districts. Additional optional language has been added to address virtual attendance.

Recommended for clarity.

Policy 0164.1 - Regular Meetings (Rescind)

This policy is rescinded and replaced by Version 1 or 2 of Policy 0164.

Policy 0164.2 - Special Meetings (Rescind)

This policy is rescinded and replaced by Version 1 or 2 of Policy 0164.

Policy 0165.1 - Notice of Meetings (Rescind)

This policy is rescinded and replaced by Version 1 or 2 of Policy 0164.

Policy 0165.2 - Change of Regular Meetings (Rescind)

This policy is rescinded as the content has been incorporated into the revised Policy 0164.

Policy 1260 - Incapacity of the District Administrator (Revised)

Language has been added to this policy to providing temporary authority for the Board President prior to the appointment of an Interim District Administrator when the current District Administrator is incapacitated.

Recommended for coverage of the contingency.

Policy 1421/Policy 3121/Policy 4121 - Criminal History Record Check and Employee Self-Reporting Requirements (Revised)

The self-reporting requirement language in these policies have been revised for greater clarity.
Recommended but not required.

**Policy 1623/Policy 3123/Policy 4123 - Section 504/ADA Prohibition Against Disability
Discrimination in Employment (Rescind)**

These policies are rescinded and now included as a single policy in this update. The new consolidated policy is listed as Policy 8913. Future updates will include a similar process for other such policies

Policy 1630.01 - Family & Medical Leave of Absence ("FMLA") (Revised)

This policy is revised to remove a potentially confusing reference to the status of full-time staff eligibility for FMLA based on the 1,250 work hours requirement for federal eligibility (this does not effect Wisconsin FMLA, which only requires that an employee be compensated for 1,000 hours in the previous year to be eligible for protected leave). While generally speaking a full time instructional staff member will be employed for more than 1,250 hours in the preceding year and does not track actual hours worked as an exempt employee, the law does not require that such employees be automatically considered eligible. There may be circumstances where an individual employee, perhaps due to leave taken in the preceding year, do not meet the requirement even though they may be full-time by contract.

Adoption of this revision is strongly recommended.

Policy 2340 - District-Sponsored Trips (Revised) † 8640

The policy is revised to remove reference to non-district sponsored trips from language regarding the trip approval process. The policy language retains reference to the expectations concerning student solicitation for such trips as part of the policy, but moves it to stand alone section. This provides a clearer process and delineation of different types of student trip opportunities that may arise in the school context.

Adoption of this revision is recommended but not required.

Policy 2451 - Program and Curriculum Modifications (Revised)

The policy language is revised to reflect the option, included in statute, for a designee of the Board to deal with such requests. Districts where this process has been delegated to a designee of the Board should adopt this revision to assure that the Board has formally provided for that process.

Policy 2521 - Selection of Instructional Materials and Equipment (Revised)

This policy is revised to include a definition of "instruction materials" and "instructional equipment" to distinguish between the official curriculum materials provided to the students in alignment with the board approved curriculum, as opposed to teacher created lesson plans, assessment tools, worksheets, etc. that are not considered selected through the process described in the policy.

Adoption of this policy revisions is recommended.

Policy 3120.07 - Employment of ~~Casual~~ Resource Personnel (Rescind) NO

This policy is removed because it is not reflective of current practice or verbiage. Consultants retained by a district are not treated as "casual resources personnel", but rather via contract arrangements which are covered elsewhere in policy. The language is therefore obsolete and deletion is recommended.

Policy 3139/Policy 4139 - Staff Discipline (Revised)

This policy is revised to include resignation as being covered in either Policy 3140 or Policy 4140. Language has been added with regard to investigations involving potential criminal conduct and issuance of a "Garrity" warning in appropriate circumstances.

Policy 4430.05 - Nursing Mothers (Rescind) 3430.05

The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) and the Pregnant Workers Fairness Act (PWFA) take effect in the next few months, and will cover all public school employers and most school employees. Previously this requirement only applied to non-exempt employees. In response, we are recommending that Policy 4430.05 be rescinded and the Board add a singular policy related to Nursing Mothers at Policy 8700 to cover all employee groups. The related legal alert provides a summary of the two (2) new laws.

Policy 5113 - Open Enrollment Program (Inter-District) (Revised)

The policy is revised to include additional definitions that are cross-referenced in Policy 5200 - Attendance. Additional language is included that specifies the authority to terminate open enrollment based on habitual truancy and reference to the procedural requirements found in regulations, Wis. Admin PI 36. Further, the provisions for termination in the case of open enrollment into a nonresident school district virtual charter school program as established by the Department of Public Instruction Guidance document, Bulletin 19-05 have been added.

These revisions are strongly recommended to comply with procedural requirements.

Policy 5200 - Attendance (Revised)

Revisions to the policy are made to clarify the types of student absences that require written approval, versus those that may be excused by phone call as is customary practice in many Districts. The policy clarifies that any absence for physical or mental condition (i.e. staying home sick) may be excused by a phone call. In circumstances that justify it, such as prolonged absences, the attendance officer may require a healthcare provider's written statement, which excuses the student for a maximum of 30 days. Separately, a parent may, by written notice, excuse a student for any reason for a pre-planned absence. The pre-planned absences for any reason (not limited to physical or mental condition) must be in writing and may not exceed 10 school days. Wis. Stat. 118.15(3)(c).

Policy 5215 - Missing and Absent Children (Revised)

This policy is revised to clarify that consistent with state and federal programs providing for safety and

assistance in the case of missing or absent children, the school will provide a safe and secure location for a child, even if not a student, during the school day until authorities can be contacted and take responsibility for the child. Current policy suggests access at any time to school buildings, even if not presently open.

Policy 5250 - Program or Curriculum Modification (Rescind)

NO

This policy is deleted as the content is included within Policy 2451 - Program and Curriculum Modifications.

Policy 5350 - Suicide Prevention, Intervention, and Postvention for Death by Suicide (Replacement)

This policy replaces the existing policy to account for significant revisions. The new policy includes general prevention provisions, including instructional elements, and also provides more procedures pertinent to specific student situations involving suicide intervention. This policy was developed with the assistance of suicide prevention experts.

Policy 5505 - Academic Honesty (New)

This new policy is provided to address the topic of academic honesty but also to deal with the impact of emerging technologies that make engaging in academic dishonesty more accessible such as artificial intelligence.

Policy 5517 - Student Anti-Harassment (Revised)

The policy is revised to better define the reference to the *Garrity* warning. A reference to the Neola-provided form has also been included.

Policy 5530 - Student Use or Possession of Intoxicants, Drugs, or Paraphernalia (Revised)

The policy is updated to reflect the ever-changing and expanding scope of drugs and drug derivatives,

particularly marijuana, CBD, and hemp, all of which are being continuously experimented with to create new and often unregulated compounds that have psychoactive effects. Schools are able to prohibit these substances, and this language is intended to provide an expansive definition to cover current versions and not yet known future versions.

Policy 6151 - Returned/Outstanding State Checks (Revised)

NO

This policy is updated to include a procedure for handling payments made by check by the district that remain uncashed after a period of time determined by policy. The applicable time period may be dictated by the banking institution if the institution's checks state a period of validity, or by policy if no validity period is established by the institution. The Department of Revenue handles unclaimed property, including payments made by public entities that remain unclaimed. The process specifics may change over time, so that the recommended policy language is to consult the Wisconsin Department of Revenue's current guidance.

Policy 6236 - Community Services Fund (Fund 80) (New)

NO

This new policy is offered to cover the requirements under which the Board may opt to utilize its authority to levy taxes for community programs through Fund 80.

Policy 6610 - ~~Nondistrict-Supported~~ Student Activity Accounts (Replacement)

This policy revision is provided as a replacement to account for significant revisions on the recommendation of school district auditors in response to GASB 84 as it relates to accounts that are under the control of, but not audited nor managed by the District to support specific student activities. These activities are funded by students, parents, or other organizations and are approved as appropriate student activities, but do not receive direct district financial support.

Replacement is recommended.

Policy 7250.01 - Memorials for Staff and Students (New)

Memorialization -
own Policy - change
Number ;
Location

This policy is offered as a new policy to assist Districts with requests for commemoration following the death of a student or staff member.

Policy 7440.01 - Video Surveillance and Electronic Monitoring (Revised)

This policy is revised to provide clarification on the notification concerning monitoring collected by video and, if applicable, audio collection technology. The policy revisions also refer to the school safety plan's determination of proper location of such equipment, which may need to remain confidential. Finally, reference is included in the policy to electronic monitoring on school buses, including specific regulatory authority for audio monitoring in that context. A drafting note has been incorporated as well to draw attention to a lack of clarity in the law relative to sufficient notice as consent in the context of audio monitoring.

Adoption of these revisions is recommended.

Policy 7440.02 - Smart Monitoring Equipment (New)

NO

This is a new policy to address emerging use of smart monitoring technology used to monitor for such things as vape smoke, and the like. Recommended but not required.

Policy 7540.08 - Artificial Intelligence (AI) (New)

This new policy is intended to address the potential impact of Artificial Intelligence (AI) in multiple district contexts as cross-referenced in the policy. Recommended but not required.

Policy 8121 - Personal Background Check - Contracted Services (New)

This policy is provided to assist districts in navigating the difficult task of protecting the security of school facilities and the safety of students with an ever-increasing reliance on contract workers in construction work being done at school sites, or other services being performed by individuals that may have access to students.

Policy 8146 - Notification of Education Options (Revised)

This policy is revised to reflect the authority to satisfy the Class 1 notice requirement by publishing the notice on the District's website.

Policy 8310 - Public Records (Revised)

The Wisconsin Records Retention Schedule for School Districts (WRRSSD) was replaced by the Public Records Board (PRB) in March 2023. School Districts that wish to retain public records for less than the 7 years prescribed by Wis. Stat. 19.21(6) may now adopt one (1) or more general records schedules. The new schedule applicable to school districts no longer contains all public records a school district might maintain. Instead, it only includes those records that are unique to school districts. If school districts adopt that schedule only, they will need to retain all public records not listed in the schedule for 7 years. If school districts adopt other schedules, they may avoid the 7-year retention period for any public records listed in those adopted schedules. DPI and PRB have identified 10 additional general records schedules that may relate to the other public records retained by school districts. As such, school districts can elect to adopt up to 11 general records schedules. To do so, they will need to complete the Notification of Adoption form for each schedule they wish to adopt, send the form to the Wisconsin Historical Society (WHS), and get formal authorization to use the schedule(s) from the PRB and WHS. A packet of the Adoption forms is found at https://dpi.wi.gov/sites/default/files/imce/libraries/Records/Public_School_District_GRS_-_PRB_Adoption_Forms_2023.pdf. Because of the complexities that would be involved in using 11 different retention schedules, a school district may find it more beneficial to determine whether they maintain any records that are not included in the GRS that they would like to be able to destroy prior to the 7-year statutory period. If the district has such a record(s), the school district could then consult the DPI's informational "Crosswalk" to determine what schedule addresses that particular record(s) and adopt that particular schedule, or adopt a portion of that schedule as appropriate. The "Crosswalk" can be found on the following DPI webpage: <https://dpi.wi.gov/libraries/records>. Even if a district adopts schedules created by the PRB, the law still requires that the district obtain the PRB and Historical Society's approval of the schedule(s) adopted. Lastly, it is important to note that the schedules define a minimum period of retention. Some records will be maintained for a longer period. Also, in some cases the minimum retention period permitted will not be the best operational decision. For example, the school specific schedule provides for a retention period of one year from the event in the case of student disciplinary records. Typically, districts maintain student cumulative records throughout the period of the student's attendance in the district, which will in many cases continue beyond one year from the

date of any given disciplinary record. That is permissible despite a shorter retention period in the schedule. Note as well that state law requires that student disciplinary records be destroyed within one year from the date the student ceases to be enrolled in the district. This requirement is added to the policy language as well.

Policy 8420 - School Safety (Revised)

The policy is revised to reflect the provision of training consistent with the school safety plan. In addition, the records retention requirement contained within Wis. Stat. 118.07(2)(a) is included and cross references Policy 8310 - Public Records in an effort to avoid conflict with retention requirements in light of changes to the records retention schedules produced by the Public Records Board. Finally, the citation to Wis. Stat. 121.02(1)(i) is removed as that refers to toxic substances and lead, which is not covered by this policy.

Policy 8500 - Food Services (Revised)

— Coming Back for Review
1/8/2024

This policy has been revised to update the verbiage of the USDA required nondiscrimination language and to remove reference to redundant nondiscrimination language included elsewhere in the policy. Likewise, the policy is revised to incorporate dietary modification options that are not pursuant to a medical request that complies with the federal regulations for such medically-based modifications, but are still based on either noncompliant medical documentation or purely individual preferences at the Board's discretion. These options incorporate guidance provided by the Department of Public Instruction which can be found at:

<https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fdpi.wi.gov%2Fsites%2Fdefault%2Ffiles%2Fimce%2Fschool-nutrition%2Fdoc%2Fspecial-dietary-accommodation-policy-template.docx&wdOrigin=BROWSELINK>.

Further, this policy language is revised in response to DPI auditor determinations about policy requirements regarding permissible delinquent school lunch balances. The revisions included generally remove the authority of the District Administrator and place in the authority of the Board the determination of a set level of permissible delinquent school lunch account balance, as opposed to allowing a determination be made by the administration based on the program, experience, etc. The current policy language does not lend itself to individualized determinations of permissible account balances, such that concerns of discriminatory practices

are not realistic; however, the auditor's determination does not change the establishment of negative account balance rules, it merely shifts responsibility for setting the value from the administration to the Board. Likewise, it is legal to set different permissible levels of negative account balances based on grade level (accounting for the different levels of individual responsibility between a 1st grade student and a high school student). The current policy language again provides for establishing a different level of permitted delinquency by grade level – not individually, so that discrimination is not a realistic concern. The revisions are provided in response to current auditor expectations but still allow for differentiation by grade level (not by individual, and therefore not reasonably subject to discriminatory practice).

Policy 8531 - Free and Reduced-Price Meals (Revised)

- Technical Change

This policy is revised to update the language to assure it matches the USDA's required nondiscrimination language.

Adoption of this revision is required to maintain USDA-approved policy language.

Policy 8700 - Nursing Mothers (New)

The Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act) expands the rights afforded nursing mothers that were previously provided to non-exempt employees to cover all employees. Neola is providing a combined policy to cover all employee groups to replace the current nursing mother policy (Policy 4430.05). The requirements are now in effect and, although the requirements only apply when an employee makes a request for space and time to express breastmilk, it is advisable to give consideration to how these rights will be administered when a request is made. For example, administrators are advised to consider what space will be suitable for use in each of the district's buildings, and how schedules can be managed, particularly in the case of classroom teachers. Doing so in advance of any request being made, will make the implementation easier when a request is received.

Policy 8913 - Section 504/ADA Prohibition Against Disability Discrimination in Employment (New/Renum.)

This policy is added as a consolidation of existing policies found in Policy 1623/3123/4123, all of which have been rescinded in this update (noted above). The consolidation of these policies will assure consistent verbiage and procedures for all covered groups of individuals and given that the policy covers accommodation requirements in addition to nondiscrimination, it also encompasses more operational considerations, therefore it fits in the 8000 section.

In addition to consolidating the policies, the language of the policy has been revised in several ways, specifically: to clarify the mutual roles of employee and employer in the disability accommodation process (the so-called "interactive process"), to replace restrictive timelines in an investigation while noting that investigations are to be done as efficiently as practicable, but allowing for a more generally reasonable timeline, and finally to remove reference to a "hearing" that is in practice a meeting opportunity, as opposed to the connotations associated with the term "hearing".

Policy 9210 - Parent Organizations (Rescind)

The policy is removed as the content is already sufficiently covered in Policy 9211.

Policy 9211- District-Support Organizations (Revised)

The policy is revised to add an option to include a requirement that any organization described in this policy requires advance permission to use any of the district's identifying logos, name, and, if applicable, slogans or taglines used by the district or one of the schools in the district.

Cross References

District Bylaws & Policy Changes

Policy 4120 – Employment of Support Staff – District Lawyer reviewed and made updates to policy.

Policy 5113 – Open Enrollment – NEOLA made changes and Director of Pupil Services updated process for Special Education program numbers.