

# BOARD OF EDUCATION MEETING PACKET

September 20, 2021

7:00pm

**Dexter High School CPA**



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

*\*link to join will be posted on District Calendar and Board of Education page.*

*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.*

*Per current Washtenaw County Health Mandate regarding high COVID-19 transmission, all attendees will be required to wear masks and physically distance.*

## BOARD MEETING AGENDA

### A. CALL TO ORDER

1. Roll Call

### B. MEETING MINUTES (8/4/2021, 8/30/2021)

### C. APPROVAL OF AGENDA

### D. SCHOOL PRESENTATIONS – none

### E. PUBLIC PARTICIPATION (up to ~30 minutes/max 5 per person) *See below*

### F. ADMINISTRATIVE & BOARD UPDATES

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

### G. CONSENT ITEMS

1. Personnel - New Hires
2. August Budget Report

### H. ACTION ITEMS

1. Schedule Board Workshop 10/4
2. MASB Behind the Scenes
3. MASB Annual Leadership Conference
4. MASB Delegate
5. Comprehensive Course Catalog Update
6. Policies - Second Reading
7. Policies - First Reading

### I. DISCUSSION ITEMS

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

### K. BOARD COMMENTS

1. Policy Committee Update

### L. INFORMATION ITEMS

1. Board Bulletin 8/30/2021
2. Draft Policy Minutes
3. DCS Wayfinder
4. DreadWatch Athletics Newsletter
5. Jane Montero Art Educator Award
6. Nice Job Notes July-August

### M. CLOSED SESSION *per MCL 15.268h*

1. Superintendent Quarterly Evaluation

### N. ADJOURNMENT

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## CALENDAR

\*Monday, October 4 – 5:00pm - Board Workshop - WISD

\*Monday, October 18 – 7:00pm - Board Meeting - Bates

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**BOARD NOTES**  
**SEPTEMBER 20, 2021**

**This meeting is being held in person at the Dexter High School CPA. It will be recorded.**

*Per current Washtenaw County Health Mandate regarding high COVID-19 transmission, all attendees will be required to wear masks and physically distance.*

**A. CALL TO ORDER**

1. Roll Call.

**B. MEETING MINUTES**

Your packet includes special meeting minutes from 8/4/2021 and regular meeting minutes from 8/30/2021.

- \* An appropriate motion might be, "I move that the Board of Education approve the meeting minutes from 8/4/2021 and 8/30/2021 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 – none**

**E. PUBLIC PARTICIPATION** (full guidelines at link)

Each speaker is allotted a maximum of 5 minutes for a total of 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 so the time may be divided equally. Each speaker will be asked to announce his/her name and district of residence 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. Those wishing to receive a personal response from the Board or Superintendent must complete a [public comment form](#) available at the meeting entrance and on our website.

**F. ADMINISTRATIVE & BOARD UPDATES**

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

**G. CONSENT ITEMS**

Consent items are typically approved in bulk.

- \* An appropriate motion might be, "I move that the Board of Education approve the consent items in bulk."

**BOARD NOTES**  
**SEPTEMBER 20, 2021**

1. Personnel – New Hires.  
Your packet includes recommendations and resume for Cecilia Gardner and James Mercier from Wylie principal Katie See and DHS principal Melanie Nowak.  
  
\* If separated, an appropriate motion might be, “I move that the Board of Education offer probationary teaching contracts for the 2021-2022 school year to Cecilia Gardner and James Mercier.”
2. August Budget Report.  
Your packet will contain financial information for the month of August. (Not available at time of electronic posting; will be posted as soon as it is prepared).  
  
\* If separated, an appropriate motion might be, “I move that the Board of Education received the August 2021 budget report.”

**H. ACTION ITEMS**

2. 2Schedule Board Workshop October 4th.  
At its August 30, 2021 meeting, the Board discussed options to schedule two board workshops this fall. It has been determined that changing the regular meeting October 4th to a workshop would be the best option. The Board typically schedules workshops at 5:00pm or 6:00pm so they don’t run too late.  
  
\* An appropriate motion might be, “I move that the Board of Education change the regular meeting scheduled on October 4th to a board workshop starting at 5:00pm, to be held at the WISD.”
3. MASB Behind the Scenes Conference.  
The MASB Annual Behind the Scenes at the Capitol Conference will be held September 29, 2021 in Lansing. The cost is \$105 per person registration fee plus mileage>  
  
\* An appropriate motion might be, “I move that the Board of Education approve registration fee and travel costs for any board members or student representatives who wish to attend the MASB Behind the Scenes Conference September 29, 2021.”
3. MASB Annual Leadership Conference. MASB's 2021 Leadership Conference will take place November 11-14 at the Amway Grand Plaza Hotel in Grand Rapids. There will be virtual and in-person options, and CBA classes will be offered in person only that weekend. The registration fee is \$349 before 9/24 and \$383 after 9/24. Additional costs could include mileage, lodging, and meals if trustees opt for in-person attendance.  
  
\* An appropriate motion might be, “I move that the Board of Education authorize registration fees and travel costs for any interested board members to attend the Annual Leadership Conference November 11-14 and to take up to six CBA classes.”

**BOARD NOTES**  
**SEPTEMBER 20, 2021**

4. MASB Delegate. MASB's 2021 Delegate Assembly will begin Thursday, Nov. 11 at 6pm at the Amway Grand Plaza Hotel in Grand Rapids. Delegates selected by boards of education across the state will decide MASB's positions on a wide variety of issues affecting education. The Board of Education must choose a delegate to represent the Dexter BOE this evening.  
  
\* An appropriate motion might be, "I move that the Board of Education nominate \_\_\_\_\_ as delegate for the MASB Assembly November 11, 2021 and nominate \_\_\_\_\_ as alternate."
  
5. Comprehensive Course Catalog Update. At its July 22, 2019 meeting, the Board of Education approved the DCS Comprehensive Course catalog as required by State of Michigan Pupil Accounting. Tonight's packet includes an updated (as of 9/2021) comprehensive listing of all courses available to DCS Students. Several courses have been created and approved by the board since July 2019, and the names of some existing courses have been changed to align with NCAA requirements. Your approval of this catalog tonight will not create new courses; new courses will continue to come before the Board for discussion and approval as usual.  
  
\* An appropriate motion might be, "I move that the Board of Education approve the attached Comprehensive Course Catalog Update."
  
6. Policies Second Reading. At its June 14, 2021 meeting, the Board of Education approved for first reading draft policies 1422, 3122, 4122 (nondiscrimination and equal employment opportunity), 1623, 3123, 4123 (section 504/ADA prohibition against disability discrimination in employment), 1662, 3362, 4362 and 5517 (antiharassment). NEOLA had updated these based on changes in the law. At that meeting, it was suggested that gender expression be added to the types of prohibited discrimination pending attorney review. The inclusion was recommended and these updated policies are presented this evening for second reading and final approval.  
  
\* An appropriate motion might be, "I move that the Board of Education approve the attached policies (1422, 3122, 4122, 1623, 3123, 4123, 1662, 3362, 4362, and 5517) for second reading and final approval."
  
7. Policies First Reading. At its September 10, 2021 meeting, the policy committee revisited policies 2260.01 (section 504/ADA prohibition against discrimination based on disability), 5341 (emergency medical authorization), 5342 (new - DNR orders for minor students), 5343 (new - physician order for scope of treatment), 7440.01 (video surveillance and electronic monitoring), 8321 (criminal justice information security), 8330 (student records), 8400 (school safety information), and 8500 (food services). These include updates to existing policies and two new policies, all based on legal changes on those topics. These had previously been reviewed by the committee June 15th but were brought back again due to trustee turnover and the elapsed time. These are presented for first reading this evening.

**BOARD NOTES**  
**SEPTEMBER 20, 2021**

- \* An appropriate motion might be, "I move that the Board of Education approve the attached policies (2260.01, 5341, 5342, 5343, 7440.01, 8321, 8330, 8400, and 8500) for first reading as presented/amended."

**I. DISCUSSION ITEMS – none**

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

Each speaker is allotted a maximum of 3 minutes for a total of 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. Those wishing to receive a personal response from the Board or Superintendent must complete a [public comment form](#) available at the meeting entrance and on our website.

**K. BOARD COMMENTS**

1. Policy Committee Update

**L. INFORMATION ITEMS**

1. Board Bulletin 8/30/2021
2. Draft Policy Minutes
3. DCS Wayfinder
4. DreadWatch Athletics Newsletter
5. Jane Montero - Art Educator Award
6. Nice Job Notes - June-August

An appropriate motion might be, "I move that the Board of Education move into closed session for the purpose of discussing the Superintendent's quarterly evaluation."

**M. CLOSED SESSION *per MCL 15.286h***

1. Superintendent Quarterly Evaluation

Return to open session. No further board action anticipated.

**N. ADJOURNMENT**

**DEXTER COMMUNITY SCHOOLS BOARD OF EDUCATION  
SPECIAL MEETING MINUTES – AUGUST 4, 2021 8:00am  
BATES SCHOOL**

**A. CALL TO ORDER - 8:00am**

1. Roll Call

**Members Present:** Daniel Alabré, Brian Arnold, Elise Bruderly, Mara Greatorex, Jennifer Kangas

**Members Absent:** Dick Lundy

**Administrative & Supervisory Staff:** Barb Santo, Christopher Timmis, Hope Vestergaard

**Guests:** Brooke Stidham

**B. APPROVAL OF AGENDA**

Brian Arnold made a motion to approve the agenda as presented. Elise Bruderly seconded the motion. **Motion Carried (unanimous).**

**C. PUBLIC PARTICIPATION – none**

**D. CONSENT**

1. Request for Leave. Elise Bruderly made a motion that the Board of Education approve unpaid leave of absence for Kathryn Luxon for the 2021-2022 school year. Jennifer Kangas seconded the motion. **Motion Carried (unanimous).**

**E. ACTION**

1. New Hire - Beacon Principal. After reviewing more than forty qualified applications for the open principal position at Beacon, doing meet-and-greets with twelve candidates, and conducting two rounds of interviews with five candidates and three finalists, the District administrative team has recommended the position be offered to Brooke Stidham. Melanie Szawara made a motion that the Board of Education offer a probationary administrative contract to Brooke Stidham. Brian Arnold seconded the motion. **Motion Carried (unanimous).**

**F. ADJOURNMENT**

At approximately 8:09am, President Mara Greatorex adjourned the meeting.

MINUTES/hlv

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Brian Arnold  
Secretary  
Board of Education

**DEXTER COMMUNITY SCHOOLS BOARD OF EDUCATION**  
**MEETING MINUTES – AUGUST 30, 2021 7:00pm**  
**BATES SCHOOL**

**A. CALL TO ORDER - 7:00pm**

1. Roll Call

**Members Present:** Daniel Alabré, Brian Arnold, Elise Bruderly, Mara Greatorex, Jennifer Kangas, Dick Lundy, Melanie Szawara

**Members Absent:** none

**Student Representatives:** Aidan Naughton, Griffin Patel

**Administrative & Supervisory Staff:** Barb Santo, Christopher Timmis, Hope Vestergaard

**DCS Staff:** Melanie McIntyre

**Guests:** Holly Baker, Rhonda Haines, Shalimar Howard, Conie Creech, Christy VanderHaagen, Charissa Keller, Kevin Creech, Barbara Read

**B. MEETING MINUTES**

Elise Bruderly made a motion to approve the regular meeting minutes from 8/16/2021 and the special meeting minutes from 8/18/2021 as presented. Jennifer Kangas seconded the motion. **Motion Carried (unanimous).**

**C. APPROVAL OF AGENDA**

Elise Bruderly made a motion to approve the agenda as presented. Melanie Szawara seconded the motion. **Motion Carried (unanimous).**

**D. SCHOOL PRESENTATIONS**

1. Dread Strong Summer Thanks. Dr. Timmis thanked the teachers who ran Dread Strong Summer Camp: Katie Heikkila, Abby Holland, and Pam Krebs; and DHS Credit Recovery: Matt Caves. He shared a slideshow that can be viewed at this link: <https://spark.adobe.com/video/m1SM78bQ27D8q>

**E. PUBLIC PARTICIPATION**

1. Jackie Baldwin voiced her opposition to masking requirements.

**F. ADMINISTRATIVE & BOARD UPDATES**

1. Superintendent Update. Dr. Timmis noted that at a future meeting, the Board will need to approve an updated comprehensive course catalog. Some of the course titles have been changed to match NCAA requirements and the Board just needs to okay those.
2. Board President Update. Mara Greatorex had nothing to share.
3. Student Representatives Update. Aidan Naughton noted upcoming dates for optional and required and PSAT & SAT tests. Griffin Patel noted that DHS principal Melanie Nowak has implemented new office signing in and out procedures for students.

**DEXTER COMMUNITY SCHOOLS BOARD OF EDUCATION**  
**MEETING MINUTES – AUGUST 30, 2021 7:00pm**  
**BATES SCHOOL**

**G. CONSENT ITEMS**

1. Melanie Szawara made a motion that the Board of Education approve the consent items in bulk. Dick Lundy seconded the motion. **Motion Carried (unanimous).**
  - The Board accepted the resignations of Jamie Aumend, Martina Bricio, and Erin Knotts.
  - The Board approved probationary teaching contracts for the 2021-2022 school year for Elizabeth Hashikawa, Marisa Lerner, Brittany Willig, Kimberly Samson, Drake Reinert, Ashley Gugliemi, and Amy Thomas.

**H. ACTION ITEMS**

1. Juul Lawsuit. Dick Lundy made a motion that the Board of Education adopt the attached resolution regarding litigation against Juul and other vaping manufacturers advertising to children. Brian Arnold seconded the motion. **Motion Carried (unanimous).**

**I. DISCUSSION ITEMS**

1. MASB Delegate. Board members discussed their interest and/or availability to represent the Dexter Board of Education at the MASB Delegate Assembly in November. The Board will need to nominate a delegate and an alternate at the next Board of Education meeting.
2. Board Workshops. The Board discussed availability and preferences for two workshops that need to be scheduled for the fall: one on board basics and one on the Superintendent Evaluation tool, since so many members are new. Dr. Timmis will look for presenter availability on Monday evenings as that was the option with the most availability.

**J. PUBLIC PARTICIPATION**

1. Kevin Creech asked the district to review the high school scheduling process for possible improvement.
2. Holly Cabana said she was having difficulty hearing what the board was saying with masks on. She commented that she doesn't see her own point of view reflected in recent new hires and board appointees.
3. Jackie Baldwin echoed earlier comments about high school scheduling and returned to the subject of masks.
4. Connie Creech read statistics she pulled from the Washtenaw County Health Department and noted that no children have died of COVID in our area.
5. Holly Baker noted that she supports masking and stated that she was hearing a lot of negativity; she suggested everyone work on more positive and empathetic relations.
6. Christy VanderHaagen said she doesn't understand how people receive answers to their questions or comments made during public participation. She noted that she gets responses from Dr. Timmis and the Board when she emails them.

**DEXTER COMMUNITY SCHOOLS BOARD OF EDUCATION  
MEETING MINUTES – AUGUST 30, 2021 7:00pm  
BATES SCHOOL**

**K. BOARD COMMENTS**

1. Dick Lundy noted that the football team had a wonderful season opener.
2. Brian Arnold noted that Holly Cabana's son had a great game in the FB opener. Dr. Timmis noted that Holly Baker's son did, as well.
3. Daniel Alabré noted that several other teams had great openers – Volleyball won their tournament; Field Hockey won their tournament.
4. Melanie Szawara noted that this year's Summer Camp [offered by Community Education] was a wonderful experience for her students and said that she thought the back-to-school information, placement letters, etc. were very efficient.
5. Griffin Patel noted that freshman orientation went very well.
6. Mara Greatorex shared that the tennis team appreciates their new courts.

At approximately 7:48pm, President Mara Greatorex adjourned the meeting.

MINUTES/hlv

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Brian Arnold  
Secretary  
Board of Education



Wylie Elementary School  
3060 Kensington, Dexter, Michigan 48130  
Katie See, Principal  
734-424-4140  
[seek@dexterschools.org](mailto:seek@dexterschools.org)

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To: Dexter Board of Education  
From: Katie See  
Subject: World Language Teacher Recommendation  
Date: September 2, 2021

As a result of our most recent interview process, we would like to recommend Cecilia Gardner for the World Language teaching position at Wylie. Cecilia has been a premier substitute in our district filling in for many teachers including two long-term substitute positions for our former Spanish teacher. Ms. Gardner holds bachelor of arts, bachelor of science and Ed. Specialist degrees from Colombia.

Our interview committee was comprised of: Scott Bartz, Anthony Koch, Hannah Nalepa, Ryan Bruder and myself. We highly recommend Marisa and are confident that she will make a difference in the lives of Dexter students for years to come.

Thank you,

Katie See  
Principal

# Cecilia Gardner

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## Summary

Experienced and caring Substitute Teacher with six years of experience including four years of long term Spanish substituting. Eight years of preschool and elementary school teaching over seas. Life-long learner and passionate educator looking to make a difference in children's lives. Adaptable and flexible to meet classroom and institutional needs. Successful at maintaining classroom progress and functionality with exceptional observation and conversational skills. Personable and kind with extensive understanding of Spanish.

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## Skills

- Video conferencing
  - Individualized care
  - Fluent in Spanish
  - Smartboard technology
  - Activity planning
  - Analytical skills
  - Team collaboration
  - Results-focused
  - Tutoring and coaching
  - Effectively work with parents
  - Differentiated learning techniques
  - Course material development
  - CPR/First-aid certified
  - Analytical decision making
  - Positive student engagement
- 

## Experience

10/2020 - 06/2021

Long-Term Spanish Elementary Substitute Teacher, **Dexter Community Schools**, Dexter, MI

- Created lesson plans to educate students about key concepts.
- Engaged students in discussions to promote interest and drive learning.
- Helped students build learning and study skills to achieve educational goals.
- Stayed up to date with current regional curriculums to maintain readiness for long- and short-term substitute jobs.
- Promoted learning by leveraging traditional and modern instructional strategies.
- Worked with students in various environments such as online and in person instruction.

02/2020 - 06/2020

Long-Term Spanish Middle School Substitute Teacher, **Milan School District**, Milan, MI

- Requested as substitute teacher based on excellent referrals and trusted performance.

01/2017 - 03/2017

Long-Term Spanish Middle School Substitute Teacher, **South Lyon Community Schools**, South Lyon, MI

- Integrated technology into classroom settings to engage students and diversify instruction.
- Built life-long learning skills and strong study habits in students to help each prepare for higher-level education.
- Planned interactive theme days for students to highlight culture of spanish -speaking countries.
- Instructed students using advanced methods to read, write and speak spanish language.

- Created safe and inclusive classroom environment to promote positive learning experience for youth with diverse backgrounds.

09/2015 - 11/2015

Spanish High School Long-Term Substitute Teacher, **South Lyon Community Schools**, South Lyon, MI

- Requested as substitute teacher based on excellent referrals and trusted performance.
- Maintained student attendance and assignment records to prevent lapses during teacher absences.
- Implemented lesson plans assigned by classroom teacher to educate students about key concepts.
- Helped students build learning and study skills to achieve educational goals.
- Proctored standardized tests by adhering to strict requirements while completing student records.
- Documented student growth, development and understanding using outlined grading procedures and assessment strategies.

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## **Education And Training**

**1997**

**Bachelor Of Arts**, History  
*Universidad De La Sabana*, Colombia

**1988**

**Bachelor Of Science**, Early Childhood Education  
*Universidad Pedagogica Nacional*, Colombia

**1999**

**Specialist In Educational Adm.**  
*Universidad Libre*, Colombia

**2000**

**Specialist**, Educational Information Science  
*Universidad Autonoma De Colombia*, Colombia

**2012**

**Associate Of Arts**, Liberal Arts And General Studies  
*Washtenaw Community College*, Ann Arbor, MI



# DEXTER HIGH SCHOOL

Melanie Nowak, Principal  
200 N. Parker Road, Dexter, Michigan 48130  
(734) 424-4240 fax (734) 424-4214  
nowakm@dexterschools.org

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To: Dexter Board of Education  
From: Melanie Nowak  
Subject: High School French Recommendation  
Date: September 3, 2021

As a result of our most recent interview process, we would like to recommend Mr. James Mercier for our Dexter High School French position. James not only brings a passion for teaching our young people, he is also very passionate about the French language and culture. Mr. Mercier is a native speaker of French and comes to us with deep rooted familial French ancestry. When speaking in his native tongue, Mr. Mercier is very animated and shares his love for the language and culture.

Mr. Mercier also has many years of experience in the teaching profession. His desire to work with a larger World Language department and collaborate with other teachers brought him to Dexter High School so that we can have a greater impact on our students and their French education.

Interview committee: Maria Vazquez-Brieva, Cheri Sing, Ken Koenig, Melanie Nowak, and Karen Walls

# JAMES E. MERCIER

Street Address

Email/Phone

## Career Objective

A secondary French teaching position, potentially with additional extracurricular opportunities.

## Education

**University of Michigan**

**Ann Arbor, MI**

**Master of Arts with Teaching Certification**

- June 2006
- An intensive year-long program that combines a secondary classroom teaching experience (both pre-student and student teaching) with graduate-level university education courses.
- GPA 7.7 / 8.0

**Michigan Provisional Secondary Certification:  
French (Major), English (Major) and Psychology**

**University of Michigan**

**Ann Arbor, MI**

**Bachelor of Arts**

- May 2003
- GPA 3.5 / 4.0

## Teaching Experience

**French Teacher**

**Sept. 2012-present**

**Lincoln High School**

**Ypsilanti, MI**

- Taught all levels of high school French (I – V)
- Designed and implemented curriculum for all levels of French
- Led students on overseas trip to France (2014)
- Taught one British Fiction class (2017-18)
- Served as Yearbook Adviser (2018-19)
- Taught one English 9 class (2020-21)

**French / Language Arts Teacher**

**Aug. 2011 – Aug. 2012**

**West Middle School**

**Grand Blanc, MI**

- Taught all levels of middle-school French (6<sup>th</sup>/7<sup>th</sup>/8<sup>th</sup> grades)
- Conducted a partly distance-learning course
- Taught two sections of 7<sup>th</sup>-grade Language Arts

**French Teacher - Long-term replacement**

**Dec. 2010-June 2011**

**Community High School**

**Ann Arbor, MI**

- Taught upper-level high school French courses (III and IV).
- Developed varied instructional plans to suit the needs of classes in a block-schedule format.
- On a volunteer basis, served as an assistant adviser for the school yearbook and helped oversee its completion on schedule.

**French / Publications Teacher**

**July 2008- June 2010**

**Father Gabriel Richard High School**

**Ann Arbor, MI**

- Taught all levels of high school French (from level I through V).
- Taught Publications course and served as school Yearbook Adviser

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## Behind the Scenes at the Capitol

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Come join us for MASB's Advocacy Day! MASB will be holding its Behind the Scenes at the Capitol in-person event on September 29, 2021 from 8:30 a.m. to 1:15 p.m in Lansing. This event is a great opportunity hear from staffers and legislators, and talk to your legislators about issues affecting your district. We look forward to seeing you!

Registration will open at 8:15 a.m and the event will start promptly at 8:30 a.m. Please direct all event questions and dietary restrictions/allergies to De'Shondria Bedenfield at 517-327-5931 or [dbedenfield@masb.org](mailto:dbedenfield@masb.org).

\*All MASB Board of Directors are encouraged to register for events through Cheryl Huffman, Board Liaison.

**When** 9/29/2021 8:30 AM - 1:15 PM

**Where**

Mackinac Room, Anderson House Office Building  
124 N. Capitol Ave  
Lansing, MI 48933

**Price** 105.00

**Price** 105.00



# Annual Leadership Conference

**In Person: Nov. 11 – 14, 2021**

**Amway Grand Hotel and The DeVos Place,  
Grand Rapids**



**Virtual: Nov. 12 – 13, 2021**

Join us for our first hybrid annual conference with in-person and virtual options!

[Register Online Here](#)

**Early Registration Rate** (before Sept. 24, 2021): \$349

**Conference Price** (after Sept. 24, 2021): \$383

The weekend includes:

- Preconference Sessions on Thursday\*
- ALC on Friday and Saturday
- Board Member Certification Classes (CBAs) all Weekend\*
- Exhibit Show
- Delegate Assembly\*
- Networking Opportunities

. . .and so much more!

*\*Separate registration required; in person only.*

[View the Schedule at-a-Glance here.](#)

[Available CBAs can be found on the Calendar.](#)

If you have any questions, [please contact Cindy Holmes.](#)

## **Hotel Accommodations**

[Amway Grand Plaza, Curio Collection by Hilton](#)

187 Monroe Ave NW  
Grand Rapids, MI 49503

Room Rate: \$167 (before applicable taxes and fees; proof of sales tax exemption must be received by hotel)

[Make reservations online](#) or call 800.253.3590 and mention MASB Annual Leadership Conference.

Cut-off Date: Oct. 8, 2021

[Michigan's sales tax-exempt form can be found here.](#)

### **Arriving Wednesday**

An additional conference registration time for early arrivals is added for your convenience. On Wednesday from 5 – 7 p.m., MASB registration will be located on the Center Concourse of the Amway Grand Plaza Hotel on the concourse level.

### **About Grand Rapids**

Get ready to be wowed—Grand Rapids never fails to surprise visitors with the huge variety of things to see and do here:

- World-renowned art, museums, and historic sites for cultural vacationers.
- World-class golf, recreation, and beaches for nature lovers.
- Incredible farm-to-table restaurants for foodies.
- Wholesome "playcation" fun for families.

It's all topped off by the most vibrant downtown between Chicago and Cleveland—all the benefits of a big city with none of the hassle.

[Explore what makes Grand Rapids a Cool City!](#)

## **2020 Followup**

Thank you for joining us for the first virtual, free Annual Leadership Conference, Nov. 5 – 7, 2020!

[Recordings are available for free to all member districts through our learning management system.](#)

Handouts can be found at the links listed below:

[Friday AM](#)

[Friday PM](#)

[Saturday AM](#)

[Saturday PM](#)

<https://www.masb.org/annual-conference.aspx>

| New Course #                                  | "New" Course Name                                     | Old Course # | "Old" Course Name   |
|---|---|--------------|---------------------|
| 77664   | IB Diploma Core 12                                    | 78264        | Theory of Knowledge |
| 78265   | IB Math: App & Interpretation A                       | 73553        | IB Math Studies SL  |
| 78279   | IB Math: Analysis & App SL 2A                         | 73581        | IB Math SL2         |
| 78281   | IB Math: Analysis & App HL 2A/AP Calc BC              | 73591        | IB Math HL          |
| 79252   | Multimedia Journalism A                               | 76301        | Newspaper Writing   |
| <b>Approved Courses to be added are below</b> |   |              |                     |
| 78269   | Mathematical Studies                                  |              |                     |
| 78272   | IB Global Politics                                    |              |                     |
| 78274   | Adv Biochemistry: Forensic Science                    |              |                     |
| 78277   | IB Environmental Systems & Societies                  |              |                     |
| 77667   | Nutrition & Food Ser                                  |              |                     |
| 77762   | Special Topics-IB Spanish HL                          |              |                     |
| 77666   | Writing Center  |              |                     |
| 76717   | Science Makerspace                                    |              |                     |
| 77661   | Digital Photography                                   |              |                     |
| 78275   | AP Physics 2  |              |                     |
| 79256   | Robotics  |              |                     |
| 78267   | AP Computer Science Principles                        |              |                     |
| 78274   | Adv. Biochemistry Forensic Science                    |              |                     |
| 79254   | Multimedia Journalism                                 |              |                     |
| 76715   | Positive Psychology                                   |              |                     |
| 71130   | The Science and Practice of Strength and Conditioning |              |                     |
| 76711   | Spanish: Films and Literature                         |              |                     |
| 77662   | Bearing Witness                                       |              |                     |

|       |                              |  |  |
|-------|------------------------------|--|--|
| 77667 | Nutrition and Food Science 2 |  |  |
| 76717 | Science Makerspace           |  |  |
| 76717 | Musical Theatre Workshop     |  |  |
| 77666 | Writing Center               |  |  |
| 50637 | Mindfulness                  |  |  |
| 50638 | Sim Money                    |  |  |
| 56721 | Interior Design              |  |  |

|         |   |
|---------|---|
| Book    | Policy Manual   |
| Section | Nondiscrimination/Anti-Harassment Policies Update - February 2021   |
| Title   | Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised<br>NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY |
| Code    | Second 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~~ gender identity, and gender expression), 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

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 and in the staff handbooks.

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, 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. A copy of each of the Acts and regulations on which this notice is available upon request from the CO.

### **Reports and Complaints of Unlawful Discrimination and Retaliation**

Employees are required to 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 official who receives such a report shall file it with the CO within two (2) 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 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 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. 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) 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) 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 within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

### **Investigation and Complaint Procedure (See Form 1422 F2)**

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any employee who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the 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 to file a complaint within thirty (30) 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) 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").

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation. 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.

The Complainant may proceed immediately to the formal complaint process and individuals who participate in 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 a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

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 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, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 1422 – Non-Discrimination and Equal Employment Opportunity to the individuals in the school building or office where the Respondent 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.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint and, as stated above, either party 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, the formal complaint process shall be implemented.

A Complainant may file a formal complaint, either orally or in writing, with a principal, the CO, Superintendent, or other District official. 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) days after the conduct occurs. If a Complainant informs a principal, Superintendent, or other District official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO/designee within two (2) 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: the identity of the Respondent; 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. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) 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 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) 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) 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/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. 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) days of receiving the report of the CO or the designee, the Superintendent must either issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent 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 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.

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 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 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.

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 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 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 measures offered and/or provided to the Complainant and/or Respondent, 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);
- 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

M.C.L. 37.2101 et seq., 37.1101 et seq.

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

34 C.F.R. Part 110 (7/27/93)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 2000e et seq., Civil Rights Act of 1964

29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended

29 C.F.R. Part 1635

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|--------------|---|
| 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         | Second 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 and in the staff handbooks.

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

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

### **Training**

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

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

### **Facilities**

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

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

### **Notice**

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

### **Complaint Procedures**

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

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

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

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

### **Internal Complaint Procedure**

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the District Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the District Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the District Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) 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) days. If no decision is rendered within ten (10) 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) 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) days of the hearing.
- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

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

### **OCR Complaint**

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

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

### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful 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



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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         | Second Reading po1662   |
| Status       |   |
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## 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 race, color, national origin, sex (including sexual orientation, gender identity, and gender expression), 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, 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.

### **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

**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**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "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 gender against a person of the same or another 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, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably 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. 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.
- 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.

### **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, 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  
Executive Director of Instruction  
734-424-4100 ext. 1343  
2704 Baker Road Dexter MI 48130  
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually on the District's web site and in the parent and staff handbooks.

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 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 shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and 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 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 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 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 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 employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment or retaliation may seek resolution of the 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) 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) 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 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 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. 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.

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.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. 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 if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the allegedly inappropriate conduct may file 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 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, or appoint another individual to facilitate an informal resolution.

The Board'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, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent 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.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint and, as stated above, either party 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, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District 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) 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, 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) 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: the identity of the Respondent; 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. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal 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) days.

Although certain cases may require additional time, the Compliance Officer/designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) 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/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. The Compliance Officer's recommendations must be based upon the totality of the circumstances. 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) days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a written 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) 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.

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 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 District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, 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.

During the course of a formal investigation, the Compliance Officer or 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 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. 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 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 measures offered and/or provided to the Complainant and/or the Respondent, 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.

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<br>NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY |
| Code         | Second 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, gender identity [and gender expression](#)), 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

Ryan Bruder  
Executive Director of Instruction  
734-424-4100 ext. 1343  
2704 Baker 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 and:  
  
in the staff handbooks.

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, 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. A copy of each of the Acts and regulations on which this notice is available upon request from the CO.

### **Reports and Complaints of Unlawful Discrimination and Retaliation**

Employees are required to 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 official who receives such a report shall file it with the CO within two (2) 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 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 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. 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) 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) 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 within two (2) days to advise 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 subjected to unlawful discrimination or retaliation may seek resolution of the 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 to file a complaint within thirty (30) 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 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. 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.

The Complainant may proceed immediately to the formal complaint process and individuals who participate in 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 a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

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 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, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 3122 – Non-Discrimination and Equal Employment Opportunity to the individuals in the school building or office where the Respondent 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.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint and, as stated above, either party 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, the formal complaint process shall be implemented.

A Complainant may file a formal complaint, either orally or in writing, with a principal, the CO, Superintendent, or other District official. 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) days after the conduct occurs. If a Complainant informs a principal, Superintendent, or other District official, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO/designee within two (2) 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: the identity of the Respondent; 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. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) 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 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) 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) 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/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. 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) days of receiving the report of the CO or the designee, the Superintendent must either issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent 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 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.

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 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 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.

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 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 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 measures offered and/or provided to the Complainant and/or Respondent, 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);
- 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

M.C.L. 37.2101 et seq., 37.1101 et seq.

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

34 C.F.R. Part 110 (7/27/93)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 2000e et seq., Civil Rights Act of 1964

29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended

29 C.F.R. Part 1635

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|--------------|---|
| 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         | Second 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  
Executive Director of Instruction  
734-424-4100 ext. 1343  
2704 Baker 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 and:  
  
in the staff handbooks.

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

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

### **Training**

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

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

### **Facilities**

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

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

### **Notice**

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

### **Complaint Procedures**

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

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

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

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

### **Internal Complaint Procedure**

The following internal complaint procedure is available to employees for the prompt and equitable resolution of complaints alleging discrimination based upon disability. This complaint procedure is not available to unsuccessful applicants. Use of the internal complaint procedure is not a prerequisite to the pursuit of other remedies, including the filing of a complaint with the U.S. Department of Education's Office for Civil Rights.

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the District Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the District Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the District Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) 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) days. If no decision is rendered within ten (10) 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) 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) days of the hearing.
- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

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

### **OCR Complaint**

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

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

### **Retaliation**

Retaliation against a person who makes a report or files a complaint alleging unlawful 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         | Second Reading po3362   |
| Status       |   |
| 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 race, color, national origin, sex (including sexual orientation gender identity, **and gender expression**), 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

#### **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**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "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 gender against a person of the same or 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, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably 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. 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.
- 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

## **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, 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  
Executive Director of Instruction  
734-424-4100ext. 1343  
2704 Baker 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 and:

in the parent and staff handbooks.

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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 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 shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and 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 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 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 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 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 employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment may seek resolution of the 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, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) 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 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 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. 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.

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 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.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. 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 if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file 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 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, or appoint another individual to facilitate an informal resolution.

The Board'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, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent 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.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party 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, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District 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) 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, 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) 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: the identity of the Respondent; 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. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal 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) days.

Although certain cases may require additional time, the Compliance Officer/designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) 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/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. The Compliance Officer's recommendations must be based upon the totality of the circumstances. 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) days of receiving the report of the Compliance Officer/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 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) days. At the conclusion of the additional investigation, the Superintendent must issue a written decision as described above.

The decision of the Superintendent shall be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party 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 right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, 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.

During the course of a formal investigation, the Compliance Officer/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 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).

t 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 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 measures offered and/or provided to the Complainant and/or the Respondent, 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.

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

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|--------------|---|
| Book         | Policy Manual   |
| Section      | Nondiscrimination/Anti-Harassment Policies Update - February 2021   |
| Title        | Nondiscrimination/Anti-Harassment Policies Update - February 2021 Revised<br>NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY |
| Code         | Second Reading po4122   |
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| 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, gender identity, and gender expression), 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

Ryan Bruder  
Executive Director of Instruction  
734-424-4100 ext. 1343  
2704 Baker 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 and:  
  
in the staff handbooks.

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, 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. A copy of each of the Acts and regulations on which this notice is available upon request from the CO.

### **Reports and Complaints of Unlawful Discrimination and Retaliation**

Employees are required to 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 official who receives such a report shall file it with the CO within two (2) 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 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 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. 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) 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) 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 within two (2) days to advise 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 subjected to unlawful discrimination or retaliation may seek resolution of the 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 to file a complaint within thirty (30) 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) 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

**Informal Complaint Procedure**

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who alleges unlawful discrimination or retaliation. 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.

The Complainant may proceed immediately to the formal complaint process and individuals who participate in 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 a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel the Complainant when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

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 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, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 4122 – Non-Discrimination and Equal Employment Opportunity to the individuals in the school building or office where the Respondent 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.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint and, as stated above, either party 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, the formal complaint process shall be implemented.

A Complainant may file a formal complaint, either orally or in writing, with a principal, the CO, Superintendent, or other District official. 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) days after the conduct occurs. If a Complainant informs a principal, Superintendent, or other District official, 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: the identity of the Respondent; 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. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) 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 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) 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) 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/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. 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) days of receiving the report of the CO or the designee, the Superintendent must either issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent 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 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.

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 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 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.

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 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 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 measures offered and/or provided to the Complainant and/or Respondent, 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);
- 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

M.C.L. 37.2101 et seq., 37.1101 et seq.

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

34 C.F.R. Part 110 (7/27/93)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 2000e et seq., Civil Rights Act of 1964

29 U.S.C. 701 et seq., Rehabilitation Act of 1973 as amended

29 C.F.R. Part 1635

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|--------------|---|
| 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         | Second 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  
Executive Director of Instruction  
734-424-4100 ext. 1343  
2704 Baker 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 and in the staff handbooks.

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

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. See below.

### **Training**

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

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

### **Facilities**

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

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities.

### **Notice**

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

### **Complaint Procedures**

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

In accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), employees will be notified of their right to file an internal complaint regarding an alleged violation, misinterpretation or misapplication of Section 504. In addition, employees will be notified of their right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

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

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

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) 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) days. If no decision is rendered within ten (10) 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) 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) days of the hearing.
- E. The employee may be represented, at his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

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

**OCR Complaint**

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

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

**Retaliation**

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

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

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

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

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| Legal | 29 C.F.R. Part 1630  |
|       | 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended            |
|       | 34 C.F.R. Part 104   |
|       | 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended |

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|--------------|---|
| Book         | Policy Manual   |
| Section      | Nondiscrimination/Anti-Harassment Policies Update - February 2021                         |
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#### 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, gender identity, **and gender expression**), 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.

##### **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**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "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 gender against a person of the same or 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, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably 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. 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.
- 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.

### **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, 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  
Executive Director of Instruction  
734-424-4100 ext. 1343  
2704 Baker 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 and in the parent and staff handbooks.

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 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 shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and 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 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 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 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 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 employee or other member of the School District community or Third Party (e.g., visitor to the District) who believes that they have been subjected to unlawful harassment may seek resolution of the 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, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) 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) 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 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 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. 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.

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 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.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the alleged harassing conduct is unwelcome and must stop. 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 if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file 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 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, or appoint another individual to facilitate an informal resolution.

The Board'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, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this policy as a reminder to the individuals in the school building or office where the Respondent 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.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party 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, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District 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) 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, 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) 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: the identity of the Respondent; 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. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal 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) days.

Although certain cases may require additional time, the Compliance Officer/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/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. The Compliance Officer's recommendations must be based upon the totality of the circumstances. 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) days of receiving the report of the Compliance Officer/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 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) days. At the conclusion of the additional investigation, the Superintendent must issue a written decision as described above.

The decision of the Superintendent shall be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or Third Party 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 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 District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent, 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.

During the course of a formal investigation, the Compliance Officer/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 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.

### **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 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 measures offered and/or provided to the Complainant and/or the Respondent, 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

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

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## 5517 - **ANTI-HARASSMENT**

### **General Policy Statement**

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation, ~~and~~ gender identity, and gender expression), 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 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.

### **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**

For purposes of this policy and consistent with Title VII of the Civil Rights Act of 1964, "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 gender against a person of the same or 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, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, profanity, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, graffiti, videos, posters, audio recordings or literature, placed in the work or educational environment, that may reasonably 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. 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.
- M. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

## **Race/Color Harassment**

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

### **Religious (Creed) Harassment**

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

### **National Origin/Ancestry Harassment**

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disability, 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  
Executive Director of Instruction  
734-424-4100 ext. 1343  
2704 Baker 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 and in the parent and staff handbooks.

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**

Students and other members of the School District community along with 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 shall file it with the Compliance Officer within two (2) days of receiving the report of harassment.

Members of the School District community and Third Parties, which includes students, 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 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 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 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 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 student who believes that they have been subjected to unlawful harassment may seek resolution of the 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, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) 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) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful 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 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 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.

As an initial course of action, if a Complainant feels comfortable and safe in doing so, the individual should tell or otherwise inform the Respondent that the allegedly harassing conduct is unwelcome and must stop. 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 if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the alleged inappropriate conduct may file 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 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, or appoint another individual to facilitate an informal resolution.

The Board'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, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate the unwelcome nature of the behavior to the Respondent.
- B. Distributing a copy of this anti-harassment policy as a reminder to the individuals in the school building or office where the Respondent 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.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer/designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint and, as stated above, either party 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, the formal complaint process shall be implemented.

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 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) 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 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/designee within two (2) 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: the identity of the Respondent; 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. In making such a determination, the Compliance Officer should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions deemed appropriate in consultation with the Superintendent.

Within two (2) days of receiving the complaint, the Compliance Officer/designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. The Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the Respondent that a formal 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) days.

Although certain cases may require additional time, the Compliance Officer/designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) 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/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. The Compliance Officer's recommendations must be based upon the totality of the circumstances. 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) days of receiving the report of the Compliance Officer/designee, the Superintendent must either issue a written 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) days. At the conclusion of the additional investigation, the Superintendent shall issue a written decision as described above.

The decision of the Superintendent shall be final.

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the student alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The 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 District will employ all reasonable efforts to protect the rights of the complainant, the Respondent, 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.

During the course of a formal investigation, the Compliance Officer/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 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.

### **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 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 measures offered and/or provided to the Complainant and/or the Respondent, 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

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

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| Book         | Policy Manual  |
| Section      | 2000 Program   |
| Title        | first reading SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY |
| Code         | po2260.01  |
| Status       |  |
| Adopted      | February 2, 2009   |
| Last Revised | June 18, 2019  |

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

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

"An individual with a disability" means a person who has, had a record of or is regarded as having, a physical or mental impairment that substantially limits one (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, and working.

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

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

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

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

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

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

The Board designates the following individuals to serve as the District's 504 Compliance Officers/ADA Coordinators (hereinafter referred to as the "District Compliance Officers").

Barb Santo  
Executive Director of Human Resources  
~~2704 Baker Rd 7714 Ann Arbor St.~~  
Dexter, MI 48130  
734-424-4100 ext. 1031  
santob@dexterschools.org

Ryan Bruder  
~~Executive Director of Instruction, Principal, Beacon Elementary~~  
~~2704 Baker Rd 7480 Dan Hoey Rd., Bldg. B~~  
Dexter, MI 48130  
734-424-4100 ~~240~~ ext. ~~1343 7003~~  
bruderr@dexterschools.org

The names, titles, and contact information of these individuals will be published annually:

- A. in the parent/student and staff handbooks.
- B. ~~on the School District's web site.~~

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

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

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

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

### **Training**

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

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

### **Facilities**

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

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

### **Education**

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

An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under the IDEA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment, even with the use of supplementary aids and services cannot be achieved satisfactorily. If the District places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

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

## Notice

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

## Complaint Procedures

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

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

Internal complaints and requests for due process hearings must be put in writing and must identify the specific circumstances or areas of dispute that have given rise to the complaint or the request for a hearing, and offer possible solutions to the dispute. The complaint or request for due process hearing must be filed with a District Compliance Officer

ay(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday-Friday, excluding State-recognized holidays).

## Internal Complaint Procedures

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

Step 1 Investigation by the Building Compliance Officer: A student or parent may initiate an investigation by filing a written internal complaint with the Building Compliance Officer. The complaint should fully describe the circumstances giving rise to the dispute and

how the child is adversely affected. The complaint must be filed as soon as possible, but not longer than thirty (30) days after disclosure of the facts giving rise to the complaint. The Building Compliance Officer shall conduct an impartial investigation of the complaint. As part of the investigation, the Building Compliance Officer shall permit the complainant to present witnesses and other evidence in support of the complaint. The investigation shall be completed within fifteen (15) days of the written complaint being filed. The Building Compliance Officer will notify the complainant in writing of his/her decision.

**Step 2 Appeal to the District Compliance Officer:** If the complaint is not resolved satisfactorily at Step 1, the student or parent may appeal the Building Compliance Officer's decision in writing to the District Compliance Officer. The appeal must be made within five (5) days following receipt of the Building Compliance Officer's decision. The District Compliance Officer will review the case, may conduct an informal hearing, and will notify all parties in writing of his/her decision within ten (10) days of receiving the appeal.

**Step 3** If the complaint is not resolved satisfactorily at Step 2, the student or parent may request a due process hearing, provided the complaint involves an issue related to the identification, evaluation, or placement of the student.

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

### **OCR Complaint**

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

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

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

### **Retaliation**

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

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

Revised 7/6/10  
Revised 1/10/11  
Revised 12/5/11  
Revised 10/13/14  
Revised 6/15/15  
Revised 10/10/16  
T.C. 6/18/19

Legal

29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

|         |  |
|---------|--|
| Book    | Policy Manual  |
| Section | Vol. 35, No. 2 - February 2021   |
| Title   | Vol. 35, No. 2 - February 2021 Revised EMERGENCY MEDICAL AUTHORIZATION |
| Code    | po5341   |
| Status  | From Neola   |
| Adopted | March 17, 2003   |

#### 5341 - **EMERGENCY MEDICAL AUTHORIZATION**

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

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

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

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to follow the procedures described in [this policy and in Policy 5342 related to Do Not Resuscitate Orders](#). ~~the Superintendent's administrative guidelines and are not to abide by any "Do Not Resuscitate" (DNR) agreement that may exist for a student, unless ordered to do so by a court of law.~~

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| Book    | Policy Manual  |
| Section | Vol. 35, No. 2 - February 2021   |
| Title   | Vol. 35, No. 2 - February 2021 <b>NEW</b> DO NOT RESUSCITATE ORDERS (DNR) FOR MINOR STUDENTS |
| Code    | po5342   |
| Status  | From Neola   |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Legal M.C.L. 380.1181

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|---------|---|
| Book    | Policy Manual   |
| Section | Vol. 35, No. 2 - February 2021  |
| Title   | Vol. 35, No. 2 - February 2021 Revised VIDEO SURVEILLANCE AND ELECTRONIC MONITORING |
| Code    | first reading po7440.01   |
| Status  |   |
| Adopted | May 10, 2010  |

#### 7440.01 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

The Board of Education authorizes the use of video surveillance and electronic monitoring equipment at various school sites throughout the District and on school buses. The video surveillance/electronic monitoring equipment shall be used to protect Board property and assets from theft and vandalism, through deterrence and video documentation. The system is not designed nor intended to protect individuals from being victims of violent or property crimes, nor to detect other potentially illegal and undesirable activities that may occur, although information may be used as evidence in such cases.

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

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

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

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

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

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

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

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

The Board shall maintain video surveillance/electronic monitoring recordings for a limited period.

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

The Superintendent is directed to develop administrative guidelines to address the use of video surveillance/electronic monitoring equipment in school buildings, school buses and on property owned and/or operated by the Board.

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

**On a regular basis**, the Superintendent shall conduct a review to verify that this policy and its implementing guidelines are being adhered to.

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

|              |   |
|--------------|---|
| Book         | Policy Manual   |
| Section      | Vol. 35, No. 2 - February 2021  |
| Title        | first reading Revised CRIMINAL JUSTICE INFORMATION SECURITY (NON-CRIMINAL JUSTICE AGENCY) |
| Code         | po8321  |
| Status       |   |
| Adopted      | June 9, 2014  |
| Last Revised | December 10, 2018   |

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

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

#### **A. Sanctions for Non-Compliance**

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

#### **B. Local Agency Security Officer (LASO)**

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

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

The District's LASO shall be the point of contact for the Michigan State Police and should be the person most knowledgeable about this policy. The District's LASO shall be designated on the appropriate form as prescribed and maintained by the Michigan State Police. A new form shall be submitted every time a new LASO is designated.

#### **C. Agency User Agreements**

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

#### **D. Personnel Security**

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

1. **Subsequent Arrest/Conviction** - If an individual granted access to criminal justice information is subsequently arrested and/or convicted, access shall be suspended immediately until the matter is reviewed by the LASO to determine if continued access is

appropriate. Such determination shall be recorded in writing, signed, dated and maintained with the individual's file. In the event that the LASO has the arrest/conviction, the Superintendent (if not the designated LASO) shall make the determination. If the Superintendent is also the designated LASO, the determination shall be made by the Executive Director of Human Resources; except that, as noted in D(1)(a), individuals with a felony conviction of any kind will have their access indefinitely suspended.

2. **Public Interest Denial** - If the LASO determines that access to criminal justice information by any individual would not be in the public interest, access shall be denied whether that person is seeking access or has previously been granted access. Such decision and reasons shall be in writing, signed, dated and maintained in the individual's file.
3. **Approval for Access** - All requests for access to criminal justice information shall be as specified and approved by the LASO. Any such designee must be a direct employee of the District. The District must maintain a readily accessible list that includes the names of all LASO approved personnel with access to criminal justice information, as well as the reason for providing each individual access. This list shall be made available to Michigan State Police upon request.
4. **Termination of Employment/Access** - Within twenty-four (24) hours of the termination of employment, all access to criminal justice information shall be terminated immediately for that individual, such as requiring the individual to return any keys or access cards to buildings, offices, and/or files, or closing the individual's account and/or blocking access to any systems containing such information at the District.
5. **Transfer/Re-assignment** - When an individual who has been granted access to criminal justice information has been transferred or re-assigned to other duties, the LASO shall determine whether continued access is necessary and appropriate. If not, s/he shall take such steps as necessary to block further access to such information within the twenty-four (24) hour period immediately following the transfer or reassignment.

#### E. Media Protection

Access to digital and physical media in all forms, which contains criminal history background information provided by the Michigan State Police through the statutory record check process, is restricted to authorized individuals only. Only individuals involved in the hiring determination of both District employees and volunteers shall be authorized to access digital and physical media containing CHRI.

1. **Media Storage and Access** - All digital and physical media shall be stored in a physically secure location or controlled area, such as locked office, locked cabinet, or other similarly secure area(s) which can only be accessed by authorized individuals. If such security cannot be reasonably provided, then all digital CHRI background data shall be encrypted. Digital media shall be stored on a District or School server. Storage on a third party server, such as cloud service, is not permitted. Storage of digital media must conform to the requirements in AG 8321.
2. **Media Transport** - Digital and physical media shall only be transported upon sufficient justification approved by the LASO. Digital and physical media shall be protected when being transported outside of a controlled area. Only authorized individuals shall transport the media. Physical media (e.g. printed documents, printed imagery, etc.) shall be transported using a locked container, sealed envelope, or other similarly secure measure. To the extent possible, digital media (e.g., hard drives and removable storage devices such as disks, tapes, flash drives and memory cards) shall be either encrypted and/or be password protected during the transport process. The media shall be directly delivered to the intended person or destination and shall remain in the physical control and custody of the authorized individual at all times during transport. Access shall only be allowed to an authorized individual.
3. **Media Disposal/Sanitization** - When the CHRI background check is no longer needed, the media upon which it is stored shall either be destroyed or sanitized. The LASO and the Superintendent shall approve in writing the media to be affected. This record shall be maintained by the LASO during the individual's active employment plus an additional six (6) years. **[Note: the regulations do not specify a specific period for maintaining this information. This time period is suggested as it will likely cover most statutes of limitation and can be retained in digital format.]**
  - a. **Digital Media** - Sanitization of the media and deletion of the data shall be accomplished by either overwriting at least three (3) times or by degaussing, prior to disposal or reuse of the media. If the media is inoperable or will not be reused, it shall be destroyed by shredding, cutting, or other suitable method to assure that any data will not be retrievable.
  - b. **Physical Media** - Disposal of documents, images or other type of physical record of the criminal history information shall be cross-cut shredded or incinerated. Physical security of the documents and their information shall be maintained during the process by authorized individuals. Documents may not be placed in a waste basket or burn bag for unauthorized individuals to later collect and dispose of.

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

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

## 5. CHRI Background Check Consent and Documentation

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

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

## 6. Controlled Area/Physical Protections

All CHRI obtained from the Michigan State Police pursuant to the statutorily required background checks shall be maintained in the Human Resources office, which is a physically secure and controlled area. The following security precautions will apply to the controlled area:

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

## 7. Passwords (Standard Authentication)<sup>1</sup>

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

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

## 8. Security Awareness Training

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

## 9. Secondary Dissemination of Information

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

- a. the date of release;
- b. record disseminated;
- c. method of sharing;
- d. agency personnel that shared the CHRI;

- e. the agency to which the information was released;
- f. the name of the individual recipient at the agency; and
- g. whether authorization was obtained.

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

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

**Incident Handling and Responses**

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

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

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

- A. The LASO shall be notified immediately.
- B. The breach shall be assessed and steps taken to correct the situation:
  - 1. access shall be stopped for any unauthorized user;
  - 2. media shall be secured;
  - 3. systems shall be shut down as necessary to avoid further exposure to unauthorized access or dissemination of CHRI;
  - 4. such other steps are deemed necessary by the LASO or authorized personnel involved in assessing the incident.

- C. All necessary information regarding the security breach and District responses shall be recorded, analyzed, and preserved, including who was involved in taking incident response measures.
- D. The LASO shall be responsible for filing the incident report with the MSP.

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

E. Mobile Device - Incident Handling and Response

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

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

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

**F. Collection of Evidence**

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

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<sup>1</sup>Applicable to districts that maintain CHRI within a digital system of records, such as a digital database, filing system, record keeping software, spreadsheets, etc. Not applicable if CHRI kept solely via e-mail and/or paper copies.

Legal

Ref: Criminal Justice Information Services - Security Policy (Version 5.6, 2017),

U.S. Dept. of Justice and Federal Bureau of Investigation

Noncriminal Justice Agency Compliance Audit Review, Michigan State Police, Criminal Justice Information Center, Audit and Training Section

Conducting Criminal Background Checks, Michigan State Police, Criminal Justice Information Center

|              |                                       |
|--------------|---------------------------------------|
| Book         | Policy Manual                         |
| Section      | Vol. 35, No. 2 - February 2021        |
| Title        | first reading Revised STUDENT RECORDS |
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| Last Revised | June 19, 2017                         |

### 8330 - **STUDENT RECORDS**

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

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

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

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

- A.  observations and ratings of individual students by professional staff members acting within their sphere of competency
- B.  samples of student work
- C.  information obtained from professionally acceptable standard instruments of measurement such as:
  - 1.  interest inventories and aptitude tests,
  - 2.  vocational preference inventories,
  - 3.  achievement tests,
  - 4.  standardized intelligence tests.
  - 5.  \_\_\_\_\_
- D.  authenticated information provided by a parent or eligible student concerning achievements and other school activities which the parent or student wants to make a part of the record
- E.  verified reports of serious or recurrent behavior patterns

- F. (x-) rank in class and academic honors earned
- G. (x-) psychological tests
- H. (x-) attendance records
- I. (x-) health records
- J. (x-) custodial arrangements

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

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

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

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

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

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

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

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

The Board authorizes the administration to:

- A. forward student records, including any suspension and expulsion action against the student, on request to a school or school district in which a student of this District seeks or intends to enroll upon condition that the student's parents be notified of the transfer, receive a copy of the record if desired, and have an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled. Such records shall be transferred within one (1) school day of the enrolling school's request;
- C. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;

- D. report a crime committed by a child with or without a disability to appropriate authorities and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education records and disciplinary records including any suspension and expulsion action against the student to the authorities and school officials for their consideration;
- E. release de-identified records and information in accordance with Federal regulations;
- F. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

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

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

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

- G. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as State and local educational authorities;

The disclosed records must be used to audit or evaluate a Federal or State supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

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

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

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

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

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

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

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

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

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

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

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

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

## **DIRECTORY INFORMATION**

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

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

- I. ~~(-)~~ weight, if member of an athletic team which requires disclosure to participate;
- J. ~~(x-)~~ dates of attendance;
- K. ~~(x-)~~ date of graduation;
- L. ~~(x-)~~ awards received;
- M. ~~(x-)~~ honor rolls;
- N. ~~(x-)~~ scholarships;
- O. ~~(x-)~~ telephone numbers for inclusion in school or PTO directories;
- P. ~~(x-)~~ school photographs or videos of students participating in school activities, events or programs;
- Q. ~~(-)~~ \_\_\_\_\_

**[The following option should be selected if the Board assigns school email accounts to students per Policy 7540.03. \*This option is provided to address potential confidentiality issues presented by Policy 7540.03 and is supported by Federal FERPA regulation 34 C.F.R. 99.37(d).]**

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

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

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

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

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

### **Armed Forces Recruiting**

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

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

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

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

Directory information received under armed services authorization request shall be used only to provide information to students concerning educational and career opportunities available in the armed forces of the United States or the service academies of the

armed forces of the United States. An official recruiting representative who receives student directory information under this section shall not release that information to a person who is not involved in recruiting students for the armed forces of the United States or the service academies of the armed forces of the United States.

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

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

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

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

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

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

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town, unless a parent is prohibited from doing so due to a student's participation in the address confidentiality program act), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible students, must submit a written request to the building principal at least 5 work days before the scheduled date of the activity. The instrument will be provided to the parent within 3 business days of the principal receiving the request.

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

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

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

The Board may establish online access for the parents or the eligible student to the student's confidential academic and attendance record. To authorize such access, the parents or the eligible student must sign a release (see Form 8330 F10). This release shall remind the parents or eligible student that the account and confidential information about the student is only as secure as they keep

their account information. Neither the District nor its employees will be held responsible for any breach of this policy by the parent/eligible student or any unauthorized party.

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

- A. inspect and review the student's education records;
- B. request amendments if the record is inaccurate, misleading, or otherwise in violation of the student's rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to unauthorized disclosures allowed by the law;
- D. challenge the Board's noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for:

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

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

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

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

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Legal M.C.L. 380.1135, 380.1136  
 Letter, April 6, 2004 Jeremy Hughes, Deputy Supt. Department of Education  
 34 C.F.R. Part 99, 2002  
 Section 444 of subpart of part C of the General Education Provisions Act  
 Title IV of Public Law 90-247  
 20 U.S.C., Section 1232f through 1232i (FERPA)  
 20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act  
 20 U.S.C. 7165(b)  
 26 U.S.C. 152  
 20 U.S.C. 7908

|              |   |
|--------------|---|
| Book         | Policy Manual                                   |
| Section      | Vol. 35, No. 2 - February 2021                  |
| Title        | first reading Revised SCHOOL SAFETY INFORMATION |
| Code         | po8400  |
| Status       |   |
| Adopted      | March 17, 2003                                  |
| Last Revised | December 2, 2019                                |

#### 8400 - **SCHOOL SAFETY INFORMATION**

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

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

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

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

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

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

- G. ~~( ) students ( ) in grades \_\_\_\_\_ through \_\_\_\_\_;~~
- H. ~~( ) Fire Marshal or his/her designee;~~
- I. ~~( ) representative(s) from emergency medical services;~~
- J. ~~( ) representative(s) from county emergency management service agency;~~
- K. ~~( ) School Resource Officer;~~
- L. ~~( ) representatives from other school districts within \_\_\_\_\_ [county/ISD];~~
- M. ~~( ) \_\_\_\_\_ [other].~~

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

### **District Contact Person**

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

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

The District contact person shall notify the appropriate law enforcement officials when an adult or a student commits any offense listed as a reportable incident in the *School Safety Information Policy Agreement* and shall report all information that is required to be reported to State or local law enforcement agencies and prosecutors. Reporting such information is subject to 20 U.S.C. 1232g, commonly referred to as the Family Educational Rights and Privacy Act of 1974.

If a student is involved in an incident that is reported to law enforcement officials pursuant to the District's *School Safety Information Policy Agreement*, then, upon request by school officials, the student's parent or legal guardian shall execute any waivers or consents necessary to allow school officials access to school, court, or other pertinent records of the student concerning the incident and action taken as a result of the incident.

### **Required Reporting**

The Superintendent shall submit a report at least annually to the Superintendent of Public Instruction, in the form prescribed by the Superintendent of Public Instruction, stating the number of students expelled from the District during the preceding school year and the reason for the expulsion.

The Superintendent shall post a report on the District website at least annually, in the form prescribed by the Superintendent of Public Instruction, stating the incidents of crime occurring at school. At least annually, a copy of the most recent report of incidents of crime, disaggregated by school building, shall be made available to the parent or legal guardian of each student enrolled in the District. This report will include at least crimes involving:

- A. physical violence;
- B. gang related acts;
- C. illegal possession of a controlled substance, controlled substance analogue or other intoxicant;
- D. trespassing;
- E. property crimes, including but not limited to theft and vandalism, including an estimate of the cost to the District resulting from the property crime.

Each school building shall collect and keep current on a weekly basis the information required from the report of incidents of crime, and must provide that information, within seven (7) days, upon request.

Additionally, the District shall report all incidents of and attempted commissions of the crimes listed above to the Michigan State Police, in the form and manner prescribed by the Michigan State Police, within twenty-four (24) hours after the incident occurs.

### **Law Enforcement Information Network (LEIN)**

The Board authorizes the ~~(x-)~~ Superintendent, ~~(x-)~~ principal **and/or** ~~(x-)~~ assistant principal(s) to request vehicle registration information for suspicious vehicles within 1,000 feet of school property through the Law Enforcement Information Network (LEIN).

### **[ ] Threat Assessment**

The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. This policy is designed to be consistent with the process for identifying, assessing, and managing students who may pose a threat as set forth in the joint U.S. Secret Service and Department of Homeland Security publication, Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each Team shall be headed by the Principal and include a school counselor, school psychologist, instructional personnel, and, where appropriate, the School Resource Officer. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.

The Team will meet ~~(x-)~~ on a regular basis and when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target. If an inquiry indicates that there is a risk of violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

- A. identifying team participants by position and role;
- B. requiring team participants to undergo appropriate training;
- C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment;
- D. defining that types of information that may be gathered during the assessment;
- E. stating when and how parents/guardians of the student making the threat shall be notified and involved;
- F. designating the individuals (by position) who would be responsible for gathering and investigating information;
- G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by Board Policy 8330 – Student Records, and State and Federal law.

~~{END OF OPTION}~~**Persistently Dangerous Schools**

The Board recognizes that State and Federal law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall

(~~x~~) discuss this at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 .

**Victims of Violent Crime**

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

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Legal Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended  
M.C.L. 380.1241, 380.1308, 380.1308a, 380.1310a, 752.913, 771.2a

|              |   |
|--------------|---|
| Book         | Policy Manual                                     |
| Section      | Vol. 35, No. 2 - February 2021                    |
| Title        | first reading February 2021 Revised FOOD SERVICES |
| Code         | po8500  |
| Status       |   |
| Adopted      | March 17, 2003                                    |
| Last Revised | February 24, 2020                                 |

## 8500 - **FOOD SERVICES**

The Board of Education shall provide cafeteria facilities in all school facilities where space and facilities permit, and will provide food service for the purchase and consumption of lunch for all students.

~~[X-]~~ The Board shall provide a public hearing annually for all parents prior to determining whether or not it will provide a breakfast program for all students. If it chooses not to provide such a program, the Board shall make available the reasons for its decision.

The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation, gender expression, or ~~trans~~gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities. Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. See Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA's school meal pattern requirements for Americans and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

### **Substitutions**

If determined appropriate by a student's Section 504 team, substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a healthcare provider who has prescriptive authority in the State of Michigan has provided medical certification that the student has a disability which restricts his/her diet, in accordance with the criteria set forth in 7 CFR 15(b). To qualify for such substitutions the medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- B. an explanation of why the disability affects the students diet; and
- C. the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

~~[ ] If determined appropriate by a team of qualified individuals including, but not limited to, the Principal, school nurse, parent, Director of Food Services, ( ) \_\_\_\_\_, substitutions to the standard meal requirements may be made, at no additional charge, for a student who is not a "disabled person" but has a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. To qualify for such consideration and substitutions the medical statement must identify:~~

- ~~A. the medical or dietary need that restricts the student's diet; and~~
- ~~B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.~~

For non-disabled students who need a nutritional equivalent milk substitute, only a signed request by a parent or guardian is required.

Lunches sold by the school may be purchased by students and staff members and community residents in accordance with the administrative guidelines established by the Superintendent.

The operation and supervision of the food-service program shall be the responsibility of the Food and Nutrition Director and the Chief Financial Officer. Food services shall be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program.

A periodic review of the food-service accounts shall be made by the Chief Financial Officer. Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

~~[ ] Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable by the end of the school year in which the debt was incurred. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFSFA for the total amount of the bad debt. The funds may come from the District general fund, State or local funding, school or community organizations such as the PTA, or any other non-Federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 CFR 210.9(b) (17) and 7 CFR 210.15(b).~~

The Superintendent is authorized to develop and implement an administrative guideline regarding meal charge procedures. This guideline will provide consistent directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service and shall also address feeding students with unpaid meal balances without stigmatizing them.

This guideline shall be provided in writing to all households at the start of each school year and to households transferring to the school or School District during the school year.

With regard to the operation of the school food service program, the Superintendent shall require:

- A. the maintenance of sanitary, neat premises free from fire and health hazards;
- B. the preparation of food that complies with Federal food safety regulations;
- C. the planning and execution of menus in compliance with USDA requirements;
- D. the purchase of foods and supplies in accordance with State and Federal law, USDA regulations, and Board policy (See Policy 1130, Policy 3110, and Policy 4110);
- E. complying with food holds and recalls in accordance with USDA regulations;
- F. the accounting and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. the safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- H. the regular maintenance and replacement of equipment;
- I. all District employees whose salaries are paid for with USDA funds or non-federal funds used to meet a match or cost share requirement must comply with the District's time and effort record-keeping policy (See Policy 6116).

The District shall serve only nutritious food as determined by the Food Service Department in compliance with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages unassociated with the food-service program must comply with the current USDA Nutrition

Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines, and may be vended in accordance with Board Policy 8540.

The Superintendent will require that the food service program serve foods in District schools that are wholesome and nutritious and reinforce the concepts taught in the classroom.

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Legal

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

M.C.L. 380.1272, 1272a, 1272d et seq.

7 C.F.R. Parts 15b, 127, 210, 215, 220, 225, 226, 240, 245, 3015

42 U.S.C. 1758, 1760

OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

The August 30<sup>th</sup> Board of Education meeting was held both in person and virtually. All Board members, including both student representatives, were present with approximately 10 community members in person and approximately 13 logged in via Zoom.

#### **SCHOOL PRESENTATION: DREAD STRONG SUMMER PROGRAM**

The meeting began with a presentation on the Dread Strong Summer program. Dr. Timmis thanked coordinators Katie Heikkila, Abby Holland and Pam Krebs for their hard work putting together the program, as well as Anne Nakon and Mollie Sharrar for their guidance, and Matt Caves for running the DHS credit recovery program. Timmis shared that 41 teachers worked at least 5 full weeks over the summer, as well as 158 support staff including 43 student workers. On any given day there were 1500-2000 kids on the DCS campus; approximately 1300 students participated in a summer camp (Dread Strong or athletic camp), 750 did the K-6 portion of summer camp and around 235 students participated in Iron Dread Strength & Conditioning. In total, DCS put in about 500 hours to make this summer experience successful including transportation, food service, technology, facilities, etc.. Dr. Timmis also shared a Dread Strong Summer Camp video slideshow, which can be viewed [here](#).

#### **FIRST OPPORTUNITY FOR PUBLIC PARTICIPATION**

A parent voiced opposition to the mask requirement.

#### **SUPERINTENDENT UPDATE**

Dr. Timmis relayed that the District is in final preparation to welcome students into buildings on Tuesday, September 7<sup>th</sup>. Staff participated in an Opening Day event on August 31<sup>st</sup> at Al Ritt field. Timmis shared that at their next meeting, the Board will be asked to approve name changes for several DHS courses to meet NCAA requirements.

#### **BOARD PRESIDENT UPDATE**

Board President Mara Greatorex had no update.

#### **STUDENT REPRESENTATIVES UPDATE**

Senior Aiden Naughton shared that DHS students recently received a back-to-school email including notification of optional PSAT testing dates: 9<sup>th</sup> & 12<sup>th</sup> grades are scheduled for Wednesday, October 13<sup>th</sup>, and 10<sup>th</sup> & 11<sup>th</sup> grades on Saturday, October 16<sup>th</sup>.

Junior Griffin Patel reported student midday dismissals/absences protocols have been updated.

#### **CONSENT ITEMS**

The evening's consent items were unanimously approved in bulk, including acceptance of the resignation of Jamie Aumend (DHS), Martina Bricio (Wylie) and Erin Knotts (Beacon). Also approved were probationary teaching contracts for Elizabeth Hashikawa (DHS Science), Marissa Lerner (Wylie 3rd grade), Brittany Willig (Beacon Kindergarten), Kimberly Samson (DHS High Needs Special Education), Drake Reinert (DHS Math), Ashley Gugliemi (Mill Creek Special Education) and Amy Thomas (Beacon 2<sup>nd</sup> grade). The Board also received the July budget report.

August 30, 2021

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### **ACTION ITEMS**

Dr. Timmis informed the Board there is a class-action lawsuit against Juul Labs Inc., Altria and other vaping product manufacturers in a California federal court. Frantz Law Group, a California law firm, is representing schools in that litigation, and it is anticipated that the settlement would generate a significant amount of revenue for the District.

Trustees asked questions regarding the nature of the suit [vaping companies marketed their products to youth]; participation costs to the District [some employee time to manage Dexter's part in the suit, and legal costs that would come out of any settlement]; how long it would take to resolve the case [most likely a few years]. Trustees unanimously passed a resolution to join the suit.

### **DISCUSSION ITEMS**

Michigan Association of School Board's 2021 Delegate Assembly will begin Thursday, November 11 at 6:00 p.m. at the Amway Grand Plaza Hotel in Grand Rapids. Delegates selected by boards of education across the state will decide MASB's positions on a wide variety of issues affecting education. Trustees must choose a delegate to represent the Dexter BOE at the assembly and certify this delegate by October 8<sup>th</sup>. It was determined that trustees would check their schedules and the topic would return as an action item at the next BOE meeting. The Board also discussed the scheduling of two fall Board workshops.

### **SECOND OPPORTUNITY FOR PUBLIC PARTICIPATION**

- A parent asked trustees to look into the scheduling process at DHS, saying it could be more efficient.
- Three parents expressed frustration with the requirement for students to wear masks; one noted that no children have died of COVID in the county.
- A resident expressed her support of the District's mask requirement, shared her opinion that Board openings are very well publicized, and said she is happy with recent trustee appointments.
- A resident who said she attends meetings regularly asked how public commenters could get answers to their questions. [[Public participation guidelines are available online.](#)]

### **BOARD COMMENTS**

- Trustee Dick Lundy shared that the DHS football season has gotten off to a great start.
- Trustee Daniel Alabr  added that the freshman & JV volleyball teams, as well as the field hockey team, won recent tournaments. Alabr  also reminded community members who speak during public participation that if they would like a formal response to their comments, to please fill out a green comment sheet including their contact information.
- Trustee Szawara shared that Camp Dexter provided another great program for kids this summer, specifically praising the fun field trips. She also thanked DCS staff and administration for being efficient with back-to-school information.
- Student representative Patel said he felt 9<sup>th</sup> orientation at DHS went off without a hitch.
- Board President Greatorex shared the tennis team is appreciating the newly renovated tennis courts at the high school.

### **INFORMATION ITEMS**

The [August 16<sup>th</sup>](#) and [August 18<sup>th</sup>](#) Board Bulletins were included in Board packets.

### **BOARD CALENDAR**

Monday, September 20 – 7:00 p.m. - Board Meeting - Bates Boardroom

Policy Committee Meeting  
September 10, 2021  
DRAFT Minutes

Called to order at 10:01 a.m.

Present: Mara Greatorex, Elise Bruderly, Melanie Szawara, Hope Vestergaard, Barb Santo, Chris Timmis

1. Approval of Agenda - Motion Mara Greatorex, Second by Melanie Szawara. Approved 3-0
2. Public Participation - None
3. Policies to discuss and recommend to return to full board for 2nd reading (note - policies were already approved for first reading by full board). Legal counsel reviewed suggestion to add phrase "gender expression" - recommended. No other changes since first reading. Moved by Melanie Szawara and Seconded by Mara Greatorex: Motion to recommend to full board for a 2nd reading. Passed 3-0.
  - a. 1422 - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
  - b. 1623 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
  - c. 1662 - ANTI-HARASSMENT
  - d. 3122 - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
  - e. 3123 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
  - f. 3362 - ANTI-HARASSMENT
  - g. 4122 - NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
  - h. 4123 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
  - i. 4362 - ANTI-HARASSMENT
  - j. 5517 - ANTI-HARASSMENT
4. Policies to discuss for potential 1st reading with full board  
Mara Greatorex moved to recommend policies to full board for 1st reading. Second by Melanie Szawara. Passed 3-0.
  - a. Policy 2260.01 – Section 504/ADA Prohibition Against Discrimination Based on Disability
  - b. Policy 5341 - Emergency Medical Authorization
  - c. Policy 5342 - Do Not Resuscitate Orders (DNR) for Minor Students
  - d. Policy 5343 - Physician Order for Scope of Treatment (POST)
  - e. Policy 7440.01 – Video Surveillance and Electronic Monitoring
  - f. Policy 8321 - Criminal Justice Information Security (Non-Criminal Justice Agency)
  - g. Policy 8330 - Student Records
  - h. Policy 8400 - School Safety Information
  - i. Policy 8500 – Food Services

5. Motion to discuss Policy 7520 by Melanie Szawara, 2nd by Mara Greatorex. Passed 3-0. The committee reviewed 7250 - NAMING SCHOOL BUILDINGS, PORTIONS OF BUILDINGS, OR FACILITIES and agreed the current policy meets the district's needs for only naming or renaming buildings and not amending to include facilities. Motion to take no action regarding the current policy by Melanie Szawara and 2nd by Elise Bruderly. Passed 3-0.
6. Adjournment 11:07 a.m.

Future Policies for Discussion:

- Policy 8510 - Wellness (Revised)
- 2522 - MOVIE POLICY - waiting for draft on a digital media policy from our attorneys.



BACK TO SCHOOL

# Wayfinder

September 2021

## Wondering When to Keep Your Child Home from School?

### Student Illness Decision-Making

A: Does student have ANY of the following symptoms (new/different/worse from baseline of chronic illness):

- Temperature 100.4 or signs of fever (chills/sweating)
- Sore throat
- New onset of cough
- Diarrhea, vomiting, or abdominal pain
- New onset of headache
- Loss of taste or loss of smell

B: Has student had ANY close contact or potential exposure risk in the past 14 days:

- Had close contact with a person with confirmed COVID-19
- Had close contact with person under quarantine for possible exposure to COVID-19
- Attended large events (e.g., wedding, concert), especially indoors
- Travel history

If A is YES and B is NO, student needs COVID test and/or medical evaluation; can return with symptom improvement per usual communicable disease guidelines.

If A is YES and B is YES, must have COVID test. Exclude from school for 10 days even if COVID test is negative, unless a different diagnosis is available.

If A is NO and student is a close contact, follow close contact guidance.

If both are NO or student is not a close contact, student goes to school.



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## WELCOME BACK!

This past summer, our campus was buzzing with DCS students laughing, playing, and just being kids. Open houses for the start of the 2021-2022 school year shared this same excitement. I cannot put into words how happy all DCS educators and staff are to have our students on our buses, in our buildings and classrooms, and on our fields every day this school year. To hear their voices, share in their joy, and learn alongside our kids is why all of us went into education. Our collective passion for educating students has never been so strong and we are looking forward to an incredible school year.

Thank you for allowing us the opportunity to work with your children every day. Dexter kids are kind, funny, smart, and talented and we are blessed to spend our days working with kids as we Champion Learning: Develop, Educate, and Inspire!

Have a great year and Go Dreads!!!

Dr. Chris Timmis



## DREAD STRONG TOGETHER

*"Over the past year-and-a-half, as a nation, we experienced struggles like never before. Schools, teachers, students, and families were challenged in ways none of us ever imagined. But from that struggle, came resilience. Teachers, principals, school staff, parents, and – mostly importantly – our nation's students rose to the occasion."*

- U.S. Secretary of Education, Miguel Cardona

Our number one goal this year is to have our students in school, every day. In order to make this a reality, we need your help. If your child isn't feeling well, please keep them home from school and call the attendance office for your child's school. We want to prevent possible spread of Covid-19 and will need your additional diligence to help us keep our students in school, every day.



# HOW TO HELP YOUR CHILD ADJUST TO GOING BACK TO SCHOOL THIS FALL

*Helpful tips from a Cleveland Clinic pediatric psychologist*



## FOOD & NUTRITION

The Dexter Community Schools Food & Nutrition Services Department is committed to serving students healthy school meals that provide excellent nutrition to enhance student learning. Every day our lunches offer a variety of fruits, vegetables, lean proteins, whole grains and milk. Local produce is featured often, look for the logo on the menu!

Menus with nutritional information are available online at [dexterschools.nutrislice.com/menu](https://dexterschools.nutrislice.com/menu).

To save paper, we are directing families to the [F&N website](#) for our most-used back-to-school forms.

## PAYING FOR MEALS

- 1) Send cash/check (payable to DCS F&N) in an envelope with your child's name to school office. \$0 processing fee.
- 2) [sendmoneytoschool.com](https://sendmoneytoschool.com): online payments and check account balances.
  - A) ACH direct debit-\$1.00 processing fee;
  - B) Credit/Debit card payments - \$2.65 for every \$100 added to meal account processing fee.

### Food and Nutrition

2704 Baker Rd.  
M-F 8:00am - 4:00pm  
(734) 424-4100

### Director

[Jennifer Mattison](#) (ext 1501)

Roxanne Maze (ext 1502)  
Dana Wandyg, Student Accounts  
(ext 1503)

After the challenges of last year, kids finally get to be kids again. This upcoming school year means being reunited with friends, having some sort of regular schedule again and finally having the chance to show off those new clothes, backpacks and clever school supplies. Good for them and good for parents, right? While there still are concerns about keeping kids safe from the latest COVID-19 variants, at least parents won't have to worry about teaching common core math or listening to lessons in between conference calls. What a dream!

Unfortunately, some kids might be a little apprehensive about going back. For them, home meant a safe haven from several stressors that they faced at school. On the other hand, kids who are excited about returning to the classroom will now have to adjust to learning with COVID-19 protocols in place. Either way, the transition back to school might be a little stressful for your child.

So, what can you do if you notice that your child is having a rough time with this change? Pediatric psychologist Vanessa Jensen, PsyD, ABPP offers some sage advice to help make the process easier.

### Why good change can also be stressful

"In general, going back to school is just a big change. It's a whole new setting especially for kids who are going from elementary school to middle school or middle school to high school.," Dr. Jensen says. "It's a whole new world, and all of the sudden, they're expected to know what they're doing. It's a huge shift from being in their little space at home to now being in this world of back to school."

### How to recognize when your child is having a tough time

She adds that if you're not sure if your child is having a hard time with the transition back to school, think about how they normally act when they're stressed and look for those behaviors. For example, if your child gets headaches or stomach aches when they're anxious, you'll know that school is stressing them out should they start having them more frequently.

"We tend to go toward certain behaviors when we're stressed. My suggestion is for parents to think about what their child does when they get stressed in a new situation," she says. "Think about the behaviors that they usually revert to whether it's hiding in the background of a small group or acting out and trying to be the funny kid. Once you recognize what they tend to do under stress, that's probably what you're going to see as they enter into a new situation."

### Helping teens make the adjustment

We remember our teenage years. Some of us were wild and loud. Some of us were shy and quiet. But regardless of our personalities, most of us probably kept our crushes, craziness and challenging times under wraps. Dr. Jensen advises us to keep that in mind when it comes to teens. While it's natural to want to know every single thing that's going on in your teen's life, prying or being overbearing will only make things worse.

"If your child has been able to handle things in general, give them some space. But if you're worried, you can always say things like, 'You seem a little stressed. You know, I'm around,' or 'Have you talked to your friends?' And if they have talked to their friends, you can always follow up with 'Well if you want to talk to me, I'm here.'"

She calls this her "raindrop theory." Basically, this is dropping little hints that your child can reach out to you should things become unbearable.

Dr. Jensen explains. "You just put the little raindrops out there by saying 'You know, I'm around,' or 'I'm going to be in my study if you want to talk.' You put those little hints out there and kids will reach out when they feel comfortable," she says.

*(Continued on pg. 4)*



Photo credit: Mya Sobby



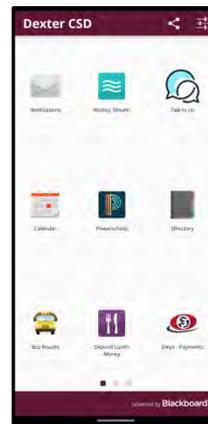
## DCS COMMUNICATIONS

Dexter Schools communications team handles media inquiries, press releases, information distribution, and other tasks that involve sharing important information with district families and the community.

### DEXTER COMMUNITY SCHOOL DISTRICT (DEXTER CSD) BLACKBOARD APP

The Dexter CSD Blackboard App is a great way to stay informed about goings-on at school:

- Receive notifications regarding weather-related school closures, scheduled days off, and other urgent news;
- Access the following functions: deposit lunch money, pay athletics fees, pay yearbook and other school fees through **Eleyo**;
- Log In to your grade 5 & up student's PowerSchool account;
- Search the Dexter Schools phone and email directory quickly;
- Quickly view lunch menus.



In addition to district news, you can subscribe to updates from individual buildings. Go to Notifications, then click the icon in the right top corner of the screen to select the news you want to be notified about. All your news updates are in one place.

Find the Dexter CSD Blackboard app in the [App Store](#) or on [Google Play](#).

## SOCIAL MEDIA

Dexter Community Schools is committed to responsible communication with the public through a variety of social media platforms. Only the following constitute the official social media accounts of Dexter Community Schools:

[Dexter Community Education on Facebook](#)

[Dexter Food and Nutrition on Facebook](#)

[Dexter Food and Nutrition on Instagram](#)

[Dexter High School on Instagram](#)

[Dexter Schools on Twitter](#)

[Dread Strong on Facebook](#)

[Dread Strong on Twitter \(Athletics\)](#)

[Wylie Elementary on Facebook](#)

**All others that purport to be affiliated or associated with Dexter Community Schools are not official sites or accounts of the school district.** For the most accurate and up-to-date information about Dexter Community Schools, please rely on our website: [dexterschools.org](http://dexterschools.org). For questions, comments and concerns, please use the [Talk to Us](#) feature.



## TRANSPORTATION

The Transportation Department's employees are the first District employees to greet your students in the morning and the last District employees to see them in the evening. We do not simply transport students from home to school and back again. We are an extension of the learning process and provide a social networking opportunity for students. We strive to safely transport students so that they are emotionally prepared to be educated.

Bus routes can be found on the [Transportation website](#).

### Important Notes for 2021-2022

- Parents must screen students daily before sending them to school.
- Students must wear masks on buses.
- Students should dress appropriately – windows will be open on the buses, weather permitting.
- Schedules may need adjustment; buses are likely to run late the first week or two; this is hard for everyone. We appreciate your patience!

### Transportation Department

(734) 424-4190

(734) 424-4290 (fax)

M-F 7:30am - 4:00pm

Director - [Deneen Smith](#)

Dispatcher - [Laurie Farmer](#)

### Communications Office

2704 Baker Road

M-F 8:00am - 4:00pm

(734) 424-4100 ext 1002

(734) 424-424-4112 fax

### Director of Communications

[Hope Vestergaard](#)

### Special Assignments

[Melanie McIntyre](#)



## HOW TO HELP YOUR CHILD ADJUST TO GOING BACK TO SCHOOL THIS FALL

(continued from pg.2)

Reassure them gently and gradually. "If you overwhelm your child with questions (and I compare this to throwing buckets of water on them), they're going to think, 'Whoa, I'm not going there.' So, give them space. They know you're there. Just keep reassuring them that if things get bad, you'll be there for them."

Now, we all know that some kids think their parents will never be able to relate to their teenage struggles. (Do they think parents arrived on Earth in their ultimate adulting form?) In cases like these, a "cool" aunt or uncle can help. Dr. Jensen says that you can sprinkle the raindrops in the direction of another adult that you and your teen trust so they are encouraged to reach out to someone if they're having a rough time.

"Give them some room and let the raindrops flow. Let your teen know that you're available to talk but if they're not comfortable with you for whatever reason, make sure they do have someone to talk to. You could say, 'Aunt Susan is a good person to talk to,' or 'Uncle John asks about you all of the time.' This can create little trails to other people when your child is kind of quiet with you."

### How to help smaller children adjust to changes

It's hard for little kids to express big emotions — and it's hard for parents to deal with the tantrums, especially if hitting, kicking, wailing and flailing are involved. Dr. Jensen says with younger children, it's good to establish some core basics regarding behavior.

Some things are OK and some things are not OK in terms of behavior. Let your child know that it's OK to be upset. It's OK to feel scared. But it's not OK to hit or kick.

"Physical harm is not OK, anytime," Dr. Jensen says. She suggests encouraging your child to talk about their feelings when they're mad. Ask them what they're mad about or explain how they can tell you or any adult in the house when they are upset.

"You want to make it clear that they should always keep their hands to themselves. That's a rule they had when they were in school and that's still the rule. Make sure your child is clear about what is OK and what is not OK when it comes to behavior."

### And if the going gets tough, get help

Raising kids during a pandemic hasn't been easy on anyone. When parents try to push through the tough times or troubleshoot everything on their own, the process can be even more challenging — and draining. Instead of going it alone, Dr. Jensen advises reaching out to the people in your child's orbit. This includes teachers, coaches, their pediatrician and even the school counselor. She also recommends taking care of yourself first and foremost.

"You're not going to be any good to your kids if you aren't taking care of yourself, and you're the biggest role model your kids have. We all think that kids look to their peers for role models, but they do rely on their parents for the big things. So, the best role model you can be is the person who takes care of themselves and then takes care of their kids," she says.

If you have questions about how your child is doing, Dr. Jensen suggests talking to their teachers, coaches, scout leader and other important people in their life. Ask what they are seeing. Then, talk to your child.

"If things are beyond your control, reach out to your pediatrician's office for referrals. Your child's guidance counselor can also make referrals if you need more help."

Source: The Cleveland Clinic, <https://health.clevelandclinic.org/how-to-help-your-child-adjust-to-going-back-to-school-during-the-pandemic/>.

## DCS ATHLETICS NEW TICKETING POLICY

In an effort to limit person-to-person contact, the SEC conference and Dexter Schools are moving forward with a digital-only ticketing platform for all home athletic events. Purchasing online in advance will assure you fastest entry into the event. Digital tickets are sent to your email after purchase or can be accessed through the GoFan mobile app.

Ticket can be purchased for upcoming events (home/away) at: <https://qofan.co/app/school/ML9941> or on-site using QE Code at the gate entrance.

Season passes for both students (\$20) and adults (\$50) are also available. This pass will grant (1) admission to all home regular season games, including Middle School.





## WHERE DO I FIND...



### Has your child had a change in their medical information?

Parent forms, including the Update to Current Student Medical Information Form, are always available on the DCS website at <https://www.dexterschools.org/parents/annual-acknowledgements>.

### Have a question for the District nurse?

The DCS acting district nurse, Rachel Piersol, is available to discuss health concerns and answer student and parent questions. Please contact her at 734-424-4100 ext.1051.

District guidance on health-related issues including injuries & illness, medications, immunizations, food allergies, COVID-19, etc. is available on the DCS website at

<https://www.dexterschools.org/parents/district-nurse>. All DCS student health forms can also be found on this page.

### District Calendar

The District calendar is available 24/7/365 on the DCS website at <https://www.dexterschools.org/district/calendar>. This one-stop-shop page also includes school hours for each building, Back to School dates & information, and links to the Board of Education Meeting Calendar, 2021-22 Parent Calendar & WISD Common Calendar.

### ICYMI@DCS

Dexter Schools publishes a weekly recap of social media posts and stories from Dexter classrooms and buildings on Dread Strong FB & Dexter Schools Twitter accounts. All past editions can be found at [https://wakelet.com/@DCS\\_Highlights](https://wakelet.com/@DCS_Highlights).

# BOARD OF EDUCATION

Meetings are generally held every second Monday during the school year, and monthly during the summer. See [Board Calendar](#) for 2021-2022 meeting dates. The meeting agenda and other meeting materials are posted on the [BOE website](#), typically by the end of the day Thursday before regular Monday meetings.

Board meetings are held in-person, streamed via Zoom, and recorded for later viewing. Those wishing to participate in public comment must attend in-person, but anyone may view the meeting in progress via Zoom. **Attendees must comply with WCHD mask and distancing requirements.**

All recorded meetings can be found on the [DCS YouTube page](#).

### PUBLIC PARTICIPATION

Although Board meetings are held in public, they are not meetings of the public; they are working meetings of the Board of Education. The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on District matters.

To permit fair and orderly public expression, the Board provides two periods for public participation at public meetings of the Board and one period for public participation at committee meetings. The Board has published rules to govern such participation in Board meetings and in Board committee meetings, which are administered and enforced by the presiding officer of the meeting. These can be found on the DCS website at <https://www.dexterschools.org/district/board-of-education/meetings#fs-panel-6339>.

Public commenters will be asked to identify their district of residence before speaking and should submit their name and question or comment in writing if they would like an individual response. Except for occasional factual clarifications, the Board and Superintendent do not respond to individuals during the meeting.

### WHAT HAPPENS AT BOARD MEETINGS?

There are regular business items: new hire approvals, budget reports, attendance at school business workshops, etc. The Board reviews and approves bid awards, curriculum material purchases, and other regular business matters. They discuss policies, course proposals, student achievement goals, and strategic initiatives, among others. There's also fun – presentations on curricular topics or student achievement, student and staff recognition, and demonstrations from classes or clubs. Attending board meetings is one of the best ways to understand how school finance works and how educational decisions are made. If you are interested in participating at the school level, please see the Booster and PTO information below.



Daniel Alabre



Brian Arnold



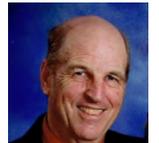
Elise Bruderly



Mara Greatorex  
President



Jennifer Kangas



Dick Lundy



Melanie Szawara

## BOOSTER & PTO GROUPS

### District Booster Groups

- [Educational Foundation of Dexter](#)
- [Dexter Farm to School](#)
- [Dexter Alumni Association](#)

### Parent-Teacher Organizations

- [Anchor PTO \(APTO\)](#)
- [Team Beacon PTO](#)
- [Wylie Parents & Teachers Together - PTI](#)

### Program Booster Groups

- [ABCD: Athletic Booster Club of Dexter](#)
- [Dexter Band Boosters](#)
- [Dexter Drama Booster Club](#)
- [Dexter Orchestra Boosters](#)
- Garden Booster Club - contact [Lisa Babe](#)
- IB Booster Club - contact [Christine Gordon](#)



# DREADWATCH

2020/21

#RISINGTIDE



DEXTER COMMUNITY SCHOOLS ATHLETICS NEWS

EDITOR: MELANIE MCINTYRE

## AD'S CORNER

**ATHLETIC DIRECTOR | MIKE BAVINEAU**

First and foremost, I would like to thank all the student-athletes and coaches for their perseverance during the 2020-2021 school year. Regardless of competing in a fall, winter or spring sport, Dexter athletes and coaches dealt with mask mandates, COVID-19 testing (some several times per week) and interrupted seasons with determination and heart. They didn't complain, just did what they needed to do in order to succeed. Their dedication and tenacity is indisputable, as illustrated by the many team and individual accomplishments detailed in this newsletter. Thank you for embodying our school motto: Dread Strong!

I would also like to announce the following student-athlete awards, which will be formally presented at halftime of the October 8th Homecoming football game:

### DREADNAUGHT ATHLETE

These student-athletes have excelled in their sport or multiple sports at an all-league/all-state level throughout a distinguished high school career.

**Male Award: Colin Parachek**  
**Female Award: Kylee Niswonger**

### TOUCHSTONE OF EXCELLENCE

An exceptional leader in their program, these individuals are the epitome of the student-athlete in academics, coachability and team drive throughout their high school career.

**Male Award: Leo Varitek**  
**Female Award: Olivia Mellifont**

### SENIOR ATHLETE AWARD

These individuals are multi-sport athletes who had an outstanding senior year in athletics.

**Male Award: Clayton Kinnard**  
**Female Award: Elenor King**

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"We talked about building something special, and consistently exceeded expectations."

# Fall Sports



## MENS CROSS COUNTRY

HEAD COACH | NATE LAMB

This was a Cross Country season for the ages. It really started on March 16th, the Monday after the physical buildings were closed for the school year. While these student-athletes continued to train for a track season that wasn't meant to be, we knew (hoped) we'd be able to showcase our effort in the fall and we did just that! They trained alone, then in pairs, then finally got back together with masks and social distance as the priority. With over five months gone by and no competitions, we were finally able to run again.

We continued to build strength as the season progressed while overcoming injuries and other obstacles. These amazing student-athletes trust the training and each other. We talked about building something special, and consistently exceeded expectations. We were projected to be 5th place at the Regional Meet, but earned a 2nd place finish. We were not expected to qualify for the State Meet, but earned our place anyway. After earning our spot in the State Meet, we were projected to finish in 20th place, yet finished among the top 15 teams in the state. I truly feel that our greatest accomplishment was earning Academic All-State Honors, demonstrating a commitment to the balance of academic and athletic achievement.



**2ND PLACE - SEC WHITE**

### Season Awards

Freshman of the Year - Brandon Anderson  
 MVP - Conor Kolka  
 Legacy Award - Sam Melvin  
 Most Improved - Owen Ackerman  
 Rising Tide Award - Evan Bursch  
 Dread Strong Award - Nathan Gariepy



### Personal Records

|                         |                        |                        |
|-------------------------|------------------------|------------------------|
| Conor Kolka, 15:53      | Drew Gochanour, 18:40  | Jack Burin, 20:45      |
| Nathan Gariepy, 16:12   | Tom DesRosiers, 18:56  | Jaxson Cicotte, 21:24  |
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The 2020 season looked a lot different than past years.

## WOMENS CROSS COUNTRY



HEAD COACH | SEANA LARSON

This year, most meets were dual meets (only 2 teams) and each runner could only have one or two spectators present, or none at all. For every race, social distancing was enforced at the starting line which meant that fewer people could be in front and there were 3-5 rows of people spaced out rather than 1-2 rows of people elbow to elbow.

This season had a lot of ups and downs. We were very fortunate to still have a season despite COVID-19, and even more fortunate none of the girls on the team tested positive. The team won early season dual meets against conference rivals Pinckney, Tecumseh,

Adrian and Huron. Of the 31 girls on the team, 18 PR'd at least once this season. The top runner, Amanda McGill, improved her starting time four times, from 22:45.0 all the way down to her PR of 19:37.3. Throughout the season, we had a total of 70 improvements from all 31 girls over previous season races. Overall, the girls made the most of opportunities they had to train and race during a crazy COVID-19 season.

### SEC All-Conference

Hannah McComas, Amanda McGill, Chloe Sprague

### MHSAA Division 1 Regional Championships Qualifiers

Quinn Hill, Amanda McGill (placed 9th & qualified for MHSAA Division 1 State Championships), Chloe Sprague



# FALL SPORTS



## DEXTER DANCE TEAM

### Season Highlights

- Attended a home camp last summer;
- Danced at DHS home football & basketball games;
- Competed in virtual regional events, finishing in Top Ten at every event;
- Competed in the first-ever virtual UDA Nationals event.



### Individual Athlete Achievements

Both our graduating seniors, Rachel Dunklee and Charlotte Hawley, are now members of the University of Michigan Dance Team. Charlotte also decided to tryout for the Universal Dance Association staff and was accepted! We are very proud of our seniors!



**HEAD COACH | HEATHER RYERS**  
**ASSISTANT COACH | JAZMYN NORMAN**



**BEST-EVER FINISH  
AT UDA NATIONALS:  
9TH IN SMALL POM  
13TH IN SMALL JAZZ**

COVID-19 made our horse shows a little harder to work through this past year. No spectators, no pot luck meals, learning how to navigate our horses while wearing face masks (except when riding) and no extra help at the shows. We rely on many volunteers to make our meets a success, and we have tremendous parents and athletes who stepped up to help make it all happen smoothly and successfully. Despite the pandemic, all 5 team members earned enough points at the three meets to earn their varsity letter.

We would like to wish our team senior Amanda LaRoe congratulations on her graduation! She was our star showmanship competitor with multiple wins in her classes. She has been a valuable team member as both an accomplished rider and a leader. Amanda, we all wish you well on your next journey!

## EQUESTRIAN



**4TH PLACE  
OVERALL IN  
DISTRICT**

**HEAD COACH | SHANNON VERBAL**  
**ASSISTANT COACH | AMANDA VERNA**  
**ASSISTANT COACH | DANA WILLIE**



### Team Awards

High Point Showmanship - Amanda LaRoe, senior  
High Point Rider - Juliana Juback, junior  
Coaches Award - Sidney Streetman, junior  
High Point Freshman - Hannah Wilford, freshman  
Outstanding Sportsmanship - Nigel Makin, freshman



# Fall Sports

## STATE CHAMPIONS

SEASON RECORD

17-0-1



## FIELD HOCKEY

**VARSITY HEAD COACH | KEELY TAMER**  
**VARSITY ASSISTANT COACH | AMY BINDER**  
**JV HEAD COACH | NIKKI CALLOWAY**  
**GOALKEEPER COACH | JOY HOOK**

In 2020, Dexter Field Hockey successfully defended its 2019 State Title with a 2-1 victory over Pioneer High School. The 10 athletes in the senior class saw the Dreadnaughts advance to the state finals in 3 of their 4 postseason runs, the fourth run ending in the semi-finals with a 1-0 loss to Saline in 2018. In 2017, the Dreadnaughts lost in the State Finals in a 2-1 decision to the Huron River Rats.

### SEC All-Conference Athletes

Gracie Burns, Maya Calloway, Rachel Gesell, Kylee Niswonger, Shannon Schoch, Abigail Tamer; Marissa Skinner (Honorable Mention)

### MHSFHA Dream Team Members

Rachel Gesell, Kylee Niswonger, Abigail Tamer

### MHSFHA Division 1 All State Athletes

Rachel Gesell, Kylee Niswonger, Abigail Tamer; Gracie Burns (Honorable Mention)

### MHSFHA Player of the Year

Abigail Tamer

### MHSFHA All-Academic Recognition

Rachel Gesell, Giuliana Rokke-Smith, Annalisa Shehab, Eden Schnurstein, Abigail Tamer

### NFHCA Senior Impact Award

Kylee Niswonger and Abigail Tamer

### NFHCA Academic Squad (\*distinguished scholar)

Faith Anderson, Hannah Baldwin, Rachel Gesell\*, Esther Hashikawa, Emily Lyons, Giuliana Rokke-Smith, Eden Schnurstein, Shannon Schoch, Annalisa Shehab, Taylor Shook, Abigail Tamer\*, Lindsey Vantine\*



# FALL SPORTS



## FOOTBALL

**VARSITY HEAD COACH | PHIL JACOBS**  
**VARSITY ASSISTANT COACHES | KEVIN CISLO, BILL IVAN, GEORGE MICHOS, MATT PARACHEK, TONY QUINT, CHRIS WHITTAKER**  
**JV HEAD COACH | ROB SCHWARTZ**  
**JV ASSISTANT COACHES | ROB DUBAY, STEVE MAPES, DAVID TEDDY, MIKE VERBAL**

### All-SEC Team - Offense

1st Team: Cal Bavineau, Braeden Fuson, Brennan Parachek, Colin Parachek  
 Honorable Mention: Cole Cabana, James Livingston

### All-SEC Team - Defense

1st Team: Caleb Drenner, Ethan Esch, Keegan Kipke  
 Honorable Mention: Noah Drummond, Gerzon Herter, Joe Love, Braden Visel

### All-State Team

2nd Team: Colin Parachek  
 Honorable Mention: Cole Cabana, Caleb Drenner

### MLive Dream Team

Offense: Colin Parachek



**1st playoff victory in Dexter school history in 2020, with a 56-28 victory over Ypsilanti Lincoln.**



## WOMENS GOLF



**VARSITY HEAD COACH | GREG PALKOWSKI**

### SEC WHITE CHAMPIONS

The Dreadnaughts entered the SEC Championship leading the conference by two points over Chelsea and Pinckney, then clinched the title with a team score of 411.

### Individual Athlete Achievements

#### All-SEC White 1st Team

Olivia Naylor

# Fall Sports



## MENS SOCCER

**VARSITY HEAD COACH | DREW DUCKER (COACH DUCKS)**  
**VARSITY ASSISTANT COACH | JAMIE LEWIS**  
**JV HEAD COACH | TITO SCHWABE**  
**GOALKEEPER COACH | RHYS MOLLER**

### All-SEC White 1st Team

Jack Kolka, Hayden Newton, Andrew Scherer, Wiley Smith

### All-SEC White Honorable Mention

JP Assenmacher, AJ Gordon, Will Palazzolo, Ben Pritchard, Nick Williamson

### All-District

Jack Kolka, Hayden Newton, Andrew Scherer, Wiley Smith

### All-District Honorable Mention

Nick Williamson

### All-State Honorable Mention

Hayden Newton



**SEC WHITE CHAMPIONS**  
**SEASON RECORD**  
**11-0-1**



**VARSITY HEAD COACH | CORY BERGEN**  
**VARSITY ASSISTANT COACH | MURPHY HANSEN**  
**VARSITY DIVE COACH | SHAWN BERGMAN**

Our team had an unusual season this year, starting with outdoor practices in August 2020, enduring two pauses due to COVID-19 and finally ending the season in January 2021. **But, even with a fragmented season, the team still won the SEC White for the 23rd consecutive season and achieved a program first: every one of the swimmers and divers competing at the state meet earned at least one medal for a top-16 finish.** Coach Bergman was named State Diving Coach of the Year for the second consecutive year.

## WOMENS SWIM & DIVE



### All-State Honors

Elysa Grossman, Vivian Kinnard, Lily Witte

### State Diving Champion

Lily Witte (2nd consecutive year; D2 state record of 486.95)

### M.I.S.C.A. Dream Team

Lily Witte

**SEC WHITE CHAMPIONS**

- 23RD CONSECUTIVE YEAR -



# FALL SPORTS



## MENS TENNIS

**VARSITY HEAD COACH | ROB SMOTHERS**  
**JV COACH | SAM BENSAID**

Mens Tennis had a great season in 2020, coming in 2nd in the SEC White and ending as a District finalist. We had a lot of young players gaining experience this year, and are looking to build on this experience for the 2021 season.



**2ND PLACE - SEC WHITE**  
**SEASON RECORD 7-5-2**



Undefeated in SEC White Conference play, one of our team highlights was beating AA Skyline HS (State Final Four Contender) in a Conference Cross-Over Match.

**1,000+ Assists**  
Eleanor King

**1,000+ Digs**  
Livvy Mellifont

**DHS SEC All-Academic Team**  
Delaney Arnedt

**All-SEC White 1st Team**  
Eleanor King, Jordan Kless, Livvy Mellifont

**All-SEC White Honorable Mention**  
Delaney Arnedt, Avery Goodrich

**All-Region Team**  
Eleanor King, Livvy Mellifont

**7 / DREADWATCH**

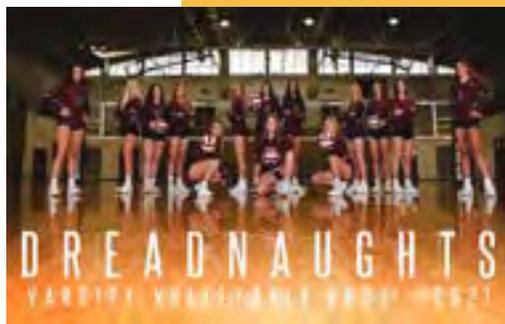


## VOLLEYBALL



**VARSITY HEAD COACH | LIZ MELVIN**  
**JV COACH | PAULA PALMER BURNS**  
**JV ASSISTANT | CHRISTINA LOSEE**  
**FRESHMAN COACHES | BECKIE STERLITZ & DOUG SMITH**  
**PROGRAM ASSISTANT | CRYSTAL KEDROSKE**

**SEC WHITE CHAMPIONS**  
**SEASON RECORD 12-4**



*"I am who we are."*



# Winter Sports



## MENS BASKETBALL

**VARSITY HEAD COACH | JASON RUSHTON**  
**VARSITY ASSISTANT COACH | MIKE BAVINEAU**  
**JV HEAD COACH/VARSITY ASSISTANT COACH | JASON RYCHENER**  
**FRESHMAN HEAD COACH/VARSITY ASSISTANT COACH | SHANE KINNEE**

### All-SEC White 1st Team

Cal Bavineau, Colin Parachek

### All-SEC White Honorable Mention

Evan Haroldson, Sam Sterlitz



**DISTRICT CHAMPIONS**  
**SEASON RECORD**  
**16-4**



## WOMENS BASKETBALL



**VARSITY HEAD COACH | LAUREN SNIDER THOMPSON**  
**VARSITY ASSISTANT COACHES | ERICA EHINGER & RILEY MCDONALD**  
**JV HEAD COACH | CLAY COOPER**

**SEASON RECORD**  
**12-5**

### All-SEC White 1st Team

Alayna Babut, Sydney Pnacek

### All-SEC White Honorable Mention

Kylee Niswonger, Kayla Rivers

### SEC White Sportsmanship Award

Shannon Schoch

### MLive Ann Arbor Area Dream Team

Sydney Pnacek, Alayna Babut  
(Honorable Mention), Kayla Rivers  
(Honorable Mention)

### All-State Honorable Mention

Alayna Babut

### All-State Academic Team

Alayna Babut

### BCAM Team First Award

Olivia Mellifont

### Team Highlights

- Won over Lady of the Lakes (who went on to the state final four);
- Won over Bedford (who went on to win their region);
- Raised over \$1,000 for cancer research at our American Cancer Society Game;
- The team as a whole qualified for Academic All-State.



# Winter Sports



## COMPETITIVE CHEER

### SEC WHITE CHAMPIONS

**VARSITY HEAD COACH | AMY PHILAGE**  
**VARSITY ASSISTANT COACH | ALLYSON CANELL**  
**VARSITY ASSISTANT COACH | EMILY O'KEEFE**

Came in 1st in all SEC competitions to end with a total win over Chelsea, Lincoln, Pinckney, Tecumseh and Adrian. Our team ended the season with a max record of 722.52 at Districts!

#### SEC First Team

- ▶ Alicia Farmer, Abby Jones, Grace Lint, Megan O'Keefe, Arianna Roperti, Sarah Sayn (Honorable Mention: Makayla Laurain)

#### Scholar Athlete Award

- ▶ Lily Cyrulnik, Grace Lint, Courtney Melvin, Arianna Roperti

#### SEC Sportsmanship Award

- ▶ Makayla Laurain

#### District First Team

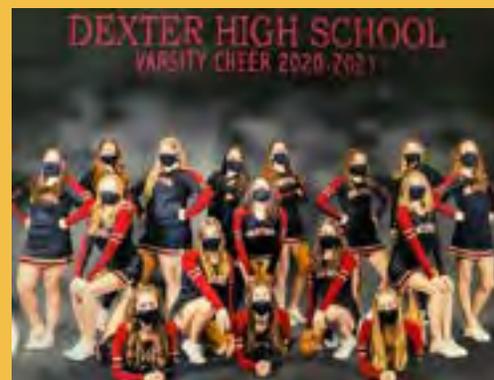
- ▶ Lily Cyrulnik

#### District Second Team

- ▶ Sarah Grube, Courtney Melvin

#### District Honorable Mention

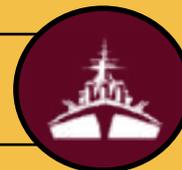
- ▶ Jessalyn Schultz, Sydney Tchoryk



Ice Hockey's highlight of the year was winning our first-round game against Father Gabriel Richard (ranked 9th in the state). Dexter was down 5-2 going into the 3rd period and scored 3 goals in that period to force overtime. Christian Rapp scored the game winner off a Shay Ohtonen shot in just over 1 minute into overtime.



## ICE HOCKEY



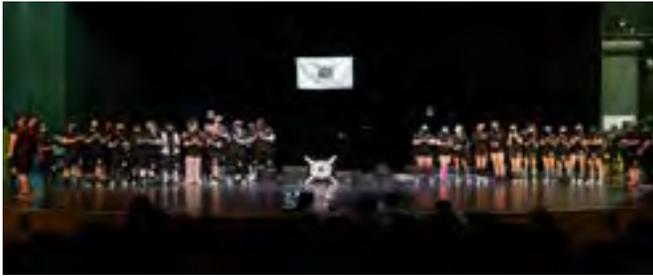
**HEAD COACH | MATT BOLLINGER**  
**ASSISTANT COACH | TYLER GRIMSHAW**  
**ASSISTANT COACH | ANDREW SINELLI**

### SEASON RECORD 7-7

#### Individual Athlete Highlights

- ▶ Senior **Amanda Crundwell** played every minute in goal for DHS, leading to League Honorable Mention and Team Defensive MVP awards.
- ▶ **Joey Fracassi** lead our offense with 17 goals and 14 assists for 31 points in only 14 games played, earning 1st Team All-League.

# WINTER SPORTS



Due to COVID-19, there were no regional meets this season. We had 2 small groups compete in exhibition meets at Adrian, and one state qualifier from last year (Hannah Grube) competed at the state competition in March. We also held our first annual Iron Dread Powerlifting Showcase at DHS, where all 34 athletes from our program competed against one another and either matched or beat their personal best. This event can still be watched at [tinyurl.com/idplshow21](https://tinyurl.com/idplshow21).

**Powerlifting is available to all Iron Dread Strength and Conditioning Program student-athletes grades 7-12.**



Photo Credits, Eliza Shulz Photography

## POWERLIFTING



**HEAD COACH | CHRIS WHITTAKER**  
**ASSISTANT COACH | PHIL JACOBS**

The Dexter Powerlifting program is so new our athletes are breaking and resetting records every time we compete.

### Season Records (Mens)

- Luke Cook, 7th grade, (114 weight class) squatted 130 lbs and deadlifted 150;
- Cole Darby (145 class) squatted 240, benched 155, and deadlifted 365 for a record total of 760;
- Payton Hendricks (220 class) deadlifted 460;
- Brayden Visel (242 class) benched 235;
- Devon Emrick (SHW) squatted 415, deadlifted 445 and achieved a new record total of 1125.

### Season Records (Womens)

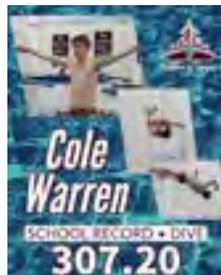
- Corine Hader (105 weight class) with squat at 95, bench at 70, and deadlift at 120 for a new total of 295;
- Anna Gauthier (114 class) with a squat of 115;
- Dani Schulz (123 class) with a bench of 95;
- Ella Mitchell (123 class) with a deadlift of 180 and a new total of 385;
- Ashley Mazurek (181 class) with squat at 185, bench at 125 and deadlift at 250 for a new total of 560.



## MENS SWIM & DIVE

**HEAD COACH | MICHAEL MCHUGH**  
**ASSISTANT COACH | MURPHY HANSEN**  
**ASSISTANT COACH | CORY BERGEN**  
**ASSISTANT COACH | DREW PEK**  
**DIVE COACH | JAKE BURRIS**

The Dexter Mens Swim & Dive Team has finished in the Top 5 at every state meet since 2011. This year, after a 10-1 season (6-0 in the SEC White), Dexter finished 5th in the Division 2 State Finals.



10 / DREADWATCH

## SEC WHITE CHAMPIONS

**SEASON RECORD 10-1**

### Clayton Kinnard

D2 Swimmer of the Year; All-American: 100 Breaststroke, 200 Free, 200 Free Relay; 4x All-State Selection; State Champion in the 200 Free, 3rd place finish in 100 Breaststroke; New Varsity Record in the 100 Breast. Top 10 All-Time in Dexter history in 7 of 8 individual events.

### Zach Norris

All-American: 200 Free Relay; 3rd Place finish 50 Free at the D2 State Finals, 4x All-State Selection, Top 10 All-Time in Dexter history in the 50/100 Free.

### Matthew Resende

All-American: 200 Free Relay; 2x All-State Selection.

### Leo Varitek

All-American: 200 Free Relay; 2x All-State Selection.

### Cole Warren

All-American: Diving: 3rd Place finish in 1m Diving at the D2 State Finals. New Varsity Record for 6 and 11 Dives.



# WINTER SPORTS



## WRESTLING

**VARSITY HEAD COACH | SHAWN CHAMBERLAIN**  
**VARSITY ASSISTANT COACH | RYAN CLEMENTS**  
**VARSITY ASSISTANT COACH | DAN ROBELEN**

This past year, our team won the SEC White Championship for the second consecutive year. We also had two athletes qualify for the D1 MHSAA state wrestling meet.

### Top Individual Records

Jacob Joyce, senior.....22-10  
Noah Drummond, junior.....23-8  
Matthew Joyce, freshman.....13-5  
William Kletzka, freshman.....16-7

### State Qualifiers

Jacob Joyce, senior - 145  
Noah Drummond, junior - 140

### 2021 Al Ritt Award

Jacob Joyce

## SEC WHITE CHAMPIONS SEASON RECORD 14-5



## 2021 FALL SPORTS OPENERS



### COMPETITIVE CHEER

8/15/21 - SEC White Competitive Cheer Meet #1  
@ Tecumseh | 6:00 p.m.

### WOMENS GOLF

8/16/21 - Highest Honors Golf Invite @ Huron Meadows  
| 7:30 a.m.

### WOMENS SWIM & DIVE

8/20/21 - Huron Swim Relays @ Ann Arbor Huron  
High School | Time TBA

### MENS & WOMENS CROSS COUNTRY

8/20/21 - Lamplighter Invite @ Ford Field Park | 5:30 p.m.

### FIELD HOCKEY

8/21/21 - Border Battle @ Saline | Time TBA

### MENS TENNIS

8/21/21 - Marshall Tennis Quad @ Marshall HS | 8 a.m.;  
Portage Tennis Quad @ Portage HS | 8:00 a.m.

### WOMENS VOLLEYBALL

8/21/21 - Freshman @ Skyline Freshman Invite | 9:00 a.m.  
8/28/21 - JV @ Ann Arbor Skyline JV Invite | 9:00 a.m.  
9/4/21 - Varsity @ Pinckney Varsity Invite | Time TBA

### MENS SOCCER

8/21/21 - JV @ Ann Arbor Huron High School | 10:00 a.m.;  
Varsity @ Ann Arbor Huron High School | 11:30 a.m.

### FOOTBALL

8/26/21 - Freshman vs. Groves @ Home | 4:30 p.m.;  
JV vs. Groves @ Home | 6:00 p.m.  
8/27/21 - Varsity vs. Groves HS (Zenith Prep Kickoff Classic)  
@ Wayne State University | 4:00 p.m.

### DANCE

9/10/21 - Dexter vs. Bedford Football Game @ Home | 7:00  
p.m.

### EQUESTRIAN

9/12/21 - Wayne County Fairgrounds, Belleville

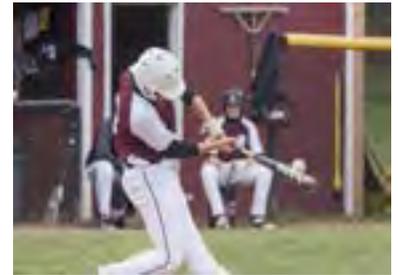
FOR MORE EVENT INFORMATION, VISIT [HTTPS://DEXTERATHLETICS.COM/MAIN/CALENDAR](https://DEXTERATHLETICS.COM/MAIN/CALENDAR).

# Spring Sports



**SEC WHITE  
CHAMPIONS**

**SEASON RECORD  
23-8-2**



## BASEBALL

**VARSITY HEAD COACH | MIKE PENN**  
**VARSITY ASSISTANT COACH | KEVIN CISLO**  
**VARSITY ASSISTANT COACH | KURT KOSKY**  
**JV HEAD COACH | KYLE CORNELL**  
**JV ASSISTANT COACH | BEN FINN**



### Individual Athlete Achievements

#### **SEC White 1st Team**

Evan Krolewski, Brennan Parachek, Cam Rosen, Joey Tessmer

#### **SEC White Honorable Mention**

Nathan Deleruyelle, Ethan Hochendoner, Cole Armedt

#### **All-State 2nd Team**

Evan Krolewski

#### **MLive Dream Team**

Evan Krolewski, Joey Tessmer, Brennan Parachek (Honorable Mention)

# SPRING SPORTS



## MENS GOLF

**VARSITY HEAD COACH | GREG PALKOWSKI**  
**VARSITY ASSISTANT COACH | JOEL ANDERSON**

Dexter Mens Golf team qualified for the D1 State Finals at Forest Akers West Golf Course, finishing 16th.

### All-Conference Team

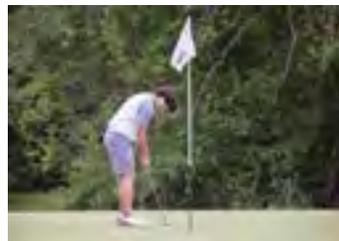
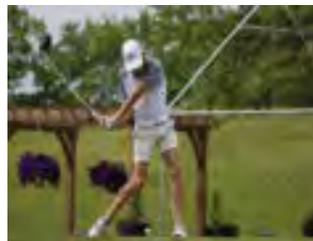
Joey Fracassi

### SEC All-Tournament Team

Jack Kolka



**2ND PLACE - SEC WHITE**



### All-SEC White 1st Team

AJ Gordon, Kevin Koenn, Zach Norris

### All-SEC White Honorable Mention

Gerzan Herter, Everett Lemon, Brady Sortor

## MENS LACROSSE



**VARSITY HEAD COACH | JAMES NICHOLS**  
**VARSITY ASSISTANT COACH | JUSTIN MAMBRO**  
**VARSITY ASSISTANT COACH | CAMERON PETERS**  
**JV HEAD COACH | CARL BAKER**



**"COVID-19 made the season challenging, but our players consistently rose to the occasion and we'll always remember this year for the family-like atmosphere we fostered!"**



## WOMENS LACROSSE

**VARSITY HEAD COACH | TAYLOR HAVERTY**  
**VARSITY ASSISTANT COACH | TRISH MACHAMER**  
**VARSITY ASSISTANT COACH | KAYLA OWSLEY**  
**GRADUATE ASSISTANT | CLAIRE VAUGHN**

**MWLCA All-State Honorable Mention**  
 Marissa Skinner

**MWLCA Individual Academic All-State Awards**  
 (minimum GPA 3.60 for sophomores, juniors and seniors)  
 Faith Anderson, Isabella Benson, Ellie Fracassi, Hannah Grube, Olivia Napolitan, Giuliana Rokke-Smith, Eden Schnurstein, Alexis Terbush, Claire Vander Haagen, Lindsey Vantine

**SEC All-League**  
 Marissa Skinner

**SEC All-League Honorable Mention**  
 Eden Schnurstein & Lindsey Vantine

**SEC Sportsmanship Award**  
 Faith Anderson



Improving significantly each game after starting our season so late and cramming all of our games into 4 weeks, we coaches are so incredibly proud of this team!

The 2020 team finished as an MWLCA Team Academic All-State Team, which requires an average team total GPA above 3.35.



## WOMENS SOCCER



**SEASON RECORD**  
**10-1-4**

**VARSITY HEAD COACH | CASEY BANTLE**  
**VARSITY ASSISTANT COACH | DREW DUCKER**  
**JV HEAD COACH | AME MATUREO**  
**GOALKEEPER COACH | RHYS MOLLER**

We had 36 student-athletes in our soccer program this spring, and all 36 are wonderful people who worked hard on the field and built friendships off the field. Our season highlights were beating Chelsea twice, beating Pioneer and Huron in the postseason on our way to competing in the District Finals and spending so much time with such quality people. COVID-19 made the season challenging, but our players consistently rose to the occasion and we'll always remember this year for the family like atmosphere we fostered.

**All-League 1st Team**

Aidan McConnell, Acadia Murphy, Brianna Rodriguez;  
 Carley Curry (Honorable Mention); Sophia Plantz (Sportsmanship Award)

**All-District**

Carley Curry, Laci Jernigan, Aidan McConnell,  
 Acadia Murphy, Faith Renaud,  
 Brianna Rodriguez, Braedy Wineman

**All-Region**

Aidan McConnell and Acadia Murphy

**All-State**

Aidan McConnell



# Spring Sports

**2ND PLACE -  
SEC WHITE**  
**VARSITY RECORD 27-9**  
**JV RECORD 26-9**



## SOFTBALL

**VARSITY HEAD COACH | TIM KIMBALL**  
**VARSITY ASSISTANT COACH | ROD WHITLOCK**  
**VARSITY ASSISTANT COACH | CRAIG PASSAMANI**  
**JV HEAD COACH | GEORGE MICHOS**  
**JV ASSISTANT COACH | ED GAUTHIER**

This was the first year in the last 4 that we had enough players to have a JV team again. We look forward to building a pipeline of players so we can continue to maintain the two teams. Both teams had great success on the field, with Varsity finishing 2nd in the SEC White League behind State Semi-finalist Chelsea.

We had 13 shutouts this year; 10 of our 18 League games were shutouts. We outscored our SEC League opponents 187-34 runs. 11 of our 12 Varsity players had batting averages over .320; team average was .418.

We had some big wins over highly ranked teams in the state. We beat #1-ranked Howell in the District playoffs, State semi-finalist Division 2 Chelsea and we had #3-ranked Hartland beat until the 7th inning of the District championship game. We also beat the Division 1 State finalist team (Allen Park) twice this year, proving our skill level is amongst the best in the state. MaxPreps ranks us 4th in Michigan Division 1 Softball. We set team records this year in wins (27), individual batting average for Sam Sutton .577 and tied individual home runs Sam Sutton (12).

### Individual Athlete Achievements

**Brenna Cassidy**  
DHS Scholar Athlete,  
Michigan Academic All-State Team

**Livvy Mellifont**  
Team Captain, DHS Scholar Athlete,  
Michigan Academic All-State Team,  
SEC All-League, All-District

**Kylee Niswonger**  
SEC All-League, All-District

**Lillie Robeson**  
DHS Scholar Athlete, Michigan  
Academic All-State Team

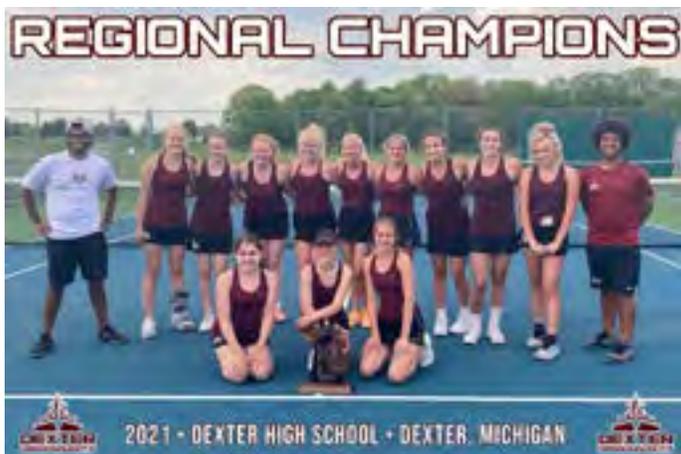
**Paige Sayler**  
Team Captain, DHS Scholar Athlete,  
SEC Honorable Mention All-League,  
All-District



**Emma Sortor**  
DHS Scholar Athlete, Michigan  
Academic All-State Team

**Sam Sutton**  
DHS Scholar Athlete, Michigan Aca-  
demic All-State Team, SEC All-League,  
All-District, All-Region, All-State

**Jenna Wagenschutz**  
DHS Scholar Athlete, Michigan Aca-  
demic All-State Team, SEC All-League  
Sportsmanship



## WOMENS TENNIS

**VARSITY HEAD COACH | ROB SMOTHERS**  
**JV COACH | ANAND PATEL**

Womens Tennis had a very successful year in 2021, winning their first Regional title in over 10 years! This was particularly impressive as eight of the twelve varsity players had never played an official match before the season started, finishing in 10th place at the state finals.



**REGIONAL  
CHAMPIONS**  
**SEASON RECORD**  
**9-3-1**

# SPRING SPORTS



## MENS TRACK & FIELD

Aside from just being able to have a season without any cancellations, or outbreaks for COVID-19, we had some big moments this season. Cole Sheldon and Noah Schultz came in 1st and 2nd in the Pole Vault at the MHSAA D1 State Championships. Also, the 4x200m relay team of Wilson Kasischke, Cole Cabana, Micah Davis and Nathan Gariepy broke the 33-year-old school record with a time of 1:30.43 at the Larry Steeb Meet of Champions hosted by Dexter. The 4x400m relay team of Wilson Kasischke, Cole Cabana, Micah Davis and Nathan Gariepy broke the 30-year-old school record with a time of 3:24.76. The team ended the season tying for 7th place in the MHSAA D1 State Championships.

### Individual Athlete Achievements

#### Cole Sheldon

1st State Championships in Pole Vault, 2nd State Regional Championship Pole Vault, 1st SEC Conference Championships Pole Vault, Long Jump

#### Noah Schultz

2nd State Championships Pole Vault, 3rd State Regional Championship Pole Vault, 2nd State Regional Championship 200m dash, 2nd SEC Conference Championships Pole Vault

#### Cole Cabana

4th State Championships 100m dash, 8th State Championships 200m dash, 1st SEC Conference Championships 100m dash

#### Conor Kolka

22nd State Championships 3200m run, 2nd State Regional Championships 3200m run

#### 4x400 Relay

**(Wilson Kasischke, Micah Davis, Cole Cabana, Nathan Gariepy)**

14th State Championships, 1st State Regional Championships, 2nd SEC Conference Championships

#### Micah Davis

3rd State Regional Championship High Jump, 1st SEC Conference Championships High Jump

#### 4x100 Relay

**(Cole Cabana, Nathan Biggs, Micah Davis, Cole Sheldon)**

1st SEC Conference Championships

#### James Livingston

3rd SEC Conference Championships Shot Put

#### Nathan Gariepy

3rd State Regional Championships 800m run, 2nd SEC Conference Championships 400m dash

## 2ND PLACE - REGIONAL CHAMPIONSHIPS

HEAD COACH | ALEX HEIDTKE

DISTANCE COACH | MATT INCH

DISTANCE COACH | NATE LAMB

DISTANCE COACH | SEANA LARSON

POLE VAULT COACHES | GEOFF & JANELL GERSTNER

SPRINTS, HURDLES, LONG JUMP COACH | MIKE GARY

HIGH JUMP COACH | JANE THOMPSON

THROWS COACH | KIRK KEEBLER



# Spring Sports



## WOMENS TRACK & FIELD

**HEAD COACH | ALEX HEIDTKE**  
**DISTANCE COACH | MATT INCH**  
**DISTANCE COACH | NATE LAMB**  
**DISTANCE COACH | SEANA LARSON**  
**POLE VAULT COACHES | GEOFF & JANELL GERSTNER**  
**SPRINTS, HURDLES, LONG JUMP COACH | MIKE GARY**  
**HIGH JUMP COACH | JANE THOMPSON**  
**THROWS COACH | KIRK KEEBLER**

Josie Mettes broke the school record in the Pole Vault with a jump of 12'8" to win the SEC Conference Championship. Sophie Mettes and Josie Mettes went 1st and 2nd in the Girls Pole Vault at the MHSAA D1 State Championships, along with Makenzie Stock taking 10th and Abigail Van Noord placing 17th. Jamie Giese took 18th in the Shot Put. Amanda McGill was SEC Conference Champion in the 3200. Abby Marek was SEC Conference Champion in the Discus, and 4x800 relay team of Megan O'Day, Amanda McGill, Kate Varitek and Ashley Mitchell won the SEC Conference as well. The team finished the season in 10th place at the MHSAA D1 State Championships.

### Individual Athlete Achievements

#### Sophia Mettes

1st State Championships Pole Vault, 2nd State Regional Championships Pole Vault, 2nd SEC Conference Championships Pole Vault

#### Josie Mettes

2nd State Championships Pole Vault, 1st State Regional Championships Pole Vault, 1st SEC Conference Championships Pole Vault

#### Makenzie Stock

10th State Championships Pole Vault, 3rd State Regional Championship Pole Vault, 3rd SEC Conference Championships Pole Vault

#### Abigail Van Noord

17th State Championships Pole Vault, 3rd SEC Conference Championships High Jump

#### Jamie Giese

18th State Championships Shot Put, 2nd State Regional Championships Shot Put

#### Gracie Burns

3rd State Regional Championships 400m dash, 3rd SEC Conference Championship 400m dash, 3rd SEC Conference Championships 200m dash

#### Katie Krueger

3rd State Regional Championships Discus, 2nd SEC Conference Championships Discus

## SEC CONFERENCE CHAMPIONS



#### Haley Craig

3rd State Regional Championships High Jump, 2nd SEC Conference Championships High Jump

#### Abby Marek

1st SEC Conference Championships Discus

#### Ashley Mitchell

2nd SEC Conference Championships 800m run

#### Amanda McGill

1st SEC Conference Championships 3200m run

#### Hannah McComas

2nd SEC Conference Championships 3200m run, 3rd SEC Conference Championships 1600m run

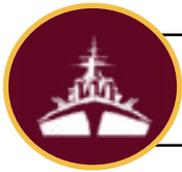
#### 4x400 Relay

(Gwen Tatara, Ashley Mitchell, Hannah Berenson, Gracie Burns)  
2nd SEC Conference Championships

#### 4x800 Relay

(Megan O'Day, Amanda McGill, Kate Varitek, Ashley Mitchell)  
1st SEC Conference Championships





## MENS WATER POLO

**VARSITY HEAD COACH | BRIAN SEMPLE**  
**VARSITY ASSISTANT COACH | ADAM THEROS**



Dexter Mens Water Polo had a stellar year, ending their season as State Runners-Up for the 2nd year in a row. An exciting highlight of the 2020-2021 season was the regional championship game against Ann Arbor Pioneer, which Dexter won 7-6 in quadruple overtime.

**STATE RUNNERS-UP**  
**SEASON RECORD**  
**18-3**

### Individual Athlete Achievements

#### Team Captains

Ben Duncan, Tony Golin & Leo Varitek

#### NISCA All-American Team

Tony Golin (2nd Team), Sam Sterlitz (Honorable Mention)

#### All-State Tournament 1st Team

Tony Golin, Sam Sterlitz, Leo Varitek

#### Regional All-Tournament East 1st Team

Ben Duncan, Tony Golin, Sam Sterlitz (MVP), Leo Varitek

#### All-Regional East 1st Team

Tony Golin, Sam Sterlitz (MVP)

#### All-Regional East 2nd Team

Leo Varitek

#### All-Regional East Honorable Mention

Ben Duncan

#### Academic All-State Team

Ben Duncan, Travis Fitch, Lucas Greatorex, Tristan Lorincz, Griffin Patel, Joseph Sharon, Sam Sterlitz, Leo Varitek



The 2021 Dexter Womens Water Polo team was led by senior captain Eleanor King, junior captain Gaby Matos and juniors Claire Blodgett, Rose Clark, Mia Fraser and Emily Root. Following 2020 without a water polo season, 2021 was a re-building year for the team. Eleanor King and Gaby Matos led the scoring effort, while Mia Fraser was on fire defending the goal.

Highlights for the season included a win over Walled Lake on senior night and a close game against Skyline who went on to finish 7th in the State Tournament. Marea Balcom (So) won a record number of sprints for Dexter in a single season. Sophomore Whitley Fowler and new-comers Laura Walton (So) and Shelby Waltz (Fr) and Marissa Genske (Fr), rounded out the small, but mighty team.

Coaches Kait and Mike Verbal look forward to a great 2022 season with all members returning except Eleanor, who is starting her first year at the University of Michigan.

## WOMENS WATER POLO

**VARSITY HEAD COACH | KAIT VERBAL**  
**VARSITY ASSISTANT COACH | MIKE VERBAL**





## SHOUT OUT TO RYAN MAKI PHOTOGRAPHY

Dexter Community Schools is fortunate to have Ryan Maki on staff as Wylie Elementary's PE teacher, where he teaches our students the importance of fitness and a healthy lifestyle. In addition, the District (and the greater Dexter community) is grateful for his passion for sports photography. Most of the photos in this newsletter are courtesy of Ryan Maki Photography. Maki's first-rate photos capture Dexter athletes in action, providing them and their parents priceless mementos of their sports participation. DCS thanks Maki for providing his photos for District use, and invites community members to follow his work on Instagram [@ryanmakiphotography](https://www.instagram.com/ryanmakiphotography) or on FB at [facebook.com/ryanmakiphotographydexter](https://www.facebook.com/ryanmakiphotographydexter).

## IRON DREAD STRENGTH & CONDITIONING PROGRAM



The Iron Dread Strength & Conditioning program is a year-round, unified strength program which serves all athletes and students in Dexter Schools grades 5 through alumni. Established in 2017, this program promotes athletic excellence through a systematic Conjugate training approach that enhances a student's mental and physical performance, while minimizing the risk of injury.

For more information, contact program coordinator Coach Chris Whittaker at [whittakerc@dexterschools.org](mailto:whittakerc@dexterschools.org).

**Twitter:** @lrondread\_sc

**Instagram:** @lrondread\_sc

**Facebook:** Iron Dread Strength & Conditioning



## FALL 2021 YOUTH SPORTS PROGRAMS

For more information and to register, visit <https://dexterschools.ce.eleyo.com>.

### DYFL Cheer - 5th & 6th grades

Practices will begin the week of TBA. The first game will either be on September 11 or 12. A detailed schedule will be available before the start of the season. Games are scheduled September through October and will be played on Saturday or Sunday.

### Jr. Cheer Clinic - K-6th graders

Practices 6:30pm-7:30pm, Tuesday-Thursday, September 21-23. The performance is at half-time of the football game on Friday, Sept. 24.

### Jr. Dance Clinic - K-6th grade

Practice 6-7:30p, Sept 7 and 9, at Mill Creek cafeteria. Perform at halftime of DHS home game on Fri Sept 10.

### DYFL Flag Football - 1st-6th grades

Practice times/locations are TBA, beginning the week of August 16. Drop in voluntary practices will be held on 8/16, 8/17, and 8/18. Evaluations will be Thursday, 8/19. Games are on Saturdays, 9am-2pm, Sept 11 - Oct 23.

### DYFL Tackle Football - 3rd-6th grades

Games will be played on Saturday or Sunday. The first game will be Saturday, 9/11 or Sunday, 9/12. Home games will be played at TBA. The schedule will be available closer to the season. Drop in voluntary practices will be held on 8/16, 8/17, and 8/18. Tackle Football evaluations are on Thursday, 8/19. Equipment hand out is on Sunday, 8/22.

### MI Thunder Soccer - 3-5 yrs and 5-10 years

Little Bolts, ages 3-5, Saturdays, 9-9:45a, Sept 18 - Oct 23  
Strikers, ages 5-10, Monday or Wednesday practices, plus Saturday scrimmages, Sept 13 - Oct 20.

### Youth Field Hockey - 2nd-4th and 5th-6th

Eight week program. Both age groups practice separately (tentatively) on Thursdays, 6-7:30, Sept 2 - Oct 21 and scrimmages Saturdays, 10-11:30, location TBA. 5th-6th graders play seven games in AA Rec League Saturdays or Sundays beginning Sept 11 or 12.

### Dread Youth Running Club - 3rd-6th grade

Tentatively Tuesdays and/or Thursdays, 3:15-4:30p, six weeks, dates TBA, meet at Field of Champions, behind Wylie School.





*The Mission of the Michigan Art Education Association is to promote quality visual arts education through leadership, service, and professional development.*

Christopher Timmis, Ed. D.  
Dexter Community  
Schools  
2704 Baker Rd.  
Dexter, MI 48130

September 12, 2021

Dear Dr. Timmis:

*The Michigan Art Education Association* is pleased to announce the selection of Jane Montero as ***Michigan's 2021 Middle Level Art Educator of the Year!*** This is a great honor for Mrs. Jane Montero and the Dexter Community.

As you may know, Mrs. Jane Montero has given many years of dedicated service as an instructor in the visual arts. The criteria for becoming the MAEA Middle Level Art Teacher of the Year is very rigorous and the candidates must demonstrate evidence of their high standards, commitment and dedication in their field. Mrs. Jane Montero is an exemplary art educator.

Mrs. Jane Montero will receive a plaque of recognition and special award. A recognition and presentation will be taking place during the Awards Dinner at the Annual Michigan Art Education Association Conference on Mackinac Island on October 16, 2021.

I am grateful for your leadership and dedication to high quality, diverse education for all of your students. Your support of art education is evident. We are very proud to be represented by Jane Montero of Dexter Community School District.

Sincerely,

**Sharon Stratton**  
*MAEA President*

**Michigan  
Art Education  
Association**

**Executive Board**

**Sharon Stratton**  
*MAEA President*  
president@miarted.org

**Christopher Bruce**  
*Past President*  
pastpresident@miarted.org

**Annie Howard**  
*President-Elect*  
presidentelect@miarted.org

**Meredith Giltner**  
*Vice-President*  
vicepresident@miarted.org

**Adrienne deMilner**  
*NAEA Delegate*  
naeadelegate@miarted.org

**Sarah Griesinger**  
*Treasurer*  
treasurer@miarted.org

**Jackie Whitely**  
*Membership Secretary*  
membership@miarted.org

**Laura Todd**  
*Recording Secretary*  
recordingsecretary@miarted.org

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# Dexter Community Schools

## Nice Job Notes

### JUNE-AUGUST 2021

Sasha Amani  
Lucas Anderson  
Connor Babick  
Sofia Badillo  
Tara Basso  
Britnie Bell  
Isabella Benson  
Julia Berkholz  
Matthew Biggs  
Narda Black  
Hannah Blevins  
Claire Blodgett  
Sabrena Blumberg  
Jennifer Boyce  
Morris Boyd  
Haley Breedveld  
Jill Breitag  
Michael Brief  
Jami Bronson  
Ryan Bruder (2)  
Anika Busdecker  
Ryan Capobianco  
Amanda Carlock  
Kricket Chamberlain  
Jill Covington  
Technology Department  
Transportation  
Department  
David Dornoff  
Evie Erickson  
Marjan Etamadfard  
Laura Farmer  
Ryan Fisher (2)  
Sarah Fisk  
Georgia Fletcher  
Elizabeth Fracassi  
Michael Gallagher  
Elizabeth Gallagher  
Sadie Gehan  
Marissa Genske  
Susan Gowen  
Kyler Greatorex  
Samantha Haidl

Elizabeth Ham  
Evan Haroldson  
Sarah Harshe  
Melissa Hart  
Brooke Hartman  
Ethan Hochendoner  
Don Holiday  
Madison Horvath  
Dianne Hughes  
Danielle Hull  
Rhett Jacobs  
Laci Jernigan  
Karen Johnson  
Roger Johnson  
Annette Jones  
Abigail Jones  
Melissa Karrick  
Jon Keith  
Susan Kemble  
Beau Kimmey (3)  
Jackie Koch  
Ken Koenig  
Maggie Koons  
Elizabeth Kovarik  
David Kozakiewicz  
Heidi Lakey  
Nathan Lamb  
Gabby Lamb  
David Ledwidge  
Victor Li  
Julie Liskiewicz  
Emily Logan  
Zhen Luo  
Ryan Maki  
Cassandra Markko  
Logan Markko  
Morgan Marsh  
Jennifer Mattison  
Ashley Mazurek  
Craig McCalla (2)  
Jennifer McGill  
Brock McIntyre  
Melanie McIntyre

Katerina Mendel  
Grace Mendez  
Jennifer Metzner  
Laura Misevich  
Haila Moazami  
Brian Morey  
Anne Nakon  
Hannah Nalepa  
Anmarie Nowak  
Paige O'Connor  
Dylan O'Connor  
Business Office  
Karlee Owen  
Erin Palmer  
Kate Parachek  
Kimberly Pardo  
Natalie Park  
Rachel Piersol (2)  
Megan Porterfield  
Mason Portice  
Audrey Prodin  
Tammy Reich  
Drake Reinert  
Maria Rodriguez  
Holly Romine  
Emily Root  
Amy Sadler  
Tea Salemi  
Barb Santo (2)  
Maggie Scheurer  
Richard  
Schlanderer  
Kathryn Schmid  
Steve Schuler  
Brian Schuler  
Katie See (2)  
Deborah Seelinger  
Lori Sheldon  
Jennifer Simonds  
Bethany Simons  
Joe Slabaugh  
Deneen Smith  
Julie Snider

Nya Sommers  
Pamela St. Charles  
Carmen  
Stinebaugh  
Judi Stoll  
Anna Studgeon  
Karen Sullivan  
Rylee Swanson  
David Teddy  
Kaitlyn Tietsma  
Chris Timmis (3)  
Onnika Trimmer  
Jouel Truesdell-  
Lewis  
Jodi Tye  
Andrea Tyler  
Hope VanStrien  
Hope Vestergaard  
Mary Visel  
Kelly Wagner  
Mike Wagner  
Shane Walton  
Michelle Watters  
Jane Webby  
Patricia Wilkins  
Hannah Willford  
Trisha Winder  
Nolan Wolffis  
Rachel Woodruff  
Crystal Zurek

JUNE-AUGUST 2021 = 165  
RUNNING TOTAL = 38968