Monday, August 26, 2024
Board of Education Meeting

APPLETON AREA SCHOOL DISTRICT
BOARD OF EDUCATION MEETING
Scullen Leadership Center
131 E. Washington Street, Suite 1A
Appleton, WI 54911
Time: 6:00 PM

Some participants may join remotely, and both members of the media and the public can attend the meeting in person or watch the live stream on the Appleton Area School District YouTube Channel:https://www.youtube.com/channel/UCHo-l09YGgt4uKnCWYvt8Pw

Any special needs or any requests for accommodations related to accessing the meeting should be sent to Kayla Malott, at malottkayla@aasd.k12.wi.us or (920) 852-5300 ext.60111, at least 24-hours in advance of the meeting.

1. Meeting Opening

Subject	**A. Roll Call**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	1. Meeting Opening
Type	Procedural

Subject	**B. Pledge of Allegiance**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	1. Meeting Opening
Type	Procedural

2. Approval of Agenda (GC-2: Governing Commitments)

Subject	**A. Board Member Request to Remove Consent Agenda Item(s) for Separate Consideration**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	2. Approval of Agenda (GC-2: Governing Commitments)
Type	Procedural

Subject	**B. Approval of Agenda**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	2. Approval of Agenda (GC-2: Governing Commitments)
Type	Action, Procedural
Recommended Action	Motion to approve the Board Agenda as presented.

Motion & Voting

Motion to approve the Board Agenda as presented.

Motion by Pheng Thao, second by Jason Kolpack.
Final Resolution: Motion Carried
Aye: Kay Eggert, Kristine Sauter, Edward Ruffolo, Pheng Thao, Jason Kolpack, Nick Ross

3. Special Presentation

Subject	**A. None**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	3. Special Presentation
Type	Presentation

4. Public Input (GC-3.3: Initiate and maintain effective communication with the citizens.)

Subject	**A. Public Input**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	4. Public Input (GC-3.3: Initiate and maintain effective communication with the citizens.)
Type	Procedural

Public Input:
Members of the public wishing to address the Board may speak during public input in accordance with the procedures posted on the District's website and state law. The Wisconsin Open Meetings Law requires that Board of Education members do not discuss topics or respond to questions that are not listed on the agenda. The practice of the Board is to not respond to public comments during the meeting; however, when appropriate the Board may request the administration to reach out to a citizen regarding a concern they may have. Speakers will be bound by the guidelines and responsibilities outlined on the District's website and established in policy. The Board reserves the right to terminate remarks of any individual who does not adhere to established rules, whose comments are unduly repetitive of previous comments, who makes comments that are obscene, threatening, harassing, or defamatory, or whose conduct is otherwise disorderly. Comments that introduce complaints or concerns that are directed toward and that identify individual staff members or individual students are not permissible.

The Board reserves the right to amend and adjust processes and procedures relating to public input as necessary to accomplish the business of the Board, which includes the ability of the Board to limit (in a viewpoint-neutral manner) the total time allotted for public input or the amount of time allotted to individual topics.

Policy References:
Board Policy and Rule 187 - Public Input at School Board and Board Subcommittee Meetings

5. Board Development (GC-2.2: The Board will assure that its members are provided with training and professional support necessary to govern effectively.)

Subject	**A. None**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	5. Board Development (GC-2.2: The Board will assure that its members are provided with training and professional support necessary to govern effectively.)
Type	Discussion, Information

6. Information for Board Decision Preparation (OE-8.4: Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.)

Subject	**A. Business Services Update(s): None**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	6. Information for Board Decision Preparation (OE-8.4: Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.)
Type	Discussion, Information, Report

Subject	**B. School/Student Services Update(s): None**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	6. Information for Board Decision Preparation (OE-8.4: Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.)
Type	Discussion, Information, Report

Subject	**C. Personnel Services Update(s): Professional Educator New Hire(s), Contract Change(s), and Resignation(s)**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	

	6. Information for Board Decision Preparation (OE-8.4: Assure that the Board has adequate information from a variety of internal and external viewpoints to assure informed Board decisions.)
Type	Discussion, Information, Report

Chief Human Resources Officer, Julie King will report on the Personnel Services items for consideration.

File Attachments
IFC Professional Educator New Hires 8-26-24.pdf (162 KB)
IFC Professional Educator Contract Changes 8-26-24.pdf (194 KB)
IFC Professional Educator Resignations 8-26-24.pdf (119 KB)

7. Board's Consent Agenda (GC-2.4: The Board will use a consent agenda as a means to expedite the disposition of routine matters and dispose of other items of business it chooses not to discuss.)

Subject	**A. Board Meeting Minutes from August 12, 2024**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	7. Board's Consent Agenda (GC-2.4: The Board will use a consent agenda as a means to expedite the disposition of routine matters and dispose of other items of business it chooses not to discuss.)
Type	Action, Minutes

Minutes aren't official until they are approved at the Board meeting.

Subject	**B. Expulsion Meeting Minutes from August 14, 2024**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	7. Board's Consent Agenda (GC-2.4: The Board will use a consent agenda as a means to expedite the disposition of routine matters and dispose of other items of business it chooses not to discuss.)
Type	Action, Minutes
Recommended Action	Motion to approve the Expulsion Meeting Minutes of August 14, 2024 as presented.

Minutes aren't official until they are approved at the Board meeting.

Motion & Voting

Motion to approve the Expulsion Meeting Minutes of August 14, 2024 as presented.

Motion by Nick Ross, second by Kristine Sauter.
Final Resolution: Motion Carried
Aye: Kay Eggert, Kristine Sauter, Edward Ruffolo, Pheng Thao, Jason Kolpack, Nick Ross

8. Superintendent's Consent Agenda (OE-8.10: Provide for the Board adequate information about all administrative actions and decisions that are delegated to the Superintendent but required by law to be approved by the Board.)

Subject	**A. Professional Educator New Hire(s)**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	8. Superintendent's Consent Agenda (OE-8.10: Provide for the Board adequate information about all administrative actions and decisions that are delegated to the Superintendent but required by law to be approved by the Board.)
Type	Action

File Attachments
IFC Professional Educator New Hires 8-26-24.pdf (162 KB)

Subject	**B. Professional Educator Contract Change(s)**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	8. Superintendent's Consent Agenda (OE-8.10: Provide for the Board adequate information about all administrative actions and decisions that are delegated to the Superintendent but required by law to be approved by the Board.)
Type	Action

File Attachments
IFC Professional Educator Contract Changes 8-26-24.pdf (194 KB)

Subject	**C. Professional Educator Resignation(s)**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	8. Superintendent's Consent Agenda (OE-8.10: Provide for the Board adequate information about all administrative actions and decisions that are delegated to the Superintendent but required by law to be approved by the Board.)
Type	Action
Recommended Action	Motion to approve the Professional Educator Resignation(s) as presented.

File Attachments
IFC Professional Educator Resignations 8-26-24.pdf (119 KB)

Motion & Voting

Motion to approve the Professional Educator Resignation(s) as presented.

Motion by Pheng Thao, second by Jason Kolpack.
Final Resolution: Motion Carried
Aye: Kay Eggert, Kristine Sauter, Edward Ruffolo, Pheng Thao, Jason Kolpack, Nick Ross

9. Reports (OE-8.2: Provide for the Board, in a timely manner, information about trends, facts and other information relevant to the Board's work.)

Subject	**A. Business Services Report: None**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	9. Reports (OE-8.2: Provide for the Board, in a timely manner, information about trends, facts and other information relevant to the Board's work.)
Type	Discussion, Information, Presentation, Report

Subject	**B. School/Student Services Report: AP ELA Materials Purchase (1120); ELA 12 Course Curriculum (1060)**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	9. Reports (OE-8.2: Provide for the Board, in a timely manner, information about trends, facts and other information relevant to the Board's work.)
Type	Discussion, Information, Presentation

Assistant Superintendent Mark McQuade and Director of ELA Kelly Leopold will present the School/Student Services items of information.

File Attachments
IOI - AP English Lang and Comp (1120) Materials Purchase (1).pdf (49 KB)
KWKT- AP English Lang & Comp (8_26_24).pdf (86 KB)
Public Input Received - AP English Lang & Comp.pdf (64 KB)
IOI- ELA 12- 21st Century Literacy (8_26_24) (1).pdf (42 KB)
KWKT- ELA 12 (8_26_24).pdf (76 KB)

Subject	**C. Personnel Services Report: None**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	9. Reports (OE-8.2: Provide for the Board, in a timely manner, information about trends, facts and other information relevant to the Board's work.)
Type	Discussion, Information, Presentation, Report

10. Board Business

Subject	**A. Policy Adoption: 411.3- Nondiscrimination on the basis of sex in education programs or activities**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	10. Board Business
Type	Action

Recommended Action	Motion to approve Policy Adoption: 411.3- Nondiscrimination on the basis of sex in education programs or activities as presented.

File Attachments
IFC-Policy 411.3.docx.pdf (36 KB)
Policy 411.3-Nondiscrimination on the Basis of Sex in Education Programs or Activities .pdf (179 KB)

Motion & Voting

Motion to approve Policy Adoption: 411.3- Nondiscrimination on the basis of sex in education programs or activities as presented.

Motion by Edward Ruffolo, second by Kristine Sauter.
Final Resolution: Motion Carried
Aye: Kay Eggert, Kristine Sauter, Edward Ruffolo, Pheng Thao, Jason Kolpack, Nick Ross

Subject	**B. Consent Agenda Item(s) Removed for Separate Consideration**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	10. Board Business
Type	Action, Discussion, Procedural

11. Items of Information

Subject	**A. None**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	11. Items of Information
Type	Information

12. Future Meetings

Subject	**A. Board Work Session: Monday, September 9, 2024, 4:00 PM**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	12. Future Meetings
Type	Information

Subject	**B. Board Meeting: Monday, September 9, 2024, 6:00 PM**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	12. Future Meetings
Type	Information

Subject	**C. Board Work Session: Wednesday, September 18, 2024, 8:00 AM**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	12. Future Meetings

Type	Information

Subject	**D. Board Meeting: Monday, September 23, 2024, 6:00 PM**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	12. Future Meetings
Type	Information

13. Adjourn

Subject	**A. Motion to Adjourn the Meeting**
Meeting	Aug 26, 2024 - Board of Education Meeting
Category	13. Adjourn
Type	Action, Procedural
Recommended Action	Motion to Adjourn the Meeting.

Motion & Voting

Motion to Adjourn the Meeting.

Motion by Nick Ross, second by Pheng Thao.
Final Resolution: Motion Carried
Aye: Kay Eggert, Kristine Sauter, Edward Ruffolo, Pheng Thao, Jason Kolpack, Nick Ross

PUBLIC INPUT AT SCHOOL BOARD AND BOARD SUBCOMMITTEE MEETINGS

The Board of Education encourages citizens of the Appleton Area School District to attend its meetings so that they may become better acquainted with the operations and programs of the schools and so that the Board may have an opportunity to hear the views and concerns of the public regarding educational issues.

A period of public input shall be noticed and scheduled at School Board meetings and Public Hearings, except as otherwise specifically directed by the Board.

Public input is also allowed at Board Subcommittee meetings with respect to items of business on the publicly-noticed agenda.

At other meetings of District governmental bodies that may be required by State Statute or held pursuant to District Policy, written input will be accepted.

Cross References: Policy 170, School Board Meetings
Policy 870, Public Concerns and Complaints

Legal References: Wisconsin State Statutes 19.81, 19.83(2), 19.84(2), 19.85, and 120.43

Adoption Date: September 14, 1987

Amended Dates: January 9, 2012 and March 12, 2018

PUBLIC INPUT AT SCHOOL BOARD AND BOARD SUBCOMMITTEE MEETINGS

Procedures

Meetings of the Board may receive information and comments from members of the public on issues or topics.

Please note the following in the Procedures below:

- ✓ School Board meetings are run by the Board President or other presiding officer if the President is absent.
- ✓ Board Subcommittee meetings are run by the Subcommittee Chair or other Subcommittee member if the Chair is absent.
- ✓ Public Hearings are run by the Board President or other presiding officer if the President is absent.
- ✓ Other meetings of District governmental bodies that may be required by State Statute or held pursuant to District Policy are run by a Lead Administrator or another administrator if Lead Administrator is absent.

I. School Board Meetings

A period for public input will be set aside during School Board meetings. No public input will be allowed during Closed Sessions.

Members of the public wishing to speak during the public input period are required to register to speak. Comments may address topics related to District operations and programs and are not limited exclusively to agenda items.

II. Board Subcommittee Meetings

Members of the public wishing to speak at Board Subcommittee meetings are required to register to speak and may only make comments related to items on the meeting agenda. Members of the public wishing to speak will be recognized by the Board Subcommittee Chair as that agenda item is reached.

III. Public Hearings

Members of the public wishing to speak at Public Hearings of the Board (e.g. annual budget discussions) are required to register to speak and may only make comments or request clarification related to specific items included on the agenda and during the public input portion of the hearing.

IV. Other Meetings of District governmental bodies that may be required by State Statute or held pursuant to District Policy

A designated period for public input will not be a part of the agenda for these meetings. Work completed at most of these meetings will ultimately be shared at Board Subcommittee and School Board meetings where public input is allowed. At any time, signed written communication is encouraged and will be accepted by the Lead Administrator of these meetings.

Guidelines for Speaking at School Board and Board Subcommittee Meetings

- Meeting agendas that are subject to the Open Meetings law are available on the District's website (via BoardDocs) before each meeting and hard copies are available at the meeting.
- Members of the public wishing to speak must complete and submit a registration form stating his/her name, address, and topic for comments prior to speaking. If a spokesperson is speaking on behalf of a group, he/she needs to indicate that on the registration form as well.
- The District respectfully requests that speakers refrain from presenting comments at public meetings that introduce complaints or concerns that are directed toward and that identify individual staff members or individual students. As such personnel-related and student-related matters implicate a variety of rights that require careful attention, the District has established a variety of alternative procedures for appropriately addressing such complaints. If a speaker persists in presenting a complaint about an individual staff member's conduct or an individual student's conduct or performance, the District officials who are present at the meeting will not attempt to resolve or respond to the speaker's complaint in that setting. Any person with such a complaint or concern may contact the Office of the Superintendent for information on the most appropriate means of raising or pursuing his/her complaint. Generally, such complaints or concerns should be channeled through the AASD Complaint Procedure (Policy 870 and 870-Rule).
- The Board President or Chair shall recognize all speakers who have registered to speak and will share the Public Input Disclaimer (see Appendix 1). The Board President, Chair, or the Board by motion, may limit (in a viewpoint-neutral manner) the total time allotted for public input or the amount of time allotted to individual topics.

Speaker Responsibilities at School Board and Board Subcommittee Meetings

- A speaker should be as brief as possible and only speak once during the period for public input. Unless additional time is granted, a speaker shall limit his/her presentation to a maximum of three minutes. A timer will be used.
- A group spokesperson may speak for up to five minutes on behalf of a group present at the meeting as indicated on the registration form. A timer will be used.
- Individuals or groups requiring greater length of time should communicate in writing. Written correspondence to Board members may be directed to the Board through its Executive Assistant or directly to their home addresses.
- A speaker's comments are limited to the public input period (e.g., either during the designated public input period during a School Board meeting or Public Hearing, or during a portion of the topic-specific discussion that occurs at a Board Subcommittee meeting).
- During periods of public input that are not limited to the meeting's agenda topics, a speaker's comments still must be reasonably germane to some aspect of the school district's policies, practices, programs, or operations.
- A speaker should not be unduly repetitious. For example, a speaker who attends multiple meetings should only sign up to speak if presenting new or additional information.
- A speaker retains all liability for his/her comments and conduct (i.e., the public input period does not offer any speaker any exemption from legal liability or from other lawful consequences that may result from the speaker's comments or conduct).

- A speaker shall avoid conduct that is disorderly or speech that is obscene, threatening, harassing, or defamatory.
- A speaker should avoid engaging in political advocacy with respect to candidates for any elected office. Political advocacy related to specific candidates for office is not sufficiently germane to the meetings or to the public responsibilities of the bodies.
- No individual may present his/her verbal public input by proxy except as permitted as a reasonable accommodation for an individual with special needs. A person who is unable to attend a meeting in person may submit written comments to the District.

Authority and Responsibility of the Board President or Chair

To promote the lawful, orderly, and efficient progress of each meeting, the Board President or Chair shall have the authority to enforce the requirements of this policy and he/she shall conduct any period of public input according to established procedures.

- The Board President or Chair may call any registrant (or other attendee) to order and direct the individual to cease conduct, which violates any applicable law, policy, or procedure.
- The Board President or Chair may terminate remarks of any individual who does not adhere to established rules, whose comments are unduly repetitive of previous comments, who makes comments that are obscene, threatening, harassing, or defamatory, or whose conduct is otherwise disorderly.
- If necessary, the Board President or Chair may contact law enforcement for assistance in maintaining order or safety.

School Board Meetings

When the School Board receives public input on topics/issues that are not part of the publicly-noticed meeting agenda, Board members shall not engage in any extensive discussion or debate on any such topic/issue, and shall not take any action addressing the merits of any such topic/issue. However, in exceptional cases, the Board President, a Board member who has been recognized by the Chair, or the Superintendent may briefly respond to the registrant (e.g., to ask a clarifying question or to provide a brief clarification or correction of information that was presented by the registrant). The Board President, Chair, or the Board by motion may refer an off-agenda topic/issue that is raised by a registrant to a future agenda or for follow-up by the administration.

Cross References: Policy 170, School Board Meetings
Policy 870, Public Concerns and Complaints

Legal References: Wisconsin State Statutes 19.81, 19.83(2), 19.84(2), 19.85, and 120.43

Adoption Date: September 14, 1987

Amended Dates: January 9, 2012 and March 12, 2018

Appendix 1

Public Input Disclaimer

The School Board welcomes public input. We thank you for being here. Your opinions and ideas are important to us. However, there are a few cautions we want to share with you.

The School Board respectfully requests that speakers refrain from presenting comments at public meetings that introduce complaints or concerns that are directed toward and that identify individual staff members or individual students. As such personnel-related and student-related matters implicate a variety of rights that require careful attention, the District has established a variety of alternative procedures for appropriately addressing such complaints. If a speaker persists in presenting a complaint about an individual staff member's conduct or an individual student's conduct or performance, the District officials who are present at the meeting will not attempt to resolve or respond to the speaker's complaint in that setting. Any person with such a complaint or concern may contact the Office of the Superintendent for information on the most appropriate means of raising or pursuing his/her complaint. Generally, such complaints or concerns should be channeled through the AASD Complaint Procedure (Policy 870 and 870-Rule). False statements or stigmatizing charges may subject the individual making such statements to legal repercussions, including, but not limited to, defamation claims. Conduct that is disorderly or any speech that is obscene, threatening, harassing, or defamatory is not permitted.

Again, we appreciate your input and support for our efforts to create the best learning environment for our students.

ITEM FOR CONSIDERATION

Topic: Professional Educator New Hire(s)

Background Information: The Professional Educators listed below are recommended for contractual positions for the 2024-2025 school year (effective August 26, 2024):

Name	***Position***	***Location***	***FTE***
Sara G. Allison	School Social Worker	Badger/Richmond	100%
Dana M. Baumgart	Bus/Marketing/ACP/FCS	Einstein	88%
Megan M. Conde	Music-Choir	Classical/Einstein	80%
Molly A. Conrad	Art	Appleton Bilingual	20%
Katyna Gaines	Special Ed-Cross Cat	Foster	100%
Jessica R. Jacobson	Math	Wilson	100%
Katie L. Johnson	School Nurse	Badger/VNS	40%
Lisa S. Madsen	Grade 4	Classical	100%
Kabao Moua	Dean of Students	4K	100%
Rylee M. Polman	Kindergarten	Berry	100%
Lynn E. Pruetz	Family & Consumer Science	Madison/East	93%
Kiarra S. Springstroh	Grade 4	Houdini	100%
Pa Houa Vang	Grade 4	Edison	100%
Emily N. Voight	ELA/Social Studies	Kaleidoscope	50%
MaLee Xiong	English Language Learner	Wilson/TBD	100%

Instructional Impact: The candidates listed above are recommended by the administrator to whom they will report as the best candidates for the positions.

Fiscal Impact: Salary will be commensurate with education and experience.

Administrative Recommendation: Approval

Contact Person(s): Julie King, (920) 852-5302

BOE: August 26, 2024

ITEM FOR CONSIDERATION

Topic: Professional Educator Contract Change(s)

Background Information: The following contract change is recommended for the 2024-2025 school year (effective August 26, 2024):

Name	***Position***	***Location***	***FTE***	***Effective Date***
Kelly Abel	FCS	North	100% to 120%	8/26/24-6/6/25
Katherine Adams	Science	East	100% to 120%	1/21/25-6/6/25
Corrina Albright	Music-Strings	Badger	70% to 80%	8/26/24-6/6/25
Raissa Ashman	Math	North	100% to 120%	8/26/24-6/6/25
David Babcock	Social Studies-History	West	100% to 120%	1/21/25-6/6/25
Trina Bartel	English Language Arts	East	100% to 120%	8/26/24-6/6/25
Kelly Blair	World Lang-Spanish	Madison	100% to 108%	1/21/25-3/21/25
Danielle Braun	Music-Exploratory	Einstein	100% to 108%	8/26/24-6/6/25
Julie Brown	Music-Band	Classical	100% to 110%	8/26/24-6/6/25
Angie Bruner	World Lang-Spanish	West	100% to 120%	8/26/24-6/6/25
Ross Buchinger	Physical Education	North	100% to 120%	1/21/25-6/6/25
Jennifer Buss	Physical Education	Einstein	100% to 108%	8/26/24-6/6/25
Kelly Cambers	FCS	North	100% to 120%	1/21/25-6/6/25
Lisa Carney	Math	North	100% to 120%	8/26/24-6/6/25
Suzanne Chang	World Lang-French	eSchool	100% to 120%	8/26/24-6/6/25
Katherine Chicquette	English Language Arts	Central	100% to 120%	8/26/24-1/17/25
Niles Clark	Business/Marketing	North	100% to 120%	8/26/24-1/17/25
Hailey Clear	Physical Education	Einstein	100% to 108%	8/26/24-6/6/25
Alicia DePagter	Math	East	100% to 120%	8/26/24-6/6/25
Jennifer Eastman	Art	Classical	100% to 110%	8/26/24-6/6/25
Matthew Fager	Math	Classical	100% to 120%	8/26/24-6/6/25
Nicholas German	Technology Education	Tesla	100% to 120%	8/26/24-6/6/25
Mark Gorshe	Physical Education	East	100% to 120%	1/21/25-6/6/25
Lisa Groff	Special Ed-Cross Cat	West	100% to 120%	8/26/24-6/6/25
Karen Hoppe	World Lang-Spanish	Madison	100% to 108%	3/31/25-6/6/25
Stacy Juhl	Music-Band	Einstein	100% to 108%	8/26/24-6/6/25
Craig Kellenberger	Music-Strings	West	100% to 110%	8/26/24-6/6/25
Andrew Kratz	FCS	KA	100% to 108%	8/26/24-6/6/25
Gustave Maves	Physical Education	North	100% to 120%	8/26/24-1/17/25
Amy McAloon	English Language Arts	East	100% to 120%	8/26/24-6/6/25
Megan Meuer	World Lang-Spanish	Einstein	100% to 117%	8/26/24-6/6/25
Dylan Meyer	Academic Career Planning	Madison	100% to 108%	8/26/24-6/6/25
Matthew Moscinski	Technology Education	Einstein	100% to 108%	3/31/25-6/6/25
Mitchell Nichols	Art	North	100% to 120%	1/21/25-6/6/25
Amanda Nilsson-Jarolimek	English Language Arts	East	100% to 120%	1/21/25-6/6/25
Anthony Palma	Math	East	100% to 120%	8/26/24-6/6/25
Elizabeth Pellinger	Special Ed-Cross Cat	Classical	100% to 110%	8/26/24-6/6/25

Name	***Position***	***Location***	***FTE***	***Effective Date***
Elizabeth Platten	World Lang-French	North	100% to 120%	8/26/24-6/6/25
Elizabeth Podlasek	Personal Finance Mgt.	Central	100% to 120%	8/26/24-6/6/25
Thomas Pritzl	Math	East	100% to 120%	8/26/24-6/6/25
Sarah Remmel	Special Ed-Cross Cat	RISE	100% to 120%	8/26/24-6/6/25
Kimberly Riegert	Health	North	100% to 120%	8/26/24-1/17/25
Kristine Schneider	English Language Arts	East	100% to 120%	8/26/24-6/6/25
Rosamond Shulfer	Youth Apprenticeship	West	100% to 120%	8/26/24-6/6/25
Kris Sherry	Math	East	100% to 120%	8/26/24-6/6/25
Daniel Shimek	Social Studies	Central	100% to 120%	8/26/24-6/6/25
Erin Sjostrom	Art	Highlands	100% to 110%	8/26/24-6/6/25
Bobbie Jo Sorensen	Social Studies	West	100% to 120%	8/26/24-1/17/25
Mollie Stratton	Physical Education	North	100% to 120%	1/21/25-6/6/25
Debbie Strick	SAPAR	North	100% to 110%	8/26/24-6/6/25
Jacon Timmons	Math	Madison	100% to 120%	8/26/24-6/6/25
Stacey Vandenberg	World Lang-Spanish	Einstein	100% to 108%	8/26/25-11/1/24
Jacci Vanden Heuvel	Science	eSchool	100% to 120%	8/26/24-6/6/25
Stephanie Vos	Special Ed-Cross Cat	RISE	100% to 120%	8/26/24-6/6/25
Molly Welhouse	SAPAR	East	100% to 110%	8/26/24-6/6/25
PaNhia Yang	SAPAR	East	100% to 110%	8/26/24-6/6/25
Isaac Zimmermann	Technology Education	eSchool	100% to 120%	8/26/24-1/17/25
Jessica Zitzelberger	Art	North	100% to 120%	8/26/24-1/17/25

Fiscal Note: As indicated above.

Administrative Recommendation: Approval

Instructional Impact: This assignment adjustment will meet student needs.

Contact Person: Julie King, (920) 852-5302

BOE: August 26, 2024

ITEM FOR CONSIDERATION

Topic: Professional Educator Resignation(s)

Background Information: The following Professional Educators have submitted a letter of resignation:

Linda J. Stichman has been with the District for two years, most recently as a Speech & Language Pathologist at Classical School and Columbus Elementary School. Ms. Stichman's resignation was effective at the end of the 2023-2024 school year.

Adam J. Michalski has been with the District for one year, most recently as a Secondary Special Education Program Support Teacher. Mr. Michalski's resignation is effective at the end of the August 30, 2024, workday.

Eric A. Toshner has been with the District for twenty-four years, most recently as a Curriculum Support Specialist and Science Teacher at East High School. Mr. Toshner's resignation is effective at the end of the Friday, August 9, 2024, workday.

The following Professional Educator was a recent hire and has submitted a letter of resignation prior to the August 26, 2024, start date:

- **Nicole L. Jedwabny –** STEM at Huntley Elementary School

Instructional Impact: Qualified replacements will be procured.

Fiscal Impact: Dependent upon replacements.

Administrative Recommendation: Approval

Contact Person(s): Julie King, (920) 852-5302

BOE: August 26, 2024

ITEM FOR CONSIDERATION

Topic: Professional Educator New Hire(s)

Background Information: The Professional Educators listed below are recommended for contractual positions for the 2024-2025 school year (effective August 26, 2024):

Name	***Position***	***Location***	***FTE***
Sara G. Allison	School Social Worker	Badger/Richmond	100%
Dana M. Baumgart	Bus/Marketing/ACP/FCS	Einstein	88%
Megan M. Conde	Music-Choir	Classical/Einstein	80%
Molly A. Conrad	Art	Appleton Bilingual	20%
Katyna Gaines	Special Ed-Cross Cat	Foster	100%
Jessica R. Jacobson	Math	Wilson	100%
Katie L. Johnson	School Nurse	Badger/VNS	40%
Lisa S. Madsen	Grade 4	Classical	100%
Kabao Moua	Dean of Students	4K	100%
Rylee M. Polman	Kindergarten	Berry	100%
Lynn E. Pruetz	Family & Consumer Science	Madison/East	93%
Kiarra S. Springstroh	Grade 4	Houdini	100%
Pa Houa Vang	Grade 4	Edison	100%
Emily N. Voight	ELA/Social Studies	Kaleidoscope	50%
MaLee Xiong	English Language Learner	Wilson/TBD	100%

Instructional Impact: The candidates listed above are recommended by the administrator to whom they will report as the best candidates for the positions.

Fiscal Impact: Salary will be commensurate with education and experience.

Administrative Recommendation: Approval

Contact Person(s): Julie King, (920) 852-5302

BOE: August 26, 2024

ITEM FOR CONSIDERATION

Topic: Professional Educator Contract Change(s)

Background Information: The following contract change is recommended for the 2024-2025 school year (effective August 26, 2024):

Name	***Position***	***Location***	***FTE***	***Effective Date***
Kelly Abel	FCS	North	100% to 120%	8/26/24-6/6/25
Katherine Adams	Science	East	100% to 120%	1/21/25-6/6/25
Corrina Albright	Music-Strings	Badger	70% to 80%	8/26/24-6/6/25
Raissa Ashman	Math	North	100% to 120%	8/26/24-6/6/25
David Babcock	Social Studies-History	West	100% to 120%	1/21/25-6/6/25
Trina Bartel	English Language Arts	East	100% to 120%	8/26/24-6/6/25
Kelly Blair	World Lang-Spanish	Madison	100% to 108%	1/21/25-3/21/25
Danielle Braun	Music-Exploratory	Einstein	100% to 108%	8/26/24-6/6/25
Julie Brown	Music-Band	Classical	100% to 110%	8/26/24-6/6/25
Angie Bruner	World Lang-Spanish	West	100% to 120%	8/26/24-6/6/25
Ross Buchinger	Physical Education	North	100% to 120%	1/21/25-6/6/25
Jennifer Buss	Physical Education	Einstein	100% to 108%	8/26/24-6/6/25
Kelly Cambers	FCS	North	100% to 120%	1/21/25-6/6/25
Lisa Carney	Math	North	100% to 120%	8/26/24-6/6/25
Suzanne Chang	World Lang-French	eSchool	100% to 120%	8/26/24-6/6/25
Katherine Chicquette	English Language Arts	Central	100% to 120%	8/26/24-1/17/25
Niles Clark	Business/Marketing	North	100% to 120%	8/26/24-1/17/25
Hailey Clear	Physical Education	Einstein	100% to 108%	8/26/24-6/6/25
Alicia DePagter	Math	East	100% to 120%	8/26/24-6/6/25
Jennifer Eastman	Art	Classical	100% to 110%	8/26/24-6/6/25
Matthew Fager	Math	Classical	100% to 120%	8/26/24-6/6/25
Nicholas German	Technology Education	Tesla	100% to 120%	8/26/24-6/6/25
Mark Gorshe	Physical Education	East	100% to 120%	1/21/25-6/6/25
Lisa Groff	Special Ed-Cross Cat	West	100% to 120%	8/26/24-6/6/25
Karen Hoppe	World Lang-Spanish	Madison	100% to 108%	3/31/25-6/6/25
Stacy Juhl	Music-Band	Einstein	100% to 108%	8/26/24-6/6/25
Craig Kellenberger	Music-Strings	West	100% to 110%	8/26/24-6/6/25
Andrew Kratz	FCS	KA	100% to 108%	8/26/24-6/6/25
Gustave Maves	Physical Education	North	100% to 120%	8/26/24-1/17/25
Amy McAloon	English Language Arts	East	100% to 120%	8/26/24-6/6/25
Megan Meuer	World Lang-Spanish	Einstein	100% to 117%	8/26/24-6/6/25
Dylan Meyer	Academic Career Planning	Madison	100% to 108%	8/26/24-6/6/25
Matthew Moscinski	Technology Education	Einstein	100% to 108%	3/31/25-6/6/25
Mitchell Nichols	Art	North	100% to 120%	1/21/25-6/6/25
Amanda Nilsson-Jarolimek	English Language Arts	East	100% to 120%	1/21/25-6/6/25
Anthony Palma	Math	East	100% to 120%	8/26/24-6/6/25
Elizabeth Pellinger	Special Ed-Cross Cat	Classical	100% to 110%	8/26/24-6/6/25

Name	***Position***	***Location***	***FTE***	***Effective Date***
Elizabeth Platten	World Lang-French	North	100% to 120%	8/26/24-6/6/25
Elizabeth Podlasek	Personal Finance Mgt.	Central	100% to 120%	8/26/24-6/6/25
Thomas Pritzl	Math	East	100% to 120%	8/26/24-6/6/25
Sarah Remmel	Special Ed-Cross Cat	RISE	100% to 120%	8/26/24-6/6/25
Kimberly Riegert	Health	North	100% to 120%	8/26/24-1/17/25
Kristine Schneider	English Language Arts	East	100% to 120%	8/26/24-6/6/25
Rosamond Shulfer	Youth Apprenticeship	West	100% to 120%	8/26/24-6/6/25
Kris Sherry	Math	East	100% to 120%	8/26/24-6/6/25
Daniel Shimek	Social Studies	Central	100% to 120%	8/26/24-6/6/25
Erin Sjostrom	Art	Highlands	100% to 110%	8/26/24-6/6/25
Bobbie Jo Sorensen	Social Studies	West	100% to 120%	8/26/24-1/17/25
Mollie Stratton	Physical Education	North	100% to 120%	1/21/25-6/6/25
Debbie Strick	SAPAR	North	100% to 110%	8/26/24-6/6/25
Jacon Timmons	Math	Madison	100% to 120%	8/26/24-6/6/25
Stacey Vandenberg	World Lang-Spanish	Einstein	100% to 108%	8/26/25-11/1/24
Jacci Vanden Heuvel	Science	eSchool	100% to 120%	8/26/24-6/6/25
Stephanie Vos	Special Ed-Cross Cat	RISE	100% to 120%	8/26/24-6/6/25
Molly Welhouse	SAPAR	East	100% to 110%	8/26/24-6/6/25
PaNhia Yang	SAPAR	East	100% to 110%	8/26/24-6/6/25
Isaac Zimmermann	Technology Education	eSchool	100% to 120%	8/26/24-1/17/25
Jessica Zitzelberger	Art	North	100% to 120%	8/26/24-1/17/25

Fiscal Note: As indicated above.

Administrative Recommendation: Approval

Instructional Impact: This assignment adjustment will meet student needs.

Contact Person: Julie King, (920) 852-5302

BOE: August 26, 2024

ITEM FOR CONSIDERATION

Topic: Professional Educator Resignation(s)

Background Information: The following Professional Educators have submitted a letter of resignation:

Linda J. Stichman has been with the District for two years, most recently as a Speech & Language Pathologist at Classical School and Columbus Elementary School. Ms. Stichman's resignation was effective at the end of the 2023-2024 school year.

Adam J. Michalski has been with the District for one year, most recently as a Secondary Special Education Program Support Teacher. Mr. Michalski's resignation is effective at the end of the August 30, 2024, workday.

Eric A. Toshner has been with the District for twenty-four years, most recently as a Curriculum Support Specialist and Science Teacher at East High School. Mr. Toshner's resignation is effective at the end of the Friday, August 9, 2024, workday.

The following Professional Educator was a recent hire and has submitted a letter of resignation prior to the August 26, 2024, start date:

- **Nicole L. Jedwabny –** STEM at Huntley Elementary School

Instructional Impact: Qualified replacements will be procured.

Fiscal Impact: Dependent upon replacements.

Administrative Recommendation: Approval

Contact Person(s): Julie King, (920) 852-5302

BOE: August 26, 2024

ITEM OF INFORMATION

Topic: **English Language Arts:** Materials Purchase- *English Language and Composition, Advanced Placement Edition (Perfection Learning)* by Abdon, Freitas, Peterson; AP English Language and Composition (1120).

Background Information: The AP English Language and Composition - grade 11 course is a standards-based course (SBC); however, to also remain in compliance with the College Board, our textbook resource must remain current. There were changes to the AP exam, and this textbook has all the new necessary components. The framework in the textbook provides a description of what students should know and be able to do to qualify for college credit or placement.

Fiscal Note: The cost is estimated at $30,000.00, for a classroom set of texts for all three high school instructors, as well as online resources for the teachers. The cost is within the dollars allocated in the 2024-2025 AC&I budget. All instructional materials will be implemented during the 2024-25 school year.

Instructional Impact: This textbook will prepare students for the AP exam by engaging them in reading and writing skill development throughout nine thematic chapters that include a wide variety of text. This textbook offers diversity in voice, differentiation to support varying learners, as well as modeling and revision guidance for essay writing, while guiding students in interpreting, analyzing, and composing.

Contact Person(s): Kelly Leopold, 920-832-6157 x60172 , leopoldkelly@aasd.k12.wi.us
Mark McQuade, Ed.D., 920-852-5300 x60121, mcquademark@aasd.k12.wi.us

BOE: 08/26/24

English Language Arts: Materials Purchase- *English Language and Composition, Advanced Placement Edition (Perfection Learning)* by Abdon, Freitas, Peterson; AP English Language and Composition (1120).

WHY will this new edition be an appropriate instructional resource for the AP English Language and Composition teachers?	The textbook offers: • Anchor texts from an array of diverse authors to foster rereading and critical analysis • Anchor student drafts to develop skills in evaluating writing • Multiple choice and free-response questions based on the updated AP question styles • A practice exam • Close reading activities • Essential questions • Prompts (argumentative essays, rhetorical analysis essays, synthesis) • Engaging nonfiction readings (both classical and contemporary) • Scaffolded activities • Differentiation to address students' needs • Full alignment to the new AP Course and Exam • Reading and writing skills development
WHAT are the skills and knowledge scaffolded throughout the text?	The skills include: • Rhetorical analysis • Selecting evidence • Connecting an argument • Structuring and organizing arguments • Supporting coherent arguments • Synthesizing perspectives and refining arguments • Using style strategically • Contributing to the conversation • Evaluating writing
HOW was public input solicited prior to making the administrative recommendation to the Board?	Copies of proposed instructional materials were made available to the public for over 30 days in order to submit written public input. Notification of requested feedback also publicized through the AASD website as well as through the superintendent's family communication letter.
HOW will this resource help to prepare students for the AP exam?	The textbook provides: • Scaffolded step-by-step instruction • AP Tips • Guidance for revising • Modeled student essays • Multiple-choice Practice • Correlations for each question to the College Board Curriculum Framework • Preparation that mirrors directions, timing, question formats and content scope of the AP exam

English Language Arts: Materials Purchase- *English Language and Composition, Advanced Placement Edition (Perfection Learning)* by Abdon, Freitas, Peterson; AP English Language and Composition (1120).

Time Period of Public Input
07/03/24 - 08/15/24
Number and Breakdown of Responses Received (Supportive/Unsupportive)
0 Total Responses: 0 Supportive Responses/ 0 Responders Unsupportive
Overall Themes Identified From Responses
Responses:

ITEM OF INFORMATION

Topic: ELA 12 Course Curriculum (1060)

Background Information: As a reminder, the ELA department made some changes to course offerings at the twelfth grade level. The discussion for these additional courses began when Fox Valley Technical College communicated we would need to run Senior Communication as a semester instead of a full year. The new Written Communications course will be similar in topics and application to Senior Communications, but differ in rigor. In the future, Written Communication, running as a semester course, will not allow time for a literature component. With the proposed Written Communications course being offered in the future as a semester course, students will have the opportunity for choice in any of the current ELA elective courses (now to include Creative Writing 3 for students that have expressed an interest/passion.)

In addition, we proposed an alternative full-year course, English Language Arts 12, that would include a combination of elements of Written Communication, World Literature, and the former Senior Projects course, that incorporated other real life applications skills. In working with a team of teachers (who will all be teaching ELA 12 this school year at the three high schools) on the unit overview development, further decisions were made to remove the written communication business components and to change the world literature to contemporary literature in order to offer a course that will best meet the needs and interests of our students. We are proposing a new title along with these changes. The new course overview is linked below for your perusal.

Fiscal Note: There is no additional cost associated with these changes. The title and course description will be changed in the course planning guide. The Canvas course (units of instruction, priority standards, and common assessments) has been designed to reflect these changes for the 24-25 school year.

Instructional Impact: Students have further choice in their course selections for meeting their fourth required ELA credit for graduation. These options assist students in their varying needs no matter their plans for post-graduation. All ELA 12th grade courses instruct and assess students using the Wisconsin State Standards for writing, reading, speaking, listening, and Conventions of Standardized English.

Course Overview Documents: **21st Century Literacy**

Contact Person(s):
Kelly Leopold, 920-832-6157 ext. 60172, leopoldkelly@aasd.k12.wi.us
Mark McQuade, Ed.D., 920-852-53007 x60121, mcquademark@aasd.k12.wi.us

BOE: 8/26/24

English Language Arts: ELA 12 Curriculum- 21st Century Literacy (1060).

WHY are we proposing to change the course title and description?	A team of high school ELA department teachers and curriculum support specialists discussed:
	
	• NCAA clearinghouse implications
	• incoming enrollment (sequencing of courses)
	• Which demographic groups we are serving/not serving
	• The need for choice
	• ACP Components that can be taught throughout the varying 12th grade ELA course offerings
	• Incorporated Changes
	  ○ Title- demonstrating life skills that will help students to be a productive, effective member of society (ELA 12: Reading and Writing for the Workplace, Community, and Personal Growth)
	  ○ Personal experiences guiding the writing
	  ○ Determining credible sources
	  ○ Effective and professional communication
	  ○ Envisioning new life to an existing piece
	  ○ Developing a love of reading
	  ○ Analyzing varying literacy modes
	  ○ Contemporary Literature

WHAT are the components that will be included in the course?	The components include: • Reading different styles of published memoirs • Resume updates • Narrative (College Essay) • Professional Email • Novel Study and collaborative discussions • Different modes of literacy ○ Poetry, music lyrics, speeches, art, film • Research & Informative presentations • Offering and receiving constructive feedback • Creating a portfolio of writing • Social Media Etiquette • AI Usage

HOW will we assess the students in each of the varying courses?	The assessed standards will include:
	• 11-12 grade band Wisconsin State Standards
	  ○ Production of Writing
	  ○ Reading
	  ■ Key Ideas and Details
	  ■ Craft and Structure
	  ■ Integration of Knowledge and Ideas
	  ○ Speaking and Listening
	  ○ Language
	  ■ Knowledge of Language
	  ■ Conventions of Standardized English

ITEM FOR CONSIDERATION

Topic: District Policy Adoption: 411.3- Nondiscrimination on the basis of sex in education programs or activities

Background Information: To strengthen our commitment to creating a safe and equitable environment for all students, we are implementing the updated Title IX regulations.

The final regulation adjustments promote accountability and fulfill Title IX's nondiscrimination mandate by requiring schools to act promptly and effectively in response to information about conduct that reasonably may constitute sex discrimination, including sexual violence and other forms of sex-based harassment.

Instructional Impact: Accurate and current Board policies are critical to school operations, establishing a safe and welcoming school environment and providing high quality instruction for our students.

Fiscal Impact: No cost will be incurred by the Appleton Area School District.

Administrative Recommendation: The administration recommends that Policy 411.3 be adopted as indicated.

Contact Person(s): Assistant Superintendent, Mike Hernandez, hernandezmicha@aasd.k12.wi.us (920) 852-5300 ext. 60116

BOE: August 26, 2024

NONDISCRIMINATION
ON THE BASIS OF SEX IN EDUCATION PROGRAMS or ACTIVITIES

This policy pertains to sex discrimination, including sex-based harassment, which occurs on or after August 1, 2024. Allegations of sex-based harassment that occur on or before July 31, 2024, shall be addressed pursuant to Policy 411.1 and 411.2. Throughout this policy, unless expressly stated otherwise, reference to "Title IX" includes and incorporates the 2024 Title IX regulations (also known as the "2024 Final Rule"). The Title IX regulations are found at 34 C.F.R. Part 106. References solely to Title IX (20 U.S.C. §§ 1681 – 1688) are denoted as "Title IX (Statute)." In this policy, unless the context otherwise requires, words importing the singular include the plural and vice versa.

For purposes of this policy, both Policy 411.1 - Student Harassment and Policy 411.2 - Student Nondiscrimination are frequently referenced herein and shall only be referred to by the policy number. As identified in Policy 411.1 and 411.2, those policies shall be used for allegations of sex discrimination, including Sexual Harassment, that is based on conduct alleged to have occurred prior to August 1, 2024.

The Board of Education of the Appleton Area School District (hereinafter referred to as "the Board" or "the District") does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

The Board is committed to maintaining an education and work environment that is free from sex discrimination (including sex-based harassment), responding promptly and effectively when it has knowledge of conduct that reasonably may constitute sex discrimination, and addressing sex discrimination in its education program or activity. Persons who commit sex-based harassment are subject to the full range of disciplinary sanctions set forth in this policy. The Board will provide persons who have experienced sex-based harassment ongoing remedies as reasonably necessary to restore or preserve access to the District's education program or activity.

Definitions

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

Complainant means**:**

A. a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or

B. a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.

Complaint means**:** an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX.

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).

Disciplinary sanctions means**:** consequences imposed on a respondent following a determination under Title IX that the respondent violated the Board's prohibition on sex discrimination.

Education program or activity refers to: all the District's operations including, but not limited to, in-person and online/remote educational instruction, employment, extra-curricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes events and circumstances that take place off school property/grounds but over which the District asserts disciplinary authority.

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

Exculpatory evidence means**:** evidence that is favorable to a respondent because it helps excuse, justify, or absolve a respondent of alleged wrongdoing and tends to establish a respondent did not engage in sex discrimination.

Inculpatory evidence means: evidence that links a respondent to alleged wrongdoing and tends to establish a respondent engaged in sex discrimination (i.e., has culpability).

Parental status means**:** the status of a person who, with respect to another person who is under the age of eighteen (18) or who is eighteen (18) or older but is incapable of self-care because of a physical or mental disability, is:

A. a biological parent;

B. an adoptive parent;

C. a foster parent;

D. a stepparent;

E. a legal custodian or guardian;

F. in loco parentis with respect to such a person; or

G. actively seeking legal custody, guardianship, visitation, or adoption of such a person.

Party means: a complainant or respondent.

Peer retaliation means: retaliation by a student against another student.

Pregnancy or related conditions means:

A. pregnancy, childbirth, termination of pregnancy, or lactation;

B. medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or

C. recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

Relevant means**:** related to the allegations of sex discrimination under investigation as part of the Board's grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision-maker in determining whether the alleged sex discrimination occurred.

Remedies means**:** measures provided, as appropriate, to a complainant or any other person the District identifies as having had their equal access to the District's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the District's education program or activity after the District determines that sex discrimination occurred.

Respondent means**:** a person who is alleged to have violated the Board's prohibition on sex discrimination.

Retaliation means**:** intimidation, threats, coercion, or discrimination against any person by the District, a student, a Board member, or any other person authorized by the Board to provide aid, benefit, or service under the District's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the 2024 Title IX regulations.

Sex-based harassment prohibited under this policy and the 2024 Title IX regulations is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex – including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity – that is:

A. **Quid pro quo harassment**. An employee, agent, or other person authorized by the Board to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

OR

B. **Hostile environment harassment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

1. the degree to which the conduct affected the complainant's ability to access the District's education program or activity;

2. the type, frequency, and duration of the conduct;

3. the parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;

4. the location of the conduct and the context in which the conduct occurred; and

5. other sex-based harassment in the District's education program or activity.

OR

C. **Specific offenses**.

1. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

2. Dating violence meaning violence committed by a person:

A. who is or has been in a social relationship of a romantic or intimate nature with the victim; and

B. where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. the length of the relationship;

2. the type of relationship; and

3. the frequency of interaction between the persons involved in the relationship.

3. Domestic violence meaning felony or misdemeanor crimes committed by a person who:

A. is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction in which the District is located, or a person similarly situated to a spouse of the victim;

B. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

C. shares a child in common with the victim; or

D. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the applicable jurisdiction.

4. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

A. fear for the person's safety or the safety of others; or

B. suffer substantial emotional distress.

Student means**:** a person eligible to enroll in, attend, or participate in an elementary (including preschool) or secondary school in the District and who is enrolled in, attending, or participating in, or is seeking/attempting to enroll in, attend, or participate in the District's education program or activity.

Student with a disability means: a student who is an individual with a disability as defined under Section 504 of the Rehabilitation Act of 1973, as amended ("Section 504"), or a child with a disability as defined under the Individuals with Disabilities Education Improvement Act ("IDEA").

Supportive measures means**:** individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

A. restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or the District's educational environment; or

B. provide support during the Board's grievance procedures or an informal resolution process.

Parental, Family, or Marital Status

The Board will not adopt or apply any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats such students differently on the basis of sex.

Pregnancy or Related Conditions

Students:

The Board prohibits discrimination in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions.

The District will not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the District's class, program, or extracurricular activity unless:

A. the certified level of physical ability or health is necessary for participation in the class, program, or extra-curricular activity;

B. the District requires such certification of all students participating in the class, program, or extra-curricular activity; and

C. the information obtained is not used as a basis for discrimination prohibited by Title IX or this Policy.

District's Responsibilities with Respect to a Student's Pregnancy or Related Conditions

When a staff member is informed of a student's pregnancy or related conditions by the student or a person who has a legal right to act on behalf of the student, the member shall promptly provide that person with the Title IX Coordinator's contact information and inform that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the District's education program or activity, unless the employee reasonably believes the Title IX Coordinator has already been notified.

Once a student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions, the Title IX Coordinator shall promptly take the following specific actions to effectively prevent sex discrimination and ensure equal access to the District's education program or activity:

A. Inform the student and, if applicable, the person who notified the Title IX Coordinator of the District's obligations to:

1. prohibit sex discrimination under this policy, including sex-based harassment;

2. provide the student with the option of reasonable modifications to the Board's policies, practices, or procedures because of pregnancy or related conditions;

3. allow access, on a voluntary basis, to any separate and comparable portion of the District's education program or activity;

4. allow a voluntary leave of absence;

5. provide lactation space; and

6. maintain grievance procedures that provide for the prompt and equitable resolution of complaints of sex discrimination, including sex-based harassment.

B. Provide the student with voluntary reasonable modifications to the Board's policies, practices, or procedures because of pregnancy or related conditions.

C. Allow the student to take a voluntary leave of absence from the District's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a Board maintains a leave policy for students that allows a greater period of time than the medically necessary period, the Board shall permit the student to take leave under that policy instead if the student so chooses. When the student returns to the District's education program or activity, the student will be reinstated to the academic status and, as practicable, to the extra-curricular status that the student held when the leave began.

D. Provide lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

Employees:

The Board will not adopt or implement any policy, practice, or procedure, or take any employment action, on the basis of sex:

A. concerning the current, potential, or past parental, family, or marital status of an employee or applicant for employment, which treats persons differently; or

B. that is based upon whether an employee or applicant for employment is the head of household or principal wage earner in such employee's or applicant's family unit.

The Board also will not make a pre-employment inquiry as to the marital status of an applicant for employment, including whether such applicant is a "Miss or Mrs."

Similarly, the Board will treat pregnancy or related conditions as any other temporary medical conditions for all job-related purposes, including commencement, duration, and extensions of leave; payment of disability income; accrual of seniority and any other benefit or service; and reinstatement; and under any fringe benefit offered to employees by virtue of employment.

If an employee has insufficient leave or accrued employment time to qualify for leave under the Board's leave policy, the Board will treat pregnancy or related conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion

of which the employee shall be reinstated to the status held when the leave began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

The Board will provide reasonable break time for an employee to express breast milk or breastfeed as needed and will provide the employee with access to a lactation space, which must be a space other than a bathroom that is clean, shielded from view, free from intrusion from others, and may be used by an employee for expressing breast milk or breastfeeding as needed.

TITLE IX COORDINATOR(S)

The Board designates and authorizes the following individual(s) to coordinate its efforts to comply with the Board's responsibilities under Title IX:

If employee related:

Michael Hernandez
Assistant Superintendent of School Services
131 E Washington St, Suite 1A
P.O. Box 2019
Appleton, WI 54911
(920) 852-5300 ext. 60112
hernandezmicha@aasd.k12.wi.us

If student related:

Michael Hernandez
Assistant Superintendent of School Services
131 E Washington St, Suite 1A
P.O. Box 2019
Appleton, WI 54911
(920) 852-5300 ext. 60112
hernandezmicha@aasd.k12.wi.us

The Board designates a member of the Leadership Team as the coordinator who is ultimately responsible for oversight over the Board's compliance with its responsibilities under Title IX.

The Title IX Coordinator may delegate specific duties to one (1) or more designees:

Julie King, Chief Human Resource Officer
131 E Washington St, Suite 1A
P.O. Box 2019
Appleton, WI 54911
(920) 852-5300 ext. 60082
kingjulie@aasd.k12.wi.us

The Title IX Coordinator shall report directly to the District Administrator except when the District Administrator is a party to a complaint (i.e., either the complainant or the respondent).

Under such circumstances, the Title IX Coordinator shall report directly to the Board President until the matter in which the District Administrator is a party is concluded.

Questions about this policy and policy 411.1 and 411.2 should be directed to the Title IX Coordinator.

The Title IX Coordinator shall monitor the District's education programs and activities for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX, and take steps reasonably calculated to address such barriers.

The Title IX Coordinator is responsible for notifying all participants in the District's education program or activity of how to contact its confidential employees.

Notice of Nondiscrimination

The District Administrator shall provide a notice of nondiscrimination to students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; and applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the District Administrator shall post the notice of discrimination on the District's website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to the persons listed above, or which are otherwise used in connection with the recruitment of students or employees.

GRIEVANCE PROCEDURES

The Board adopts the following grievance procedures to provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the District's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX. These grievance procedures shall be used for all complaints of sex discrimination, including sex-based harassment, involving conduct alleged to have occurred on or after August 1, 2024.

These grievance procedures also may be used, at the discretion of the Title IX Coordinator, to investigate, address, and remedy (as necessary) conduct alleged to have occurred before August 1, 2024, that does not involve sex-based harassment, but some other form of sex discrimination prohibited by Title IX (Statute) – e.g., claims of unequal athletic opportunities, admissions discrimination, discrimination in courses or academic programs (i.e., excluding students from certain classes or programs based on their sex), pregnancy discrimination, unequal treatment based on parental, family, or marital status, discrimination in employment (including in hiring, promotion, and compensation), and retaliation. If the Title IX Coordinator elects not to use these grievances procedures to investigate and resolve such claims, the Title IX Coordinator will still need to implement some procedures to assess – in a prompt, effective, and equitable manner – whether Title IX (Statute) was violated, and, if it was, how best to end the sex discrimination in the District's education program or activity, prevent its recurrence, and remedy its effects.

Reports and Formal Complaints of "Sexual Harassment" (as defined in policies 411.1 and 411.2) involving conduct alleged to have occurred prior to August 1, 2024, are subject to the grievance procedures.

Under all circumstances, the Title IX Coordinator shall offer and coordinate supportive measures, as appropriate, in accordance with this policy and policies 411.1 and 411.2 if the Report or Formal Complaint involves "Sexual Harassment" alleged to have occurred prior to August 1, 2024.

If the conduct giving rise to a report or complaint of sex discrimination is alleged to have occurred both before and after August 1, 2024 (i.e., is part of a pattern of sex discrimination), the Title IX Coordinator shall determine, after consulting with the Board's Legal Counsel, whether to use the grievance procedures contained in this policy or the grievance procedures contained in policy 411.1 and policy 411.2. The Title IX Coordinator will notify, in writing, the parties of the determination and the rationale for it. Under no circumstances, however, will a party be denied the due process to which the party is entitled based on the U.S. Department of Education-issued regulations in effect at the time the conduct alleged to violate Title IX (Statute) took place. Nothing herein shall prevent the Title IX Coordinator from using a hybrid grievance procedure that contains aspects of the grievance procedures contained in both this policy and policies 411.1 and 411.2., so that the parties receive all of the due process to which they are entitled.

Complaints:

The following people may make a complaint of sex discrimination – i.e., request that the District investigate and make a determination about whether sex discrimination as prohibited under Title IX occurred:

A. a "complainant," which includes:

1. a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or

2. a person other than a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the District's education program or activity;

B. a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant;

C. the District's Title IX Coordinator.

A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person who was subjected to the sex-based harassment, or if the Title IX Coordinator initiates a complaint consistent with the requirements of the 2024 Title IX regulations.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

A. any student or employee of the District; or

B. any person other than a student or employee who was participating or attempting to participate in the District's education program or activity at the time of the alleged sex discrimination.

The District may consolidate complaints of sex discrimination against more than one (1) respondent, or by more than one (1) complainant against one (1) or more respondents, or by one (1) party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one (1) complainant or more than one (1) respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

Basic Requirements:

The District will treat complainants and respondents equitably.

All persons involved with implementing the grievance procedures and any other aspects, including the Title IX Coordinator, the investigator, the decision-maker, and the appeal decision-maker, and the facilitator of the informal resolution process, shall be free from any conflicts of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

The Title IX Coordinator may serve simultaneously as an investigator and/or a decision-maker. If the Title IX Coordinator does not intend to serve as the investigator and decision-maker in a specific case, the Title IX Coordinator shall designate one (1) or more administrators who are appropriately trained to serve in the role. Likewise, the Title IX Coordinator shall appoint an appeal decision-maker when an appeal is filed.

In circumstances when the Title IX Coordinator and trained administrators do not have time/capacity to serve, or are prevented due to a conflict of interest, bias, or partiality, or other reasons that impair the Title IX Coordinator and other trained administrators from serving as an investigator and/or decision-maker in a specific case, the Title IX Coordinator shall, in consultation with the District Administrator or Board President (as appropriate), secure one (1) or more independent third parties to serve as the investigator and/or decision-maker. Similarly, the Title IX Coordinator has authority, in consultation with the District Administrator or Board President (as appropriate), to secure an independent third party to serve as the appeal decision-maker.

The District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

Under ordinary circumstances, the Board expects to complete the major stages of the grievance procedures within the timeframe specified below:

A. **Evaluation** – The Title IX Coordinator will determine whether to dismiss a complaint or investigate it within 15 days of receiving the complaint.

B. **Investigation** – The Title IX Coordinator, or designated investigator, shall ordinarily complete the investigation (i.e., collect relevant evidence that is not otherwise impermissible) within 90 days of the Title IX Coordinator determining the charges require investigation. If, however, the Title IX Coordinator, or designated investigator, determines that the investigation is going to take longer, the Title IX Coordinator will so notify the parties and will thereafter keep the parties informed of the status of the matter on a basis. Once the Title IX Coordinator, or designated investigator, provides the parties with "access" to either the relevant and not otherwise impermissible evidence and/or an accurate description of the evidence, the parties will have 5 days to respond to the evidence or the description of the evidence unless the Title IX Coordinator approves a party's written request for more time. If the Title IX Coordinator approves such a request, both parties will be afforded an equal amount of time to submit their response.

C. **Determination** – After the parties either submit responses to the evidence/description of the evidence, or the deadline for submitting such responses expires, the Title IX Coordinator, or designated decision-maker, will consider the relevant and otherwise not impermissible evidence and issue a determination as to whether sex discrimination occurred. The determination shall be issued within 10 days of the deadline for the parties to submit responses to the evidence/description of the evidence unless the Title IX Coordinator approves an extension of time, which must be communicated in writing to the parties.

D. **Appeal** – A party filing an appeal of the Title IX Coordinator's decision to dismiss a complaint must do so within 5 days of receiving the Dismissal.

The Title IX Coordinator, or the District Administrator if the Title IX Coordinator is the individual requesting an extension, may approve reasonable extensions of the preceding timeframes on a case-by-case basis for good cause with notice to the parties.

The District will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

The Title IX Coordinator, or designated decision-maker, shall objectively evaluate all evidence that is relevant and not otherwise impermissible — including both inculpatory and exculpatory evidence. Credibility determinations shall not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the District to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

A. evidence that is protected under a privilege recognized by Federal or State law unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;

B. a party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and

C. evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent shall not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude a determination that sex-based harassment occurred.

Notice of Allegations:

Upon initiation of the Board's grievance procedures, the Title IX Coordinator shall notify the parties of the following:

A. the Board's Title IX grievance procedures and informal resolution process

B. sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);

C. retaliation is prohibited; and

D. the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence. If the Title IX Coordinator, or designated investigator, provides the parties with a description of the evidence, any party may request access to the relevant and not otherwise impermissible evidence. The Title IX Coordinator will provide the requesting party with the relevant and not otherwise impermissible evidence in a timely manner.

Should the Title IX Coordinator decide, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the Title IX Coordinator will provide a supplemental written notice describing the additional allegations to be investigated.

Dismissal of a Complaint:

The Title IX Coordinator may dismiss a complaint of sex discrimination if:

A. the District is unable to identify the respondent after taking reasonable steps to do so;

B. the respondent is not participating in the District's education program or activity and is not employed by the Board;

C. the complainant voluntarily withdraws any or all the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or

D. the District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the Title IX Coordinator will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the Title IX Coordinator will promptly notify, in writing, the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also simultaneously notify, in writing, the respondent of the dismissal and the basis for the dismissal.

The Title IX Coordinator will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the Title IX Coordinator will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

A. procedural irregularity that would change the outcome;

B. new evidence that would change the outcome and that was not reasonably available when the dismissal was made; and

C. the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, the Title IX Coordinator will:

A. notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;

B. implement appeal procedures equally for the parties;

C. ensure that the appeal decision-maker did not take part in an investigation of the allegations or dismissal of the complaint;

D. ensure that the appeal decision-maker has been trained consistent with the 2024 Title IX regulations;

E. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and

F. notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the Title IX Coordinator will, at a minimum:

A. offer supportive measures to the complainant as appropriate;

B. if the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and

C. take other prompt and effective steps, as appropriate, to ensure that sex discrimination does not continue or recur within the District's education program or activity.

Informal Resolution Process:

In lieu of resolving a complaint through the Board's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. The District will not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Adding Allegations and/or Consolidating Complaints:

If, in the course of an investigation, the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the original Notice of Allegations provided or that are included in a complaint that is consolidated, the Title IX Coordinator will notify the parties of the additional allegations.

Investigation:

The District will provide for an adequate, reliable, and impartial investigation of complaints.

The burden is on the District — not on the parties — to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

The Title IX Coordinator, or the designated investigator and/or decision-maker, will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The Title IX Coordinator, or the designated investigator and/or decision-maker, will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

The District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

A. the District will provide the parties with an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence; If the Title IX Coordinator, or designated investigator, provides a description of the evidence, the Title IX Coordinator, or designated investigator, will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.

B. the District will provide a reasonable opportunity to the parties to respond to the evidence or the accurate description of the evidence; and

C. the District will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

If the investigator and decision-maker are two (2) separate individuals, the decision-maker will have an opportunity to question the parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one (1) or more allegations of sex discrimination.

If the investigator and the decision-maker are the same person, the decision-maker will have an opportunity to question the parties and witnesses in individual meetings as part of the investigation.

Before concluding the Investigation, the investigator may allow each party to propose/submit in writing relevant questions that the party wants asked of any party or witness and the investigator will review any questions submitted by the parties and ask those questions of the specific party or witness that the investigator determines – in the investigator's sole discretion – may lead to probative evidence that will assist the decision-maker in determining whether sex discrimination occurred. The investigator's decision to ask or not ask a specific question proposed by a party is not subject to review. Any questions asked must be relevant and not otherwise impermissible.

After the parties have an opportunity to review the relevant and not otherwise impermissible evidence, or an accurate description of this evidence, the decision-maker may allow each party to propose/submit in writing relevant questions that the party wants asked of any party or witness and the decision-maker will review any relevant and not otherwise impermissible questions submitted by the parties and ask those questions of the specific party or witness that the decision-maker determines – in the decisionmaker's sole discretion – may lead to probative evidence that will assist the decision-maker in determining whether sex discrimination occurred. The decision-maker's decision to ask or not ask a specific question proposed by a party is not subject to review. Any questions asked must be relevant and not otherwise impermissible.

Determination of Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Title IX Coordinator or designated decision-maker will:

A. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This standard of proof requires the decision-maker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decision-maker, applying the applicable standard, is not persuaded by the relevant and not otherwise impermissible evidence that sex discrimination occurred, regardless of the quantity of the evidence, the decisionmaker will not determine that sex discrimination occurred.

B. Notify the parties, in writing, of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal.

C. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.

D. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:

1. coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education program or activity limited or denied by sex discrimination;

2. coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and

3. take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity.

E. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and

F. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination of whether sex discrimination occurred.

Appeal of Determinations:

If a party disagrees with the decision-maker's determination as to whether sex discrimination occurred, the party may file an appeal. Appeals must be submitted, in writing, within 5 days of the appealing party's receipt of the Determination.

A party may appeal a Determination on the following bases:

A. procedural irregularity that would change the outcome;

B. new evidence that would change the outcome and that was not reasonably available when the Determination was made; and

C. the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

The complainant may not challenge the ultimate disciplinary sanction/consequence that is imposed.

If a party appeals the decision-maker's determination, the Title IX Coordinator will:

A. notify the parties of any appeal;

B. implement appeal procedures equally for the parties;

C. designate an appeal decision-maker, who will be a person who did not conduct the Investigation or render the Determination, and is appropriately trained in this policy;

1. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the decision-maker's determination;

2. provide the appeal decision-maker with the relevant and not otherwise impermissible evidence along with the accurate description of the relevant evidence (if one was prepared and shared with the parties), any responses the parties submitted to the investigator related to the evidence and/or the description of the evidence (if one was prepared), and the decision-maker's determination; and

3. notify the parties, in writing, of the result of the appeal and the appeal decision-maker's rationale for the outcome.

After a party files an appeal, both parties will have 5 days to submit to the appeal decision maker a statement in support of their position that they want the appeal decision-maker to consider in rendering a decision. Once the decision-maker receives each parties' statement, or the timeline for submitting such statements expires, the appeal decision-maker will have 10 days to issue a decision on the appeal.

No new or additional evidence may be submitted during the appeal process.

The appeal decision-maker shall determine the outcome of the appeal based on the appeal decision-maker's independent review of the record (i.e., the relevant and not otherwise impermissible evidence, the feedback the parties provided to the investigator and/or decision-maker based on their review of the relevant evidence and any description of the relevant evidence that was prepared and shared with the parties, and the decision-maker's

written determination) and the appeal decision-maker's application of the law and Board policy to the facts in the record. The appeal decision-maker must give due deference and due weight to the decision-maker's factual findings and credibility determinations and should not overturn them unless non-testimonial extrinsic evidence in the record justifies a contrary conclusion or unless the record read in its entirety compels a contrary conclusion. Generally, the appeal decision-maker is expected to uphold the decision maker's determination unless the appeal decision-maker determines the decision-maker's determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the decision-maker's determination.

The appeal decision-maker shall notify the Title IX Coordinator, in writing, of the result of the appeal and the rationale for the outcome. The Title IX Coordinator will then simultaneously notify the parties, in writing, of the result of the appeal and the appeal decision-maker's rationale for the outcome.

Supportive Measures:

The District will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the District's education program or activity or provide support during the Board's grievance procedures or during the informal resolution process. For allegations of sex discrimination other than sex-based harassment or retaliation, the District's provision of support measures does not require the District, Board members, or any other person authorized to provide aid, benefit, or service on the District's behalf to alter the alleged discriminatory conduct for the purpose of providing a supportive measure

The Title IX Coordinator shall determine appropriate supportive measures on a case-by-case basis. Supportive measures may vary depending on what the Title IX Coordinator deems to be reasonably available. Supportive measures may include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; school/campus escort services; increased security and monitoring of certain areas of the campus (including school buildings and facilities); restrictions on contact between the parties; leaves of absence; changes in class, work, or extra-curricular or any other activity, regardless of whether there is or is not a comparable alternative; training and education programs related to sexbased harassment; referral to Employee Assistance Program; and other similar measures.

Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties and/or the District's educational environment, or to provide support during the Board's grievance procedures or the informal resolution process.

The District will not impose such measures for punitive or disciplinary reasons.

The Title IX Coordinator may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures, or at the conclusion of the informal resolution process, or the District may continue them beyond that point.

The District will provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate supportive measures applicable to them. The

impartial employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures as set forth in the Key Definitions section of this policy.

A party may seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

The District will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the District's education program or activity, or as otherwise permitted pursuant to the 2024 Title IX regulations.

If the complainant or respondent is an elementary or secondary student with a disability, the Title IX Coordinator shall consult with one (1) or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one (1) or more members, as appropriate, of the student's Section 504 team, if any, to determine how to comply with the requirements of the IDEA and/or Section 504, in the implementation of supportive measures.

The District Administrator may place an employee respondent on administrative leave from employment responsibilities during the pendency of the Board's grievance procedures.

Disciplinary Sanctions and Remedies:

Following a determination that sex-based harassment occurred, the District may impose disciplinary sanctions, which may include:

For Students

A. **Informal Discipline**

1. writing assignments;

2. changing of seating or location;

3. detention;

4. in-school discipline;

B. **Formal Discipline**

1. suspension of bus riding/transportation privileges;

2. removal from co-curricular and/or extra-curricular activity(ies), including athletics;

3. emergency removal;

4. suspension for up to five (5) school days;

5. suspension for up to fifteen (15) consecutive school days if a notice of expulsion hearing has been sent;

6. suspension for up to ten (10) consecutive school days for each incident if the student is eligible for special education services under Chapter 115, Wis. Stats.;

7. expulsion;

8. permanent exclusion from co-curricular and/or extra-curricular activity(ies), including athletics or current class enrollment; and

9. any other sanction authorized by the Student Code of Conduct.

For Employees

A. oral or written warning;

B. written reprimands;

C. required counseling;

D. required training or education;

E. suspension with pay;

F. suspension without pay;

G. termination and any other sanction authorized by any applicable Board Policy and/or Employee/Administrator Handbook.

The District may also provide remedies, which may include disciplinary sanctions/consequences. The Title IX Coordinator will notify the District Administrator of the recommended remedies, so an authorized administrator can consider the recommendation and implement appropriate remedies in compliance with applicable due process procedures, whether statutory or contractual.

With respect to student respondents, the Title IX Coordinator will notify the District Administrator of the recommended remedies (including disciplinary sanctions/consequences), so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 112.1 Nondiscrimination on the Basis of Disability. Discipline of a student respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972 (“Section 504"), and their respective implementing regulations.

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

Retaliation

Neither the Board nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including initiating a disciplinary process against a person for a code of conduct violation that does not involve sex discrimination but arises out of the same facts and circumstances as a complaint or information reported about possible sex discrimination, for the purpose of interfering with the exercise of any right or privilege secured by Title IX constitutes retaliation. Peer retaliation is also prohibited. Retaliation against a person for making a complaint or participating in an investigation is a serious violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Complaints alleging retaliation may be filed according to the grievance procedures set forth above. The District shall initiate its grievance procedures upon receiving any complaint alleging retaliation.

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

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

Confidentiality

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

Application of the First Amendment

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

Training

All employees, investigators, decision-makers, facilitators of informal resolution process, the Title IX Coordinator(s) and designees, and other persons who are responsible for implementing the Board's grievance procedures or have the authority to modify or terminate supportive measures shall receive training related to their duties under Title IX and this Policy. The training shall be provided promptly upon hiring or change of position that alters their duties under Title IX or this policy, and annually thereafter. The training shall not rely on sex stereotypes.

Training materials must be made available for inspection upon request by members of the public.

Recordkeeping

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

A. for each complaint of sex discrimination, records documenting the informal resolution process and/or the grievance procedures followed and the resulting outcome;

B. for each notification that the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX, including notifications under 34 C.F.R. § 106.44(c)(1) or (2), records documenting the actions the District took to meet its obligations under 34 C.F.R. §106.44; and

C. all materials used to provide the required training.

Outside Appointments, Dual Appointments, and Delegations

The Board retains discretion to appoint suitably qualified persons who are not Board members to fulfill any function of the Board under this policy including, but not limited to, Title IX Coordinator, investigator, decision-maker, appeal decision maker, or facilitator of the informal resolution process.

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

The District Administrator may delegate functions assigned to a specific Board members under this policy including, but not limited to, the functions assigned to the Title IX Coordinator, investigator, decision-maker, appeal decision-maker, and facilitator of the informal resolution process to any suitably qualified individual and such delegation may be rescinded by the District Administrator at any time.

Discretion in Application

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

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

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

Legal References:

Wisconsin State Statutes 19.21(6), 120.13, 948.01
The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
Title IX of the Education Amendments of 1972 (Title IX) 20 U.S.C. 1092(F)(6)(A)(v), 20 U.S.C. 1400 et seq, 34 C.F.R. Part 106 34 U.S.C. 12291(a)(8) 34 U.S.C. 12291(a)(10) 34 U.S.C. 12291(a)(30) 42 U.S.C. 1983 20 U.S.C. 1681 et seq.,
Title IV of the Civil Rights Act of 1964, 42 U.S.C. 2000c et seq.,42 U.S.C. 2000d et seq. 42 U.S.C. 2000e et seq.
OCR's Revised Sexual Harassment Guidance (2001)

Cross References:

Policy 112.1 - Nondiscrimination on the Basis of Disability
Policy 411.1 - Student Harassment
Policy 411.2 - Student Nondiscrimination
Policy 443.71- Bullying Policy

Adoption Date: August 26, 2024