

BOARD MEETING PACKET

June 14, 2020

7:00pm BATES BOARDROOM

Streaming link will be posted on the district website no later than 4pm on 6/14/21



Our Vision:
Champion Learning –
Develop, Educate, and Inspire!

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 time for public participation during the meeting as indicated in the agenda below. Upon request to the Superintendent the District shall make reasonable accommodation for a person with disabilities to be able to participate in this meeting.

BOARD MEETING AGENDA

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| <p>A. CALL TO ORDER
1. Roll Call</p> <p>B. MINUTES (5/24/2021)</p> <p>C. APPROVAL OF AGENDA</p> <p>D. SCHOOL PRESENTATIONS
1. Retiree Recognition</p> <p>E. BUDGET HEARING</p> <p>F. ADMINISTRATIVE & BOARD UPDATES
1. Superintendent Update
2. Board President Update
3. Student Representative Update</p> <p>G. PUBLIC PARTICIPATION
(up to ~30 minutes/max 5 per person) <i>See below</i></p> <p>H. CONSENT ITEMS
1. Personnel - Retirement</p> | <p>I. ACTION ITEMS
1. Approve 2021-2022 Board Calendar
2. Phonics Curriculum
3. 2021-2022 Tax Levies
4. Policies - First Reading
5. Contract Extension</p> <p>J. DISCUSSION ITEMS
1. 2021-2022 Budget
2. Board Vacancy Process
3. Add Instruction/Central Office Position</p> <p>K. PUBLIC PARTICIPATION
(up to ~15 minutes/max 3 per person) <i>See below</i></p> <p>L. COMMITTEE UPDATES
1. Finance
2. NASB Advocacy Update</p> <p>M. BOARD COMMENTS</p> <p>N. INFORMATION ITEMS
1. Board Bulletin 5/24/2021
2. Draft Finance Minutes 5/26/2021</p> <p>O. CLOSED SESSION - none planned</p> <p>P. ADJOURNMENT</p> |
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CALENDAR

*Tuesday, June 15 – 10:00am - Policy - Bates

*Monday, June 28 – 7:00pm - Board Meeting - Bates

Public Participation Policy 0167.3: *Those interested in making a public comment will be asked to raise their hands (in person or virtually) so the time may be divided equally. Each speaker will be asked to announce his/her name and address and indicate if he/she represents any organization or agency. No person may speak more than once on the same subject during a single meeting.*

BOARD NOTES

JUNE 14, 2021

A. CALL TO ORDER

1. Roll Call. This meeting is being held in person. The meeting will also be streamed via Zoom for those who wish to view it from home.

Meeting attendees will be required to complete a [COVID-19 symptom screening](#) before entering the building, wear a mask covering their mouths and noses, and maintain six feet of distance from other participants during the meeting.

The total capacity for the Board Room with COVID-19 protocols in place is twenty-six people. In the event that more than 26 people attend, the in-person meeting will be recessed and the meeting will be reconvened virtually at 8:00pm. The link to join the virtually reconvened meeting will be posted on the district website no later than 4pm on the day of the meeting in the same place as the link for the 7:00pm meeting. If the virtual meeting is not needed, it will be cancelled during the in-person meeting.

B. MEETING MINUTES

- * An appropriate motion might be, "I move that the Board of Education approve the regular meeting minutes from 5/24/2021 as presented/amended."

C. APPROVAL OF AGENDA

1. Approval of Agenda. Board policy provides that the Superintendent of Schools shall prepare an agenda for all board meetings as directed by the President of the Board of Education.

- * An appropriate motion might be, "I move that the Board of Education approve the agenda as presented/amended."

D. SCHOOL PRESENTATIONS – Retiree Recognition

E. BUDGET HEARING

Each year, the District must hold a public hearing and adopt a budget for the coming school year by June 30th. There will be a further opportunity for discussion later in this evening's agenda. The budget will be presented for adoption at the June 28th meeting. At this point in the meeting, Dr. Schumaker will open the hearing for the Board of Education to hear comments relating to the 2021-2022 budget and 2021 property tax millage rate. The property tax millage rate is on this evening's agenda for action.

F. ADMINISTRATION & BOARD UPDATES

1. Superintendent Update
2. Board President Update
3. Student Representatives Update

F. PUBLIC PARTICIPATION (up to ~ 30 minutes/max 5 per person)

BOARD NOTES

JUNE 14, 2021

Each speaker is allotted a maximum of 5 minutes for a total of approximately 30 minutes unless otherwise notified. At this point in the meeting, those interested in making a public comment will be asked to raise their hands (both in person and virtual) so the time may be divided equally. Each speaker will be asked to announce his/her name and address and indicate if he/she represents any organization or agency. No person may speak more than once on the same subject during a single meeting.

G. CONSENT ITEMS

1. Personnel – Retirement. Your packet includes a retirement letter from Alternative Education teacher Dr. Julie Snider.
- * (If separated) An appropriate motion might be, “I move that the Board of Education acknowledge the retirement of Julie Snider.”

H. ACTION ITEMS

1. Approve 2021-2022 Board Calendar. Your packet contains the proposed 2021-22 board meeting calendar which was reviewed and revised at the May 24, 2021 meeting. This item is presented for action tonight.
- * An appropriate motion might be, “I move that the Board of Education approve the attached 2021-22 board calendar.”
1. Phonics Proposal. Your packet contains a memo from Executive Director of Curriculum and Strategic Initiatives Mollie Sharrar, as well as a proposal to adopt the Reading Horizons phonics program. These curriculum materials were previously discussed at the May 24, 2021 meeting and the program is presented for action this evening.
- * An appropriate motion might be, “I move that the Board of Education purchase the Reading Horizons phonics program for K-4 use starting fall 2021, at a total cost not to exceed \$76,000 .”
2. 2021-2022 Tax Levies. Earlier in the meeting, the Board will have held a public hearing on the 2021 tax rate on all non-homestead properties that will be at 18.000 mills and the 2021 debt levy on all properties that will be at 8.5000 mills. These levies are described in the attached memorandum from CFO Sharon Raschke. This item is presented for action.
- * An appropriate motion might be, “I move that the Board of Education authorize that 18.000 mills be levied on non-homestead property in December of 2021 and that 8.5000 mills be levied on debt on all property in December of 2021.”
4. Policies. Your packet contains draft policies 1422, 3122, 4122, 1623, 3123, 4123, 1662, 3362, 4362, and 5517. These were discussed by the policy committee at their May 18, 2021 meeting. All updates are NEOLA recommendations based on recent legal decisions. These policies are presented for first reading this evening.

BOARD NOTES

JUNE 14, 2021

5. Contract Extension. Typically, the Board has approved an extension of the Superintendent's contract on an annual basis. The Board of Education voted to rate Superintendent Dr. Christopher Timmis highly effective following the completion of his annual performance review on December 7, 2020. It would be appropriate to extend the employment term of the contract from June 30, 2025 to June 30, 2026.

I. DISCUSSION ITEMS

1. 2021-2022 Budget. The budget hearing will have been held earlier this evening. Your packet includes a memo from CFO Sharon Raschke and the proposed budget. This item is presented for discussion. The packet includes draft resolutions in case the Board wishes to proceed with action this evening.
2. Board Vacancy. Your packet includes a letter of resignation from Board President Julie Schumaker, effective June 30, 2021. It is anticipated that there may be one more vacancy by the end of June. It is desirable that any open seats be filled prior to the July 26, 2021 organizational meeting if possible. Your packet includes a memo with a proposed process and timeline for discussion this evening.
3. Add Central Office Position. Your packet includes a proposal and rationale to split the current Executive Director of Instruction and Strategic Initiatives position into two positions. This would create the Executive Director of Instruction and the Executive Director of Strategic Initiatives starting July 1, 2021. This item is presented for discussion.

J. PUBLIC PARTICIPATION (up to ~ 15 minutes/max 3 per person)

Each speaker is allotted a maximum of 3 minutes for a total of approximately 15 minutes unless otherwise notified. At this point in the meeting, those interested in making a public comment will be asked to raise their hands so the time may be divided equally. Each speaker will be asked to announce his/her name and address and indicate if he/she represents any organization or agency. No person may speak more than once on the same subject during a single meeting.

K. COMMITTEE UPDATES

1. Finance
2. NASB Advocacy Institute

L. BOARD COMMENTS

M. INFORMATION ITEMS

1. Board Bulletin 5/24/2021
2. Draft Finance Minutes

N. CLOSED SESSION – none planned

Cancel virtual meeting - if needed

O. ADJOURNMENT

DEXTER COMMUNITY SCHOOLS BOARD OF EDUCATION

MEETING MINUTES – MAY 24, 2021 7:00pm

Bates School; Streamed via Zoom due to COVID-19: Webinar ID 852 2090 1803

A. CALL TO ORDER - 7:04pm

1. Roll Call

Members Present: Brian Arnold, Elise Bruderly, Mara Greatorex, Jennifer Kangas, Dick Lundy, Julie Schumaker

Members Absent: Daryl Kipke

Student Representatives: Aidan Naughton, Anna Shehab

Administrative & Supervisory Staff: Ryan Bruder, Craig McCalla, Sharon Raschke, Barb Santo, Katie See, Mollie Sharrar, Christopher Timmis, Hope Vestergaard

DCS Staff: Melanie McIntyre

DEA Representative: Jessica Baese (virtual)

DESPA Representative: none

Guests: Connie Creech, Kevin Creech, Charissa Keller, Christy Vanderhaagen, plus approximately 13 virtual guests

Press: Lonnie Huhman, Sun Times News

B. MEETING MINUTES

Brian Arnold made a motion to approve the meeting minutes from 5/10/2021 as presented. Mara Greatorex seconded the motion. **Motion Carried (unanimous).**

C. APPROVAL OF AGENDA

The Phonics presentation was moved from School Presentations to Discussion. Elise Bruderly made a motion to approve the agenda as amended. Brian Arnold seconded the motion. **Motion Carried (unanimous).**

D. SCHOOL PRESENTATIONS – none

E. ADMINISTRATION & BOARD UPDATES

1. Superintendent Update. Dr. Timmis:

- a. Noted that the Senior Honors Ceremony will be June 2 at 7pm and Commencement will be June 4th with two ceremonies at AL Ritt. First half of the alphabet will be at 6pm and the second half will be at 8:15pm. This will allow students to bring as many guests as they want while still maintaining social distancing.
- b. Shared that work on the DHS tennis courts has begun and the facilities committee will need to meet to review adjustments to renovations. Standing water has been found at all of the fence posts which will need to be mitigated.
- c. Updated the Board on district and county COVID-19 data.

2. Board President Update. – none

3. Student Representatives Update

- a. Anna Shehab shared that the senior celebration and parade this past weekend were very successful; noted that fully vaccinated athletes no longer need to do weekly COVID testing and middle school athletes are

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excited about the upcoming vaccination clinic; A.P. testing has begun and will continue through the end of the year.

- b. Aidan Naughton noted that preordered school yearbook pickup will start soon; there will be a Zoom meeting for HS students interested in joining the Link crew this week.

F. PUBLIC PARTICIPATION

1. Robert Bowden (via Zoom) commented on Kit Moran's retirement.

G. CONSENT ITEMS

1. Elise Bruderly made a motion that the Board of Education approve the consent items in bulk. Brian Arnold seconded the motion. **Motion Carried (unanimous).**
 - The Board approved the hire of Luis Orellano as a paraeducator.
 - The Board acknowledged the retirement of Alice Hinterman.
 - The Board received the April 2021 budget report.
 - The Board appointed Mara Greatorex, Jennifer Kangas, and Daryl Kipke separately, as President, for the sole purpose of signing diplomas for their graduating children.

H. ACTION ITEMS

1. Approve 2021-2022 School Calendar. Brian Arnold made a motion that the Board of Education approve the attached 2021-2022 school year calendar. Jennifer Kangas seconded the motion. **Motion Carried (unanimous).**
2. WISD Biennial Election Voting Representative. Mara Greatorex made a motion that the Board of Education adopted the attached resolution to designate Jennifer Kangas as its representative to serve on the 2021 [WISD] electoral body and directed her to support Theresa Saunders at the June 7, 2021 election meeting. Brian Arnold seconded the motion. **Motion Carried (unanimous).**
3. WISD Budget Resolution. Jennifer Kangas made a motion that the Board of Education adopt the attached approval resolution regarding the proposed 2021-2022 WISD Budget. Mara Greatorex seconded the motion. **Motion Carried (unanimous).**
4. Board Norms. Brian Arnold made a motion that the Board of Education approve the attached Board Norms [revised 4/28/2021]. Mara Greatorex seconded the motion. **Motion Carried (unanimous).**
5. Social Media Guidelines. Elise bBruderly made a motion that the Board of Education approved the attached Social Media Guidelines [revised 4/28/2021]. Dick Lundy seconded the motion. **Motion Carried (unanimous).**

I. DISCUSSION ITEMS

1. Phonics Curriculum. Executive Director of Instruction and Strategic Initiatives Mollie Sharrar presented information about the Reading Horizons

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- [proposed K-4 Phonics Curriculum](#). Principals Ryan Bruder, Craig McCalla, and Katie See were available to field questions. This program is being proposed for fall 2021 and will return for action at the June 14, 2021 meeting.
2. 2021-2022 Board Calendar Draft. The Board discussed possible dates for the 2021-2022 meeting calendar. A revised version will return for action at the June 14 meeting.
 3. Set Board Workshop for Growth/ Achievement Goals. The Board set the date and time for their workshop: June 14, 2021 at 5:30pm at Bates.

J. PUBLIC PARTICIPATION

1. Kevin Creech asked about plans for fall.

K. COMMITTEE UPDATES

1. Policy Committee. Committee Chair Mara Greatorex summarized the updates to nondiscrimination/anti-harassment policies that the committee reviewed at their May 18, 2021 meeting. All NEOLA changes were to bring the policies in alignment with recent changes in the law.
2. Educational Foundation of Dexter. EFD Liaison Mara Greatorex noted that the Education Foundation is currently accepting nominations for Dread Strong staff awards. The deadline for submitting is June 7, 2021.

L. BOARD COMMENTS

1. Elise Bruderly thanked staff for their efforts during the pandemic.

M. INFORMATION ITEMS

1. Board Bulletin 5/10/2021
2. Draft Policy Minutes
3. Lisa Melvin MSBO Certification

N. CLOSED SESSION – none

Brian Arnold made a motion to cancel the 8pm virtual meeting. Mara Greatorex seconded the motion. **Motion Carried (unanimous).**

At approximately 8:16pm, President Julie Schumaker adjourned the meeting.

MINUTES/hlv

Daryl Kipke
Secretary
Board of Education

TO: Board of Education

FROM: Sharon Raschke, CFO

DATE: June 14, 2021

RE: 2021-22 Budget Hearing

The Board will hear public comments related to the approval and adoption of the 2021-22 operating budget. The 2021 property tax millage rate proposed to be levied to support the proposed budget is also a subject of this hearing.

The Notice of Public Hearing was advertised in the June 3, 2021 issue of The MLive News.

The 2021-22 General Appropriation of the General Fund, General Appropriation of the Food Services Fund, General Appropriation of the Community Service Fund, and General Appropriation of the Student/School Activity Fund was made available for public inspection at the offices of the Dexter Community Schools, 2704 Baker Rd., Dexter. The detailed backup to the budget was also available.

Attached is the packet representing the 2021-22 budget.

May 25, 2021

Dear Ms. Santo;

Please accept this as my formal notice of retirement. My last day will be July 31, 2021 as I am working the Dread Strong Summer program through the month of July. My retirement health benefits will begin August 1, 2021.

It is with very mixed feelings that I leave the job I have so loved all these years. Thank you for your support.

Julie Snider



DEXTER COMMUNITY SCHOOLS BOARD OF EDUCATION

Bates School, 2704 Baker Road, Dexter, Michigan 48130
(734) 424-4100 fax (734) 424-4111
www.dexterschools.org

2021-2022 Meeting Schedule

Guidelines for public participation are on the [Board of Education website](#). Upon request to the Superintendent, the District shall make reasonable accommodation for a person with disabilities to be able to participate in meetings.

All meetings are held at the Bates School Board Room at 7:00 PM unless otherwise noted.

<u>DAY</u>	<u>DATE</u>	<u>HOLIDAYS / NO SCHOOL DAYS</u>
Monday	July 26, 2021	Organizational/Business Meeting
Monday	August 16	
Monday	August 30	Labor Day = Sept. 6
Monday	September 20	
Monday	October 4	
Monday	October 18	
Monday	November 1	Thanksgiving = Nov. 25 & 26
Monday	November 15	
Monday	December 6	Winter Break = Dec. 20 – 31
Monday	January 10, 2022	
Monday	January 24	
Monday	February 7	
Monday	February 28	
Monday	March 7	
Monday	March 21	Spring Break March 28 – April 1
Monday	April 11	
Monday	April 25	
Monday	May 2	
Monday	May 16	Memorial Day = May 30
Monday	June 6	
Monday	June 20	

Note: Additional Board of Education workshop(s) and special meetings may be set during the year and will be posted prior to meetings.

DEXTER COMMUNITY SCHOOLS

Application to request the adoption of a new course and/or resources

Date of application: May 24, 2021

Course Title: NA

Department: Instruction - Elementary Literacy (K-4)

Duration: 1-3 years

Prerequisite(s): None

Applicant(s): K-4 staff & administration, Instructional Support Team

Buildings Involved: DEEC, Wylie

Targeted population: All K-4 students

Targeted year for implementation: 2021/2022

Describe your resource request: The elementary staff and administration are requesting the purchase of the Reading Horizons phonics program as a foundational reading resource for grades K-4, which includes handwriting at the youngest levels. This will provide a balanced literacy approach throughout our early reading instruction. Additional information regarding the resource overview can be found at <https://www.readinghorizons.com/>

Rationale: Why are new resources necessary? New materials are necessary because we currently don't have a consistent, comprehensive early literacy/phonics/phonemic awareness resource for K-4. Teachers haven't had a consistent resource to teach early reading skills/phonics for over a decade. With the lack of resources and face-to-face instruction recently, our students are showing signs of reading deficiency and low growth. We need to ensure they have foundational reading skills in order to grow and achieve.

Connection to specific goals within the strategic framework/What are the "big ideas" or "core concepts" that will be covered in the course/resources?

Reading Horizons addresses seven areas of phonemic awareness (rhyming, syllable counting, initial sounds, blending, final sounds, medial sounds, and segmentation). Teachers using Reading Horizons provide every student with reading instruction that is aligned with reading science, Structured Literacy, and the Orton-Gillingham approach. Because it is aligned to research, the program helps every student build a solid foundation in reading and prevents general education students from falling behind—including students with dyslexia. Reading Horizons helps students make connections between what they hear, say, write, and read. This multi-sensory process activates and connects all areas of the brain involved in accurate and fluent reading. Reading Horizons instructional sequence builds on previous skills and student mastery is important at each step. Instructional pacing is determined by the ability to accurately apply skills to reading and writing which allows instruction to move at the rate appropriate for each student.

Connection to District Improvement Plan or School Improvement Plan(s):

The District Improvement Plan includes reading goals for students in all grades. This purchase will support the District Improvement Plan by increasing our ability to provide consistent, foundational reading instruction for our youngest readers, thus increasing their reading skills and the ability to provide differentiated support.

How will technology be integrated into the course/resources?

Digital resources are available for teachers through the Lesson Planner where teachers can create a teaching schedule, access a digital copy of the teacher's manuals, download lesson resources, and watch how-to videos. This tool can be synced to the software component of the program to quickly create student groupings for small-group instruction based on student mastery of each skill. Teachers also have access to the learning community where they can share their own tips and insights with the community as they implement the program.

Student digital resources are available as an additional purchase. According to our RH rep, most schools don't purchase them during the first year and rely on hard copy resources and face to face instruction. We are not planning to purchase the student digital resources during the first year of implementation and may make a decision to purchase them in the future if needed.

How do the resources support various learning styles, multiple intelligences of the students, and differentiated instruction?

Reading Horizons teaches phonetic sounds, patterns, and skills to students through explicit, systematic, and sequential lessons. These lessons are intentionally sequenced to move cumulatively from simple to more complex. The teacher's manuals outline how to make every lesson an active, multisensory experience for students. Each lesson includes high student involvement, encourages students to come up to the board, and gets every student responding during teacher instruction. This deepens learning and helps students make new connections that facilitate understanding. Students are able to make connections between what they hear, say, write, and read which activates and connects all areas of the brain involved in accurate and fluent reading.

By the end of the course, students will be able to:

- Utilize 42 Sounds of the alphabet, phonetic skills, and decoding skills
- Directly apply the decoding skills they learn during instruction into reading practice with a collection of decodable texts
- Understand phonics patterns most words, including common exceptions and high-frequency words with irregular patterns
- Build automaticity with common sight words
- Use basic grammar and syntax (e.g., parts of speech, sentence structure, prefixes/suffixes)
- Apply more complex grammar skills to improve reading fluency and overall reading ability over time

- Have both practice and confidence in reading

How does the material support cultural diversity and gender equity?

Reading Horizons is committed to respecting the inherent dignity and worth of every individual and seeks to provide literacy skills to all. Reading Horizons embraces and values diversity with thorough, regular evaluation of materials and processes with an explicit focus on inclusivity. Reading Horizons makes every effort to see that all materials are aligned to the most stringent standards of social content. This review can be accessed here:

<https://www.readinghorizons.com/reading-method/reading-research/california-department-of-education-social-content-review>

How will career or “real world” experiences be integrated into the course and resources?

The explicit, systematic, and sequential training students receive from instruction in the Reading Horizons method can and should be applied across their learning experience. As they are introduced to terms in the realms of math, science, social studies and other areas of learning, they will be able to figure out how to read and pronounce them based on the Reading Horizons skills they have earned. This ability will follow them into everyday life, enabling them to read signs, labels and a host of things, as literacy is one of the most important life skills.

How does the material encourage critical thinking and problem solving?

The strategies and skills students learn from instruction with Reading Horizons give students word attack skills that empower them to be able to decode and prove words, even when they have not encountered the word previously. This will afford them the ability to learn independently.

What summative and formative assessments will be used to measure student achievement?

Both summative and formative assessments are built into the Reading Horizons Curriculum with targets, progress monitoring, and checkpoints for staff and students. Formative assessments include - the dictation process, student transfer cards, skill checks and reading records. Summative assessments include paper and pencil chapter tests. In addition, we are excited to utilize the NWEA Reading Fluency Assessment as an additional data point to monitor student learning.

What teacher aids are provided?

Each teacher kit includes all necessary teachers' manuals, supplementary games, wall posters, transfer cards, student books, and access to additional resources and activities on the teacher resource site. Special Education teacher resources include all of the above, including flipcharts.

Each teacher's manual also includes detailed instructional guides and activities for meeting the needs of students below, on, or above level for each reading skill. By implementing the *Reading Horizons Discovery*® program across all three tiers, teachers have a common language and are able to differentiate and individualize for intervention students.

Describe what other alternatives were considered and why were they are not being proposed:

The other resources that were considered and piloted are Words Their Way, Units of Study Phonics, Really Great Reading, Souday Essentials. These resources are not being proposed because of the time-intensive preparation for teachers, the slow pacing for most of our students, the lack of a tiered support system, and the lack of continuity from grades K-4.

Projected costs (explain each as needed, some items may not be applicable):

Additional personnel:	\$0
Textbooks, materials, technology:	\$69,000
Professional Development:	\$7,000
Release time:	\$0
Teacher stipends:	\$0
Speaker/Consultant stipends:	\$0
Registration fees:	\$0
Travel expenses:	\$0
Summer work:	\$0
Other expenses (please explain below)	\$0

GRAND TOTAL: **\$76,000**

Instructional Resource Review Process

Date of department/committee review/discussion: May 13-20, 2021

Location of meeting: Beacon Conference Room

Number of attendees: 5 staff involved initially, all Y5-4th grade staff had resources available for review

Record of the meeting including comments & recommendations: After reviewing and piloting other resources (Words Their Way, Units of Study Phonics, Really Great Reading, Souday Essentials), staff are in support of adopting the Reading Horizons phonics program at grades K-4. Admin, coaches and staff are looking forward to having a consistent approach to teaching phonics. Teachers expressed excitement about having a cohesive, structured, comprehensive phonics program. There were no negative comments.

Date of admin review/discussion: Multiple meetings from April - May, 2021

Location of meeting: Wylie Conference room, Beacon Room 29, and zoom meetings

Number of attendees: 7

Record of the meeting including comments & recommendations: District admin, Y5-4 admin met multiple times with each other, coaches and teachers to determine the most appropriate pathway for resource adoption. After reviewing and piloting other resources (Words Their Way, Units of Study Phonics, Really Great Reading, Souday Essentials), the administrative team is in support of adopting the Reading Horizons phonics program at grades K-4.

Date of adjacent building review/discussion: May 13-21, 2021

Location of meeting: Beacon conference room

Number of attendees: 11

Record of the meeting including comments & recommendations: Teachers were able to review materials at grades K-4 and offer feedback via a Google form. The feedback was overwhelmingly in favor of adopting Reading Horizons.

Date of community review/discussion:

Location of meeting: Beacon, Anchor PTO meetings (Wylie parents attended the Beacon/Anchor meetings)

Number of attendees: Anchor APTO meeting - 18 attendees;

Record of the meeting including comments & recommendations:

- Attendees at the APTO meeting were in favor of the adoption. They did ask the following questions:
 - Does the program support 3rd and 4th graders? Yes, Reading Horizons Discovery is for grades K-3 and Reading Horizons Elevate will be used for 4th grade.
 - What does the program look like for 2nd grade students and how do they learn the different marks and language? Reading Horizons is unique in that there is no 1st grade program/2nd grade program, etc. however, there are separate K manuals. Every grade starts with Chapter 1 and moves through. The 2nd/3rd graders will be able to move through quickly, using Chapter 1 as a review and to learn the marking system. 2nd grade students, in year 1, will start with Chapter 1 and learn the coding systems, sounds, etc, like everyone else. Because they likely will know most of this information, they will go through the chapters much quicker.
 - Is there professional development for the teachers? Yes
 - When is the PD? Late August/Early September before school starts per DCS 21/22 PD calendar.
 - Are there materials for the teachers? Yes, all K-4 teachers will have teacher kits and classroom resources.
 - What do the materials include? Each teacher kit includes all necessary teachers' manuals, supplementary games, wall posters, transfer cards, student books, and access to additional resources and activities on the teacher resource site. Special Education teacher resources include all of the above, including flipcharts. Each teacher's manual also includes detailed instructional guides and activities for meeting the needs of students below, on, or above level for each reading skill. By implementing the *Reading Horizons Discovery*® program across all three tiers, teachers have a common language and are able to differentiate and individualize for intervention students.

- What does phonics look like currently? We currently do not have a consistent approach to teaching phonics. Teachers use a variety of resources and strategies.

Date of Board of Education review/discussion: Monday, May 24, 2021

Record of the meeting including comments & recommendations:

Date of Board of Education action: Monday, June 14, 2021

Action taken:

To: Board of Education

From: Sharon Raschke, CFO

Date: June 14, 2021

RE: Tax Levies for the 2021 Tax Year/2021-22 Fiscal Year

On June 14, 2021, you conducted a Public Hearing that included a hearing on the 2021 Tax Rate on non-homestead properties that will be at 18.0000 mills and the 2021 debt levy on all properties that will be at 8.5000 mills.

The tax levies are as follows:

	2021	2020
Non-homestead taxable value	\$ 303,358,581 (0.39% decrease)	
Non-homestead tax levy	18.0000 mills	18.0000 mills
All properties taxable value	\$1,517,092,986 (3.4% increase)	
Debt tax levy	8.5000 mills	8.5000 mills

A portion of the general fund revenue comes from the local tax levy of 18.000 mills on non-homestead properties. The amount of local non-homestead property tax collection combined with the amount of state aid received from the State of Michigan equals our total foundation allowance.

The May 7, 2013 elections, non-homestead millage reauthorization proposal of 18.0000 and the non-homestead millage "cushion" proposal of 3.0000 mills, was approved for the years 2014 to 2033. We did have a millage reduction fraction of 0.9981 for 2021 that will roll back both the 18.0000 and 3.0000 authorized levies. Attached is the millage usage history/projection from the 2014-2033 issues.

The debt levy is set at the amount required to meet the annual debt requirement for all existing debt under the arrangement with the State of Michigan School Bond Loan Fund. An 8.5000 mills levy is required to meet our debt obligations, including the requirements of the 1998, 2012, 2017 and 2021 bonds.

These levies need to be authorized by the Board of Education. Please authorize that 18.0000 mills be levied on non-homestead property in December of 2021 and that 8.5000 mills be levied on debt on all property in December of 2021.

Dexter Community Schools
Non-Homestead Tax Levy Summary
Operating Millage
Authorized millage 2014-2024

Authorized millage voted May 7, 2013 (for 20 years)

Headlee override "cushion" millage voted May 7, 2013

		Millage	Perm Red	Reduced	Voted	Reduced	Extra	
Fiscal	Tax	Reduction	NH Millage	Millage	NH Extra	Millage	Voted	Millage
Year	Year	Fraction	Rate	Rate	Millage	Rate	Used/Needed	Levy
14-15	2014	1.0000	18.0000	18.0000	3.0000	3.0000	0.0000	18.0000
15-16	2015	1.0000	18.0000	18.0000	3.0000	3.0000	0.0000	18.0000
16-17	2016	0.9969	18.0000	17.9442	3.0000	2.9907	0.0558	18.0000
17-18	2017	0.9994	17.9442	17.9334	2.9907	2.9889	0.0666	18.0000
18-19	2018	1.0000	17.9334	17.9334	2.9889	2.9889	0.0666	18.0000
19-20	2019	1.0000	17.9334	17.9334	2.9889	2.9889	0.0666	18.0000
20-21	2020	0.9993	17.9334	17.9208	2.9889	2.9868	0.0792	18.0000
21-22	2021	0.9981	17.9208	17.8867	2.9868	2.9811	0.1133	18.0000
22-23*	2022	0.9981	17.8867	17.8527	2.9811	2.9755	0.1473	18.0000
23-24*	2023	0.9981	17.8527	17.8187	2.9755	2.9698	0.1813	18.0000
24-25*	2024	0.9981	17.8187	17.7848	2.9698	2.9642	0.2152	18.0000
25-26*	2025	0.9981	17.7848	17.7510	2.9642	2.9585	0.2490	18.0000
26-27*	2026	0.9981	17.7510	17.7172	2.9585	2.9529	0.2828	18.0000
27-28*	2027	0.9981	17.7172	17.6835	2.9529	2.9473	0.3165	18.0000
28-29*	2028	0.9981	17.6835	17.6499	2.9473	2.9417	0.3501	18.0000
29-30*	2029	0.9981	17.6499	17.6163	2.9473	2.9417	0.3837	18.0000
30-31*	2030	0.9981	17.6163	17.5828	2.9417	2.9361	0.4172	18.0000
31-32*	2031	0.9981	17.5828	17.5493	2.9417	2.9361	0.4507	18.0000
32-33*	2032	0.9981	17.5493	17.5159	2.9361	2.9305	0.4841	18.0000
33-34*	2033	0.9981	17.5159	17.4826	2.9361	2.9305	0.5174	18.0000

* projected

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 OVERVIEW
Code	1 - OVERVIEW
Status	

OVERVIEW AND COMMENTS

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).

The update includes the following documents:

- **Policy 1422/3122/4122 - Nondiscrimination and Equal Employment Opportunity (Revised)**
- **Policy 1623/3123/4123 - Section 504/ADA Prohibition Against Disability Discrimination Based in Employment (Revised)**
- **Policy 1662/3362/4362 - Anti-Harassment (Revised)**
- **Policy 5517 - Anti-Harassment (Revised)**

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	First Reading po1422
Status	
Adopted	January 20, 2014

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 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.

*****Official** indicates those employees with greater responsibility, such as administrators, supervisors, or Board members.***

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, support and/or 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").

Barb Santo

Executive Director of Human Resources

734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

-4-

Ryan Bruder
Principal
734-424-4130 ext. 3001
7480 Dan Hoey Road Dexter MI 48130
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site (x-) and:

- A. ~~(x-)~~ in the staff handbooks.
- B. ~~(-)~~ in the School District Annual Report to the public.
- C. ~~(-)~~ on the School District's web site.
- D. ~~(-)~~ on each individual school's web site.
- E. ~~(-)~~ in the School District's calendar.
- F. ~~(-)~~ _____.

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. [END OF OPTIONS]~~ 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 ~~(-) at his/her first convenience (-)~~ 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. 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 Board 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 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 or designee must contact the Complainant ~~employee~~ within two (2) ~~business~~ days to advise ~~him/her~~ of the Board's intent to investigate the alleged wrongdoing.

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~~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 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~~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. 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/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 Superintendent⁷ 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 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 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 decision of the Superintendent shall be final.

OR

~~☐ 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.~~

~~**{END OF OPTIONS}**~~

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.

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. 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.

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.

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

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	First Reading po3122
Status	
Adopted	March 17, 2003
Last Revised	January 20, 2014

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.

*****Official** indicates those employees with greater responsibility, such as administrators, supervisors, or Board members.***

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").

Barb Santo

Executive Director of Human Resources
734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

-12-

Ryan Bruder
Principal
734-424-4130 ext. 3001
7480 Dan Hoey Road Dexter MI 48130
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site (x-) and:

- A. ~~(x-)~~ in the staff handbooks.
- B. ~~(-)~~ in the School District Annual Report to the public.
- C. ~~(-)~~ on the School District's web site.
- D. ~~(-)~~ on each individual school's web site.
- E. ~~(-)~~ in the School District's calendar.
- F. ~~(-)~~ _____.

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. [END OF OPTIONS]~~ 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 ~~(-) at his/her first convenience (-)~~ 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. 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 Board 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 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 or designee must contact the Complainant ~~employee~~ within two (2) ~~business~~ days to advise ~~him/her~~ of the Board'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~~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~~the Complainant~~ 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~~his/her~~ concerns 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~~.

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. 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/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 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 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 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 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 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 decision of the Superintendent shall be final.

OR

~~☐ 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.~~
[END OF OPTIONS]

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 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(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. 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.

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.

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

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Code	First Reading po4122
Status	
Adopted	March 17, 2003
Last Revised	January 20, 2014

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 ~~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.

*****Official** indicates those employees with greater responsibility, such as administrators, supervisors, or Board members.**

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").

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Ryan Bruder
Principal
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bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site (X-) and:

- A. (X-) in the staff handbooks.
- B. ~~(-)~~ in the School District Annual Report to the public.
- C. ~~(-)~~ on the School District's web site.
- D. ~~(-)~~ on each individual school's web site.
- E. ~~(-)~~ in the School District's calendar.
- F. ~~(-)~~ _____.

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. [END OF OPTIONS]~~ 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 ~~(-) at his/her first convenience (-)~~ 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 ~~complainant's~~ ~~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 Board 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 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 or designee must contact the Complainant ~~employee~~ within two (2) ~~business~~ days to advise ~~him/her~~ of the Board'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 ~~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 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~~ concerns 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 official-level 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/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 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 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 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.

~~[X-]~~ The decision of the Superintendent shall be final.

OR

~~[] 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.~~
{END OF OPTIONS}

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.

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. 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.

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.

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

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	First Reading po1623
Status	
Adopted	December 5, 2011
Last Revised	June 18, 2019

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 (1) 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 aids 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)").

Barb Santo
Executive Director of Human Resources
734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

Ryan Bruder
Principal
734-424-4130 ext. 3001
7480 Dan Hoey Road Dexter MI 48130
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site (x) ~~(-)~~ and:

- A. ~~(x-)~~ in the staff handbooks.
- B. ~~(-)~~ in the ~~School District Annual Report to the public.~~
- C. ~~(-)~~ ~~on the School District's web site.~~
- D. ~~(-)~~ ~~on each individual school's web site.~~
- E. ~~(-)~~ ~~in the School District's calendar.~~
- F. ~~(-)~~ _____.

The District Compliance Officer(s) () is ~~(x)~~ (x) 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~~ 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 with 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

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.

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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

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	First Reading po3123
Status	
Adopted	December 5, 2011
Last Revised	June 18, 2019

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 (1) 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 aids 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)").

The following individual(s) shall serve as the District's Anti-Harassment Compliance Officer(s) (hereinafter, "the Compliance Officer(s)"):

Barb Santo
Executive Director of Human Resources
734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

Ryan Bruder
Principal
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7480 Dan Hoey Road Dexter MI 48130
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site (x-) and:

- A. (x-) in the staff handbooks.
- B. ~~() in the School District Annual Report to the public.~~
- C. ~~() on the School District's web site.~~
- D. ~~() on each individual school's web site.~~
- E. ~~() in the School District's calendar.~~
- F. ~~() _____.~~

The District Compliance Officer(s) () is (x-) 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

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 with 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

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.

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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

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	First Reading po4123
Status	
Adopted	December 5, 2011
Last Revised	June 18, 2019

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 (1) 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 aids 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)").

Barb Santo
Executive Director of Human Resources
734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

Ryan Bruder
Principal
734-424-4130 ext. 3001
7480 Dan Hoey Road Dexter MI 48130
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site (x) and:

- A. (x) in the staff handbooks.
- B. ~~() in the School District Annual Report to the public.~~
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The District Compliance Officer(s) () is (x) are ~~[END OF OPTION]~~ 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

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Complaint Procedures

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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.

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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

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.

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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

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised ANTI-HARASSMENT
Code	First Reading po1662
Status	
Adopted	June 9, 2014
Last Revised	June 18, 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 on the basis of ~~based on~~ race, color, national origin, sex (including sexual orientation and ~~trans~~gender identity), disability, age, religion, 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 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.

~~[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

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.

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.

Official indicates those employees with greater responsibility, such as administrators, supervisors, or Board members.

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, support and/or 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.

[DRAFTING NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.]

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)"):

Barb Santo
Executive Director of Human Resources
734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

Ryan Bruder
Principal
734-424-4130 ext. 3001
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The names, titles, and contact information of these individuals will be published annually on the District's web site (X-) and:

- A. (x-) in the parent and staff handbooks.
- B. (-) in the School District Annual Report to the public.
- C. (-) on each individual school's web site.
- D. (-) in the School District's calendar.
- E. (-) _____

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.

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 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/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 shall 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.

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~~ (e.g., visitor to the District) who believes that they have~~s/he has~~ been subjected to unlawful harassment or retaliation 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.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, 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 ~~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 /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 deems~~ 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~~ A 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 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.

☒ The decision of the Superintendent shall be final.

OR

~~☐ 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.~~

~~{END OF OPTIONS}~~

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 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

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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.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child 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 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);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

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	<p>Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq.</p> <p>20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)</p> <p>29 U.S.C. 621 et seq, Age Discrimination in Employment Act of 1967</p> <p>29 U.S.C. 6101, The Age Discrimination Act of 1975</p> <p>42 U.S.C. 2000e et seq.</p> <p>42 U.S.C. 1983</p> <p>42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act</p> <p>29 C.F.R. Part 1635</p> <p>Title IX of the Educational Amendments of 1972, 20 U.S.C. 1681 et seq.</p> <p>29 U.S.C. 794, Rehabilitation Act of 1973, as amended</p> <p>42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended</p> <p>The Handicappers' Civil Rights Act, M.C.L. 37.1101 et seq.</p> <p>The Elliott-Larsen Civil Rights Act, M.C.L. 37.2101, et seq.</p> <p>Policies on Bullying, Michigan State Board of Education, 7-19-01</p> <p>Model Anti-Bullying Policy, Michigan State Board of Education, 09-2006</p> <p>National School Boards Association Inquiry and Analysis – May 2008</p>
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Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised ANTI-HARASSMENT
Code	First Reading po3362
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Adopted	March 17, 2003
Last Revised	June 18, 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 harassment on the basis of ~~based on~~ race, color, national origin, sex (including sexual orientation and ~~trans~~gender 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.

~~[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

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.

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.

Official indicates those employees with greater responsibility, such as administrators, supervisors, or Board members.

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, support and/or 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:⁵¹⁻

- 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.

[DRAFTING NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.]

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)"):

Barb Santo
Executive Director of Human Resources
734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

Ryan Bruder
Principal
734-424-4130 ext. 3001
7480 Dan Hoey Road Dexter MI 48130
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site ⁵³(~~x-~~) and:

- A. (~~x-~~) in the parent and staff handbooks.
- B. (~~-~~) in the School District Annual Report to the public.
- C. (~~-~~) on each individual school's web site.
- D. (~~-~~) in the School District's calendar.
- E. (~~-~~) _____.

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~~ ~~complainant's~~ ~~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.

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 ~~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 ~~/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 ~~(-)~~ A 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 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.

☒ The decision of the Superintendent shall be final.

OR

~~[] 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.~~
{END OF OPTIONS}

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.

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.

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

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised ANTI-HARASSMENT
Code	First Reading po4362
Status	
Adopted	March 17, 2003
Last Revised	June 18, 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 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.

~~[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

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.

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, support and/or 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

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.

[DRAFTING NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery". The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.]

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)"):

- Barb Santo

Executive Director of Human Resources
734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

Ryan Bruder
Principal
734-424-4130 ext. 3001

The names, titles, and contact information of these individuals will be published annually on the School District's web site (x-) and:

- A. (x-) in the parent and staff handbooks.
- B. ~~in the School District Annual Report to the public.)~~
- C. ~~(-) on each individual school's web site.~~
- D. ~~(-) in the School District's calendar.~~
- E. ~~(-) _____.~~

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~~ 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 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.

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 ~~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 ~~/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 ~~()~~ ~~A~~ 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 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.

☒ The decision of the Superintendent shall be final.

OR

~~[] 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.~~

[END OF OPTIONS]

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.

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.

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.

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.

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

Book	Policy Manual
Section	Nondiscrimination/Anti-Harassment Policies Update - February 2021
Title	Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised ANTI-HARASSMENT
Code	First Reading po5517
Status	
Adopted	March 17, 2003
Last Revised	June 18, 2019

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.

~~[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

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.

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.

*****Official** indicates those employees with greater responsibility, such as administrators, supervisors, or Board members.***

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, support and/or 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: 75:

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.

[DRAFTING NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery." The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.]

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)"):

Barb Santo

Executive Director of Human Resources
734-424-4100 ext. 1031
2704 Baker Road Dexter MI 48130
santob@dexterschools.org

Ryan Bruder
Principal
734-424-4130 ext. 3001
7480 Dan Hoey Road Dexter MI 48130
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's web site (x-) and:

- A. (x-) in the parent and staff handbooks.
- B. ~~in the School District Annual Report to the public.)(~~
- C. ~~(-) on each individual school's web site.~~
- D. ~~(-) in the School District's calendar.~~
- E. ~~(-) _____.~~

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. ~~(-) at his/her first convenience (-) 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 by another member of the School District community or a 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 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.

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 she/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:

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- 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. ~~(-) A~~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.

☒ The decision of the Superintendent shall be final.

OR

~~☐ 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.~~

~~{END OF OPTIONS}~~

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.~~ 81

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 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 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.

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.

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

Dexter Community Schools Board of Education Executive Summary and Recommendation
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Background Information

Typically, the Board has approved an extension of the Superintendent's contract on an annual basis. The Board of Education voted to rate Superintendent Dr. Christopher Timmis highly effective following the completion of his annual performance review on December 7, 2020. Consistent with Board Policy 1220 - Employment of the Superintendent, the current contract will be modified as follows:

- Extend the employment term of the contract from June 30, 2025 to June 30, 2026.

Recommendation

That the Board of Education modify the current Contract of Employment to extend the term of employment to June 30, 2026.

TO: Board of Education

FROM: Sharon Raschke, CFO

DATE: June 14, 2021

RE: 2021-22 Budget Adoption

Included in your packet is the 2021-22 budget for adoption. The budget process included:

March 26, 2021 - The Superintendent presented preliminary budget parameters and budget scenarios for the 2021-22 budget to the Finance Committee in a virtual meeting.

May 26, 2021 - The Finance Committee discussed the draft budget. The Finance Committee authorized the 2021-22 budget be prepared to take to a public hearing.

June 3, 2021 - The notice of budget hearing was published in The Mlive News. The budget was available for public inspection.

June 14, 2021 – The budget hearing took place at the Board of Education meeting. The Board also had an opportunity to further discuss the draft budget.

The key parameters included are:

- State Foundation allowance \$8,470, a \$142 increase from 2020-21
- Reduced the \$65 State categorical from 2020-21
- Other State categorical funding continued at 2020-21 amounts
- Student count 3,508, a 120 student increase recovering 50% of the pupils lost during 2020-21
- Wage changes based on all employee group bargaining contracts financial parameters
- Employee level and step increases included
- The employer contribution towards health benefits increased 3%
- MPSERS Retirement Rate 42.95% per ORS communication and our specific staff retirement elections (including the UAAL rate currently subsidized with a State categorical funding)
- No Academic staff increase is included at this time. Any staffing impact of DHS block scheduling is not included.
- Long range trends are not meaningful under the current climate; the Budget reflects 2021-22 and 2022-23 and 2023-24 trend only.

Several major variables were not fully known at the time of budget preparation. The allocation of federal and state ESSER COVID relief funding and associated expenses are not included at this time. Neither summer school revenue nor expenses are included. Changes in student count, state foundation, and state categorical grants will also have a large impact. The restructuring of the Early Childhood Learning Center program are not included.

Recognize that we have prepared this budget in order to meet our obligation in good faith. Further information and decisions will continue to be made both before and after the budget

hearing and budget adoption. We will end this year and start next year with a budget that will not reflect all known data. The November revision to the budget will be the real operating plan for the year. The budget for 2021-22 must be adopted by June 30, 2021.

State School Aid Act Requirements

In order to be in compliance with State laws regarding budgeting, the school board is required to:

1. pass a general appropriation resolution for general fund and any special revenue funds by major function grouping
2. post the budgets on our district website

As a result of these requirements, the budget adopted by the Board of Education is by major function grouping.

Attachments

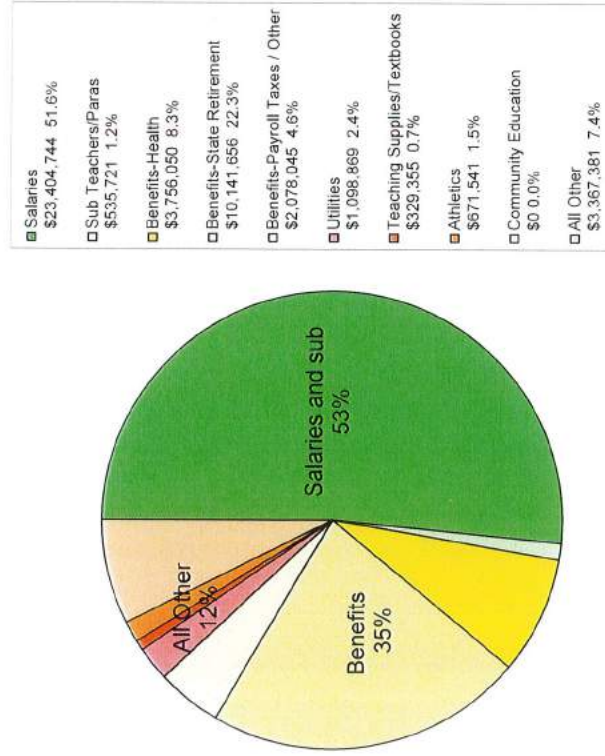
1. Financial Dashboard
2. Long-range trend including 2019-20 actual, 2020-21 budget (November 2020 revision), 2021-22 budget, 2022-23 trend and 2023-24 trend. The trend was used as the basis for the revenue and expenditure projection that is required to be reported.
3. The general appropriation resolution for the general fund and required special revenue funds by major function grouping. These resolutions, once adopted by the Board of Education, will be posted on our website.
4. The 2022-23 General Fund revenue, expenditures, and fund balance projection that will also be posted on our website.

The budget detailed by individual account lines are available in the Business Office.

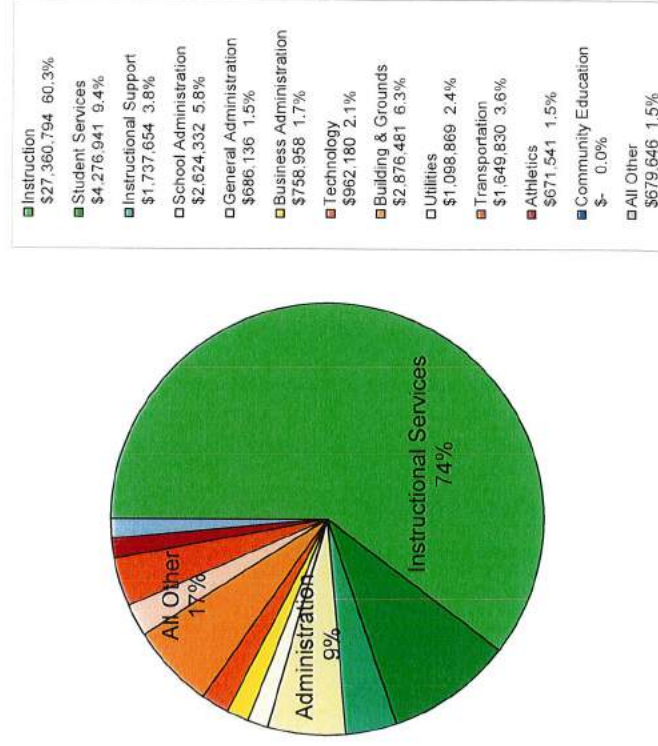
Dexter Community Schools
Financial Dashboard
2021-22 Budget

2019-20 Actual					
Student Count	Total Revenues	Total Expenditures	Excess Rev/Exp	Ending Fund Balance	Foundation Allowance
3,628	\$44,461,948	\$42,516,976	\$1,944,972	\$9,854,358	\$8,328
Peer Group Ranking from most recent Bulletin 1014 (2018-19 data)					
				8th out of 30	14th out of 30
2020-21 Budget (November revision)					
3,388	\$45,317,580	\$45,394,255	(\$76,675)	\$9,777,683	\$8,393
2021-22 Budget					
3,508	\$44,729,838	\$45,383,362	(\$653,524)	\$9,124,159	\$8,470

Expenses-Type



Expenses-Program



Dexter Community Schools
General Fund
Long Range Trend

	2019-20 actual	2020-21 budget (November)	2021-22 budget	2022-23 trend	2023-24 trend
Revenue	44,461,948	45,317,580	44,729,838	44,531,756	45,300,256
Expense	42,516,976	45,394,255	45,383,362	46,682,379	47,999,597
Revenue over (under) expense	1,944,972	(76,675)	(653,524)	(2,150,623)	(2,699,342)
Fund Balance planned adjustment (Painting project)	-	(230,000)	-	-	-
Operational Revenue over (under) expense	1,944,972	153,325	(653,524)	(2,150,623)	(2,699,342)
FUND BALANCE					
Non-spendable-Prepaid Expenditures	57,571	57,571	57,571	57,571	57,571
Committed-Facilities	795,538	565,538	565,538	565,538	565,538
Committed-Athletic Facilities	860,000	860,000	860,000	860,000	860,000
Committed-Health Benefit Claims	-	-	-	-	-
Committed-Instructional Equipment	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Committed-New Programs Implementation	-	-	-	-	-
Committed-New Programs Startup Costs	300,490	300,490	300,490	300,490	300,490
Committed-Performing Arts Equipment	140,000	140,000	140,000	140,000	140,000
Committed-Retirement/Severance	850,000	850,000	850,000	850,000	850,000
Committed-Supply Carryover	248,573	248,573	248,573	248,573	248,573
Committed-Employee Off Schedule Payment	-	-	-	-	-
Committed-Technology	881,918	881,918	881,918	881,918	881,918
Committed-Textbooks	-	-	-	-	-
Assigned for Subsequent year expenditures	1,992,511	1,992,511	1,992,511	1,992,511	1,992,511
Unassigned	2,727,757	2,881,082	2,227,557	76,935	(2,622,407)
TOTAL FUND BALANCE	9,854,358	9,777,683	9,124,159	6,973,536	4,274,194
%	23.2%	21.5%	20.1%	14.9%	8.9%
Unassigned	2,727,757	2,881,082	2,227,557	76,935	(2,622,407)
%	6.4%	6.3%	4.9%	0.2%	-5.5%
STATE FUNDING					
State per pupil foundation	\$ 8,328	\$ 8,393	\$ 8,470	\$ 8,470	\$ 8,470
State per pupil foundation change (\$)	\$ 211	\$ 65	\$ 77	\$ -	\$ -
Effective per pupil change					
STUDENT ENROLLMENT					
New student additions(general ed & special ed FTE)	(18.98)	(239.75)	120.00	120.00	25.00
Student Enrollment (October)	3,628.00	3,388.25	3,508.25	3,628.25	3,653.25
PROJECTION ASSUMPTIONS					
Increase academic staff (FTE)	2.50	-	-	-	-
Increase support staff (FTE)	-	-	-	-	-
Salary/Wage DEA change (%)	0.00%	1.00%	1.00%	1.00%	1.00%
State Blended Count Method	10%/90%	superblend	10%/90%	10%/90%	10%/90%
MPERS Retirement Rate	40.09%	42.83%	42.95%	43.07%	43.19%
FICA Employer Tax Rate	7.65%	7.65%	7.65%	7.65%	7.65%
District Insurance Cost change	6.50%	3.00%	3.00%	3.00%	3.00%
WISD Special Education Reimbursement	100.00%	100.00%	100.00%	100.00%	100.00%
Indirect Cost Rate to Self-supporting Programs	10.00%	10.00%	10.00%	10.00%	10.00%
Inflation (discretionary)	0.00%	0.00%	0.00%	0.00%	0.00%

**General Appropriation of the General Fund
Resolution for Adoption by the Board of Education, Dexter Community Schools**

RESOLVED, that this resolution shall be the general appropriation of Dexter Community Schools for the 2021-22 fiscal year; a resolution to make appropriations; to provide for the expenditure of the appropriations; and to provide for the disposition of all revenue received by Dexter Community Schools.

BE IT FURTHER RESOLVED, that the total revenues and unappropriated fund balance estimated to be available for appropriation in the General Fund of the school district for fiscal year 2021-22 which includes 18 mills of ad valorem taxes to be levied on non-homestead and nonqualified agricultural property to be used for operating purposes is as follows:

Revenue:

1xx Local	\$ 6,135,699
2xx Other Political Subdivisions	\$ -
3xx State	\$ 31,330,602
4xx Federal	\$ 1,964,331
5xx-6xx Other Financing Sources	\$ 5,299,206
Total Revenue	\$ 44,729,838
Total Fund Balance, July 1 Available to Appropriate	\$ 9,720,111
Total Available to Appropriate	\$ 54,449,949

BE IT FURTHER RESOLVED, that of the total available to appropriate in the General Fund, it is hereby appropriated in the amounts and for the purposes set forth below:

Expenditures:

1xx – Instruction	
11x- Basic Programs	\$ 21,937,742
12x- Added Needs	\$ 5,423,052
2xx – Support Services	
21x- Pupil Support	\$ 4,276,941
22x- Instructional Staff Support	\$ 2,699,834
23x- General Administration	\$ 686,136
24x- School Administration	\$ 2,624,332
25x- Business Services	\$ 758,958
26x- Operations and Maintenance	\$ 3,975,350
27x- Transportation	\$ 1,649,830
28x-29x Other Central Support	\$ 404,227
3xx-Community Services	\$ 275,419
4xx-6xx Other Financing Uses	\$ 671,541
Total Appropriated	\$ 45,383,362

FURTHER RESOLVED, that no board of education member or employee of the school district shall expend any funds or obligate the expenditure of any funds except pursuant to appropriations made by the board of education and in keeping with the budgetary policy statement hitherto adopted by the board. Changes in the amount appropriated by the board shall require approval of the board.

BE IT FURTHER RESOLVED, that for purposes of meeting emergency needs of the school district, transfers of appropriations may be made upon the written authorization of the superintendent but no other transfers shall be made without prior approval of the board of education. When the superintendent makes a transfer of appropriations as permitted by this resolution, such transfer shall be presented to the board of education at its next regularly scheduled meeting in the form of an appropriation amendment, which amendment shall be adopted by the board of education at such meeting.

AYES: _____ NAYS: _____ ABSENT: _____ RESOLUTION DECLARED ADOPTED.

The undersigned duly qualified and acting Secretary of the Board of Education of the Dexter Community Schools, Counties of Washtenaw and Livingston, State of Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the board of education at a regular meeting held on June 14, 2021, and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

Secretary, Board of Education

**General Appropriation of the Food Services Fund
Resolution for Adoption by the Board of Education, Dexter Community Schools**

RESOLVED, that this resolution shall be the general appropriation of the Food Services Fund for the 2021-22 fiscal year; a resolution to make appropriations; to provide for the expenditure of the for the expenditure of the appropriations; and to provide for the disposition of all revenue received by the Food Services Fund of Dexter Community Schools.

BE IT FURTHER RESOLVED, that the total revenues and unappropriated fund balance estimated to be available for appropriation in the Food Services Fund of the school district for fiscal year 2021-22 to be used for operating purposes is as follows:

Revenue:

1xx Local	\$	1,119,041
3xx State	\$	80,006
4xx Federal	\$	333,302
5xx-6xx Other Financing Sources	\$	159,135
Total Revenue	\$	1,691,484
<hr/>		
Total Fund Balance, July 1 Available to Appropriate	\$	497,206
Total Available to Appropriate	\$	2,188,690

BE IT FURTHER RESOLVED, that of the total available to appropriate in the Food Services Fund, it is hereby appropriated in the amounts and for the purposes set forth below:

Expenditures:

2xx – Support Services		
26x- Operations and Maintenance	\$	3,608
28x-29x Other Central Support	\$	1,416,760
4xx-6xx Other Financing Uses	\$	142,037
Total Appropriated	\$	1,562,405

FURTHER RESOLVED, that no board of education member or employee of the school district shall expend any funds or obligate the expenditure of any funds except pursuant to appropriations made by the board of education and in keeping with the budgetary policy statement hitherto adopted by the board. Changes in the amount appropriated by the board shall require approval of the board.

BE IT FURTHER RESOLVED, that for purposes of meeting emergency needs of the school district, transfers of appropriations may be made upon the written authorization of the superintendent but no other transfers shall be made without prior approval of the board of education. When the superintendent makes a transfer of appropriations as permitted by this resolution, such transfer shall be presented to the board of education at its next regularly scheduled meeting in the form of an appropriation amendment, which amendment shall be adopted by the board of education at such meeting.

AYES:_____ NAYS:_____ ABSENT:_____ RESOLUTION DECLARED ADOPTED.

The undersigned duly qualified and acting Secretary of the Board of Education of the Dexter Community Schools, Counties of Washtenaw and Livingston, State of Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the board of education at a regular meeting held on June 14, 2021, and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

Secretary, Board of Education

**General Appropriation of the Community Service Fund
Resolution for Adoption by the Board of Education, Dexter Community Schools**

RESOLVED, that this resolution shall be the general appropriation of the Community Service Fund for the 2021-22 fiscal year; a resolution to make appropriations; to provide for the expenditure of the appropriations; and to provide for the disposition of all revenue received by the Community Service Fund of Dexter Community Schools.

BE IT FURTHER RESOLVED, that the total revenues and unappropriated fund balance estimated to be available for appropriation in the Community Service Fund of the school district for fiscal year 2021-22 to be used for operating purposes is as follows:

Revenue:

1xx Local	\$	2,350,912
3xx State	\$	49,069
4xx Federal	\$	-
5xx-6xx Other Financing Sources	\$	671,541
Total Revenue	\$	3,071,522
 Total Fund Balance, July 1 Available to Appropriate	 \$	 119,385
Total Available to Appropriate	\$	3,190,907

BE IT FURTHER RESOLVED, that of the total available to appropriate in the Community Service Fund, it is hereby appropriated in the amounts and for the purposes set forth below:

Expenditures:

1xx – Instruction		
11x- Basic Programs	\$	102,665
2xx – Support Services		
22x- Instructional Staff Support	\$	2,474
26x- Operations and Maintenance	\$	56,550
27x- Transportation	\$	-
28x-29x Other Central Support	\$	1,090,902
3xx-Community Services	\$	1,640,238
4xx-6xx Other Financing Uses	\$	178,693
Total Appropriated	\$	3,071,522

FURTHER RESOLVED, that no board of education member or employee of the school district shall expend any funds or obligate the expenditure of any funds except pursuant to appropriations made by the board of education and in keeping with the budgetary policy statement hitherto adopted by the board. Changes in the amount appropriated by the board shall require approval of the board.

BE IT FURTHER RESOLVED, that for purposes of meeting emergency needs of the school district, transfers of appropriations may be made upon the written authorization of the superintendent but no other transfers shall be made without prior approval of the board of education. When the superintendent makes a transfer of appropriations as permitted by this resolution, such transfer shall be presented to the board of education at its next regularly scheduled meeting in the form of an appropriation amendment, which amendment shall be adopted by the board of education at such meeting.

AYES: _____ NAYS: _____ ABSENT: _____ RESOLUTION DECLARED ADOPTED.

The undersigned duly qualified and acting Secretary of the Board of Education of the Dexter Community Schools, Counties of Washtenaw and Livingston, State of Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the board of education at a regular meeting held on June 14, 2021, and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

Secretary, Board of Education

**General Appropriation of the Student/School Activity Fund
Resolution for Adoption by the Board of Education, Dexter Community Schools**

RESOLVED, that this resolution shall be the general appropriation of the Student/School Activity Fund for the 2021-22 fiscal year; a resolution to make appropriations; to provide for the expenditure of the for the expenditure of the appropriations; and to provide for the disposition of all revenue received by the Student/School Activity Fund of Dexter Community Schools.

BE IT FURTHER RESOLVED, that the total revenues and unappropriated fund balance estimated to be available for appropriation in the Student/School Activity Fund of the school district for fiscal year 2021-22 to be used for operating purposes is as follows:

Revenue:

1xx Local	\$ 1,362,636
5xx Prior Period Adjustment	\$ -
Total Revenue	\$ 1,362,636
 Total Fund Balance, July 1 Available to Appropriate	 \$ 923,393
Total Available to Appropriate	\$ 2,286,029

BE IT FURTHER RESOLVED, that of the total available to appropriate in the Student/School Activity Fund, it is hereby appropriated in the amounts and for the purposes set forth below:

Expenditures:

2xx – Support Services	
29x- Support Service, Other	\$ 1,362,636
Total Appropriated	\$ 1,362,636

FURTHER RESOLVED, that no board of education member or employee of the school district shall expend any funds or obligate the expenditure of any funds except pursuant to appropriations made by the board of education and in keeping with the budgetary policy statement hitherto adopted by the board. Changes in the amount appropriated by the board shall require approval of the board.

BE IT FURTHER RESOLVED, that for purposes of meeting emergency needs of the school district, transfers of appropriations may be made upon the written authorization of the superintendent but no other transfers shall be made without prior approval of the board of education. When the superintendent makes a transfer of appropriations as permitted by this resolution, such transfer shall be presented to the board of education at its next regularly scheduled meeting in the form of an appropriation amendment, which amendment shall be adopted by the board of education at such meeting.

AYES: _____ NAYS: _____ ABSENT: _____ RESOLUTION DECLARED ADOPTED.

The undersigned duly qualified and acting Secretary of the Board of Education of the Dexter Community Schools, Counties of Washtenaw and Livingston, State of Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the board of education at a regular meeting held on June 14, 2021, and further certifies that notice of the meeting was given to the public pursuant to the provisions of the Open Meetings Act, 1976 PA 267, as amended.

Secretary, Board of Education

**Dexter Community Schools
General Fund Projections
2022-23**

Projection Assumptions:

- Carryover Existing Programs
- No change in the State per student foundation
- 120 increase in student enrollment
- 100% WISD Act 18 reimbursement from 2020-21 Special Education costs
- 3% increase in employer contribution to health benefit costs
- 1% increase in salary/wage scales
- 43.07% in MPSERS retirement contributions

The Board intends to make budget changes in our operations to reduce expenditures and/or increase revenue.

Projected Fund Balance, July 1, 2022	\$ 9,124,159
Projected Revenue:	
1xx Local	\$ 6,108,528
2xx Other Political Subdivisions	\$ -
3xx State	\$ 31,191,857
4xx Federal	\$ 1,955,632
5xx-6xx Other Financing Sources	\$ 5,275,739
Total Projected Revenue	\$ 44,531,756
Projected Expenditures:	
1xx – Instruction	
11x- Basic Programs	\$ 22,565,670
12x- Added Needs	\$ 5,578,277
2xx – Support Services	
21x- Pupil Support	\$ 4,399,361
22x- Instructional Staff Support	\$ 2,777,112
23x- General Administration	\$ 705,775
24x- School Administration	\$ 2,699,449
25x- Business Services	\$ 780,682
26x- Operations and Maintenance	\$ 4,089,137
27x- Transportation	\$ 1,697,053
28x-29x Other Central Support	\$ 415,797
3xx-Community Services	\$ 283,302
4xx-6xx Other Financing Uses	\$ 690,763
Total Projected Expenditures	\$ 46,682,379
Projected Fund Balance, June 30, 2023	\$ 6,973,536

Julie A. Schumaker
President, Board of Education
Dexter Community Schools

June 9, 2021

Dr. Christopher Timmis, Superintendent
Mara Greatorex, Vice President, Board of Education
Dexter Community Schools

Dear Dr. Timmis and Vice President Greatorex,

I am writing to resign my position as Trustee on Dexter Community Schools Board of Education, effective June 30, 2021. It has been my privilege to serve our community for the past 18 years.

During my tenure on the Board, I have served alongside 21 school board members, five superintendents, and two interim superintendents. I have had the opportunity to talk with hundreds of community members who care deeply about the education of their children. I have visited classrooms from pre-K through HS, ridden school buses, watched countless performances and competitions, and had the honor of passing out diplomas to 18 classes of Dexter graduates.

Much has changed in the district since 2003 when I was first elected. In 2003, Board meetings were held at Copeland, there was only one public comment period which required notifying the district 3 days prior, and Action Items were routinely on the agenda with no prior discussion by the Board. The district's undesignated fund balance was only \$1,624. In the spring of 2003, in what was initially a shocking occurrence, the state cut the Foundation Grant \$53 per pupil requiring mid-year budget adjustments. Additional mid-year cuts and no increases in funding were repeated in subsequent years resulting in many painful budget reductions.

Over the last 18 years, the district has adopted financial practices to buffer these financial storms and to add new programs and buildings to better serve our students. The district added the International Baccalaureate Programme in 2012-13, Dexter International Academy in 2016-17, Alternative Education Program in 2016-17, a personalized learning model, Summit Learning, in 2016-17, and the Dexter Early Middle College in 2019-20. With the community's support, the district passed a \$48M bond in 2008 and a \$72M bond in 2017 which greatly enhanced the school district's facilities. Existing buildings were renovated and expanded, security improved, a new elementary school (Beacon) and Alternative Education Building (Ceriani) were built, a central bus loop added, athletic facilities improved including adding new twin turf fields and quad ball fields.

While the Board has faced difficult decisions over these years, collectively the Board has always focused on doing what is in the best interest of kids. One of the strengths of the School Board is that it is a nonpartisan body which strives to serve **all** students and families in our community. I have every confidence that Dexter Community Schools will continue to be a point of pride in Dexter and an educational leader in our state.

Sincerely,

Julie A. Schumaker

Process/Timelines to Appoint New Board Member

draft 6-14-2021

Summary:

The 6/14/2021 Board packet includes a resignation from Board President Julie Schumaker. It is anticipated that there may be another vacancy by the end of June. Because the deadline to fill seats is 30 days after a resignation and the board's organizational meeting for the 2021-2022 school year is July 26, it is desirable that any seats open by the end of June be filled prior to the organizational meeting, if possible.

0142.5 - VACANCIES

The office of a Board member shall become vacant immediately upon the occurrence of any one (1) of the following events:

- A. the death of the incumbent, or the incumbent's being adjudicated insane or being found to be mentally incompetent by the proper court
- B. the incumbent's resignation
- C. the incumbent's removal from office
- D. the incumbent's conviction of a felony
- E. the incumbent's election or appointment being declared void by a competent tribunal
- F. the incumbent's neglect or failure to file the acceptance of office, to take the oath of office, or to give or renew an official bond required by law
- G. the failure of the District to elect a successor at the annual school meeting or election
- H. the incumbent's ceasing to possess the legal qualifications for holding office
- I. the incumbent's residence being removed from the School District

If less than a majority of the offices of the District becomes vacant, the remaining members of the Board shall fill the vacancy immediately.

If the vacancy is not filled within thirty (30) days after it occurs, the Board of the Intermediate School District shall fill the vacancy by appointment.

A person elected or appointed to fill a vacancy on the Board shall file an acceptance of office and shall hold office until the next regular school election.

Filling a Board Vacancy

If the majority of the Board is still seated, the vacancy shall be filled by the Board using the following procedure:

The Board shall seek qualified and interested candidates from the community through the news media, word of mouth, and contacts with appropriate organizations.

All applicants are to submit a notice of their interest, in writing, to the **Board President.***

- A. The Board shall interview all interested candidates to ascertain their qualifications.
- B. Appointment by the Board to fill a vacancy shall be by majority vote of the full Board.

Process/Timelines to Appoint New Board Member

draft 6-14-2021

Because of the tight turnaround time and the fact that many families vacation during late June/July, it would be efficient to use an online application form to allow remote submissions and board member review prior to in-person interviews.

Proposed Timeline

July 1	Send an email to all parents notifying them of openings on the Board. Send press releases to the Sun Times News, We Love Dexter, Dexter Guardian, and MLive. Post on the District's website. Provide 2 weeks for interested community members to apply.
July 16	Deadline for applicants to submit an online letter of interest and affidavit of eligibility to the Board of Education.
Wed 7/21 5-9pm Thurs 7/22 4-6:30pm	Schedule interviews over 1-2 evenings as needed. 10-minute interviews with 5 minutes between each. Board to select two new board members at the conclusion of all interviews. Interviews and deliberations are open to the public. Vote to appoint new member; complete acceptance of office paperwork.

*Because the Board President is resigning, the following bylaw means notices of interest (applications and affidavits of eligibility) would go to Vice President Mara Greatorex.

0171.2 - **VICE-PRESIDENT**

The Vice-President of the Board of Education shall:

- A. preside at meetings of the Board when the President is not able to attend;
- B. perform other duties appropriate to the office of Vice-President as the Board determines;
- C. assume all responsibilities and duties of the President in his/her absence. Absence shall be defined as: when notified by the President of their inability to be present to perform their duties; or by a vote of the Board if the President is incapacitated; or during a vacancy in the office of President.

Dexter Community Schools Board of Education Executive Summary and Recommendation
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Recommendation: Add a new Executive Director of Instruction position starting in the 2021-2022 school year.

Rationale: Heading into the pandemic and throughout the pandemic, Dexter Community Schools has continued to work on improving the educational opportunities for all students. We've worked under our existing strategic framework and continued to create our new strategic plan. We've created learning options for students and are continuing to expand educational opportunities for all kids. While many districts focused on merely surviving the pandemic school year, DCS continued to push forward with reviewing, revising, improving, and creating improved learning opportunities for our students. Meanwhile, Dexter Community Schools spending on Business and Administration is in the 11th percentile in the State of Michigan amongst all school districts. In other words, 89% of all school districts in Michigan spend more on Business and Administration than Dexter Community Schools. While we strive to maximize efficiency and spend our funds on the classroom, there is a point where we become too lean. The proposal is to split the Executive Director of Instruction and Strategic Initiatives into two positions. This would create the Executive Director of Instruction and the Executive Director of Strategic Initiatives starting July 1, 2021.

For reference, below is the most recent data regarding DCS spending compared to all other school districts in Michigan (by percentile):

Local Revenue Sources	75th Percentile
State Revenue Sources	47th Percentile
Federal Revenue Sources	30th Percentile
All Revenue Sources	85th Percentile

Spending:

Basic Programs	79th Percentile
Added Needs	57th Percentile
Total Instruction	75th Percentile
Instructional Salaries	81st Percentile
Instructional Support	93rd Percentile
Business and Administration	11th Percentile
Operations and Management	46th Percentile
Total Support	62nd Percentile
Operational Expenditures	80th Percentile

Dexter Community Schools
Finance Committee
DRAFT Meeting Minutes
May 26, 2021

Board Committee Members Present – Brian Arnold, Jennifer Kangas, Dick Lundy (Chair)
Other Board Members Present - None
Staff Committee Members Present –John Heuser, Sharon Raschke, Chris Timmis
Community Committee Members Present – None
Others Present – None

Meeting convened at 8:00 am.

Approval of Minutes

A motion was made by Brian Arnold to approve the finance committee meeting minutes of March 26, 2021. Jennifer Kangas seconded the motion. Motion Carried (unanimous).

Audience Participation

None

Discussion Items

1. The Committee reviewed and discussed the draft budget 2021-22. The scenario carried forward the current year program expenses as of the November 2020 revision. Revenue parameters included a conservative student count and most recently available information on foundation allowance. However, due to the uncertainty in the Federal and State emergency relief funding, spending requirements, and timeline, the draft budget does not include those items. The Committee has an extremely high level of confidence that we are in good shape for next year. A budget incorporating more known parameters, revenue and expenses will be presented in November 2021. The Finance Committee recommended the budget substantially as reviewed be prepared to be taken for a public hearing on June 14. A motion was made by John Heuser and seconded by Brian Arnold. Motion Carried (unanimous)

Meeting adjourned at 9:00 am.

The May 24th Board of Education meeting was held both in person in the Bates Boardroom and streamed online via Zoom to allow the opportunity for all community members to participate during the pandemic.

Superintendent Update

Dr. Timmis began his update with a rundown of upcoming DHS senior events: Honors Night is scheduled for Wednesday, June 2nd and Commencement on Friday, June 4th, both at Al Ritt Field. The graduation ceremony will be broken into two sessions (6:00-7:30 p.m. & 8:15-9:30 p.m.) to allow all senior family members to attend with some spacing. Commencement rain date is Sunday, June 6th.

Work on the DHS tennis court renovation project has begun, but the Board will need to adjust the project's budget as water has been found at the bottom of every post and this drainage issue will require mitigation.

COVID positive cases continue to decline, both in our [District](#) and county-wide. As of May 12, DCS had a cumulative total of 91 student and 20 staff positive cases this year. The week of May 17th, there were only 3 more positive cases among students (0 for staff), and 1 class was required to quarantine. Washtenaw County has seen a drop over the past several weeks from 57 on April 16th to only 8.7 positive cases per 100,000 people as of May 21st. The county infection rate is holding around the 0.75% range. In the past two weeks, the county has seen a total of 429 new cases, down from over 2000 in a similar two-week period in April. According to the MDHHS data, we are at 60 positive cases per 1,000,000 (high risk), with a 2.6% positivity rate (low risk). On the CDC guidance chart, in most areas we register at moderate to low risk.

Board President Update

Board President Dr. Julie Schumaker had nothing to report.

Student Representatives Update

Student Representative Anna Shehab relayed that there were two DHS senior events this past weekend. The Senior Celebration in lieu of prom was held Saturday, May 22nd at Al Ritt Field, and a Senior Car Parade organized by DHS parents took place on Sunday, May 23rd. Shehab shared that Dexter's graduating seniors really appreciated all the effort put into these two events. DCS seniors' last day of school is Friday, May 28th, Honors Night is June 2nd and Commencement is June 4th. She also noted that student athletes continue to be tested weekly for COVID unless they are fully vaccinated. Students are also excited for the upcoming vaccination clinic for 12- to 15-year-old students being held on Tuesday, May 25th. Finally, Shehab reported that AP testing is ongoing.

Aidan Naughton shared that DHS Homeroom students can begin picking up yearbooks at lunchtime starting on Tuesday, May 25th. Also, for any DHS students interested in joining the Link Crew, there will be an informational Zoom meeting on Wednesday, May 26th at 11:00 a.m.

May 24, 2021

Public Participation

Robert Bowden spoke.

Consent Items

The meeting's consent items were approved unanimously and included hiring a new paraprofessional, Luis Orellana, acknowledging the retirement of Anchor Media Specialist Alice Hinterman, receiving the April budget report and the temporary appointment of Trustees Mara Greateorex, Jennifer Kangas and Daryl Kipke as BOE President for the single purpose of signing diplomas for their graduating students.

Action Items

- The Board approved of the [2021-2022 DCS School Calendar](#), recently ratified by the Dexter Education Association (DEA).
- The Board passed a resolution designating Trustee Jennifer Kangas as its representative to serve on the 2021 electoral body and to support Theresa Saunders on the ballot at the June 7, 2021 election meeting.
- The Board passed a resolution indicating support for the proposed WISD 2021-2022 budget.
- The Board voted to adopt the revised Board Norms and Social Media Guidelines. Trustee Kangas shared that Trustees discussed these two documents in detail at the April 28th board workshop, and all agreed on the importance of the Board being open and available to the public. Both documents were unanimously approved.

New Phonics Curriculum Presentation

Executive Director of Curriculum and Instruction Mollie Sharrar presented a proposal for a new K-4 phonics program for the 2021-2022 school year. Elementary Principals Ryan Bruder (Beacon), Craig McCalla (Anchor) and Katie See (Wylie) were present to support this proposal for their buildings. Sharrar began her remarks with an overview of the District's Reading Action Plan through which staff are currently gathering data from K-4 students to determine future instructional needs. The plan includes summer reading opportunities, a coaching model for the next school year and the hiring of a Literacy Liaison to work closely with families and students on early literacy.

Recent NWEA assessment data shows that Dexter has fewer students scoring in the 'high' to 'high average' range and more in the 'low' to 'low average' range than we have previously seen, due to the lack of consistent face-to-face instruction during the pandemic. Students are showing less growth in foundational reading skills; historically springtime is when students put fall learning into practice, but that growth cycle was not present for many K-4 students this year.

As a result, the District is proposing a new instructional program to help students attain foundational reading skills. After looking at several options, Sharrar and the elementary principals decided on Reading Horizons, a program which focuses on phonetic and decoding skills, then transferring those skills to connected texts. The Reading Horizons program includes classroom kits, software and two full days of staff professional development (as well as virtual PD), for a one-time cost of \$75,900. The [Reading Horizons phonics program](#) proposal will come back for a Board vote at the June 14th meeting.

Board Calendar

The Board discussed potential meeting dates for the 2021-2022 school year and an upcoming Board

Workshop. Voting on this calendar will occur at the June 14th meeting. A Board Workshop has been scheduled for June 14th at 5:30pm to discuss Student Growth and Achievement Goals

Second Opportunity for Public Participation

Community member Kevin Creech asked the District to publish a written back-to-school plan for September 2021. Dr. Timmis responded that the final 2021-2022 District Calendar was approved earlier in the meeting and is now available to families. As previously announced, Dexter's plan is for students to attend school in person five days/week this fall. The District will continue to offer virtual instruction for those families who prefer it.

Committee Updates

Vice President Mara Greatorex reported that the Policy Committee met on May 18th and discussed updates to several policies to be presented for Board review at a June meeting. The next Policy Committee meeting is set for June 15th.

Greatorex also noted that the Educational Foundation of Dexter has begun accepting nominations for Dread Strong Staff Appreciation Awards. Community members are encouraged to show their appreciation to the DCS staff with a [Dread Strong Staff Appreciation Award](#) by making a donation in their honor to the Educational Foundation of Dexter. The deadline to nominate a staff member is June 7th.

Board Comments

Trustee Bruderly gave a heartfelt 'thank you' to staff, parents, students and all those anxious to be done with this school year. She said staff have worked so hard in the classroom, distributing lunches, etc., and everyone is exhausted, but she wanted to share how impressed she is with how the school year has gone.

Information Items

Board packet information items included the May 10th Board Bulletin, draft minutes from the May 18th Policy Committee meeting and notice that Lisa Melvin in the Business Office received her MSBO Certification as a Pupil Accounting Specialist.

After cancelling the unnecessary virtual meeting, the regular session meeting was adjourned.

For the full meeting video, please visit

<https://www.dexterschools.org/district/board-of-education/meetings/videos>.

Upcoming Board Calendar

- Wednesday, May 26 – 8:00 a.m. - Finance Committee - Bates
- Monday, June 14 – 5:
- Monday, June 14 – 7:00 p.m. - Board Meeting - Bates
- Tuesday, June 15 – 10:00 a.m. - Policy Committee - Bates