



Rockford Public Schools

Quality Community – Quality Schools
Together Building a Tradition of Excellence

ROCKFORD BOARD OF EDUCATION

November 10, 2025 - 5:30 PM

Agenda

CALL TO ORDER

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

RECOGNITION

1. Middle School Student of the Month recipients
2. Charlie Retirement

APPROVAL OF AGENDA

CONSENT AGENDA

1. Presentation of bills in the amount of \$10,571,101.96
2. Approval of Minutes from October 13, 2025
3. Wage Tables – Non-affiliated
4. HS Winter Coaches

NEW BUSINESS

1. FOIA Appeal
2. PowerSchool
3. Certified Resignation
4. Administrator Retirement
5. Approval of 2026 Board of Education Meeting Dates

OLD BUSINESS

1. Fall Policy – 2nd reading

REPORTS

1. Student Representative Report
2. Bond Update
3. MASB Conference Report
4. Committee Reports
5. Collaborative Team Reports

RECOGNITION OF VISITORS AND HEARING OF PEOPLE PRESENT

SUPERINTENDENT REMARKS

ADJOURNMENT

MIDDLE SCHOOL STUDENT OF THE MONTH RECIPIENTS

Name	School	Grade	Month
Adelynn V	East	6th	November 2025
Stuart L	East	6th	November 2025
Jax O	East	7th	November 2025
Leah W	East	7th	November 2025
Cole D	East	8th	November 2025
Zephyr V	East	8th	November 2025
Charlotte H	North	6th	November 2025
Richie A	North	6th	November 2025
Brooke A	North	7th	November 2025
Cam A	North	7th	November 2025
Patrick P	North	8th	November 2025
Avalee P	North	8th	November 2025

BOARD REPORT ON DISBURSEMENTS

DATE: 10/7/2025 11/3/2025

PAYROLL

GENERAL FUND NET PAYROLL	8 & 9	3,141,097.95	
FOOD SERVICE	8 & 9	94,096.73	
ATHLETIC FUND	8 & 9	233,421.20	
TOTAL ALL FUNDS	8 & 9	3,468,615.88	

ALL FUNDS:			
FEDERAL TAX	\$	352,754.21	
SOCIAL SECURITY TAX-MEDICARE TAX	\$	741,271.56	
STATE TAX	\$	170,996.23	
TOTAL	\$	1,265,022.00	
			\$ 4,733,637.88

BLUE CROSS INSURANCE	\$	45,833.62	
NVA/NATIONAL VISION	\$		
BLUE CROSS/BLUE SHIELD (DENTAL) ADMIN FEES	\$	75,337.98	
MESSA (VSP/MED/ LIFE)	\$	858,818.48	
NATIONAL INSURANCE SVCS(L TERM DISABILITY	\$	12,060.24	
RETIREMENT PAYROLL	\$	1,771,677.29	\$ 2,763,727.61

UTILITIES:			
DTE ENERGY	\$	6,555.14	
CONSUMERS ENERGY	\$	108,737.05	
BP ENERGY (FORMERLY EDF ENERGY) BULK FUE	\$	919.23	\$ 116,211.42

FERRIS STATE UNIVERSITY-GYO	\$	216,708.61	
MICHIGAN STATE UNIVERSITY-GYO	\$	124,439.00	
			\$ 341,147.61

TOTAL OF ABOVE	\$	7,954,724.52
BALANCE OF TOTAL GENERAL FUND		604,630.09
SINKING FUND REG CKS		0.00
SINKING FUND ACH CKS		0.00
2023 BOND REG CKS		1,624,382.19
2023 BOND ACH CKS		0.00
2023 BOND CREDIT CARD		20,918.00
GENERAL FUND ACH CKS		0.00
GENERAL FUND CREDIT CARD		366,447.16
TOTAL DISBURSEMENTS		10,571,101.96



BOARD OF EDUCATION

Meeting Minutes – Regular Meeting

October 13, 2025

Date & time Monday, October 13, 2025 | 5:30 p.m.

Location Administration Boardroom

Meeting called to order with a moment of silence and the Pledge of Allegiance by President Folsom

In Attendance

Board of Education: Jarrod Folsom, Tricia Anderson, Barbara Helms, Jake Himmelspace, Kelley Freridge, Andrea Jacobson, Christie Ramsey

Administration: Dr. Steve Matthews, Allison Clements, Mike Ramm, Dr. Korie Wilson-Crawford, Jodi Nester.

Adoption of Agenda

Motion to approve agenda by Christie Ramsey with support from Kelley Freridge. Motion passed unanimously.

Recognition

The Middle School students of the month were announced by President Folsom.

Consent Agenda

Motion to approve by Jake Himmelspace with support from Andrea Jacobson. The motion passed unanimously.

1. Presentation of bills in the amount of \$14,426,191.95
2. Approval of Minutes from September 8, 2025
3. Bank Signatures
4. Fall 2025 Extra Duty
5. Middle School Winter Coaches

New Business

1. REA Tentative Agreement Approval - Dr. Korie Wilson-Crawford presented a tentative agreement between the REA and Rockford Public Schools to the Board of Education. Motion to approve by Kelley Freridge with support from Tricia Anderson. Motion passed unanimously.
2. RESPA Tentative Agreement - Dr. Korie Wilson-Crawford presented a tentative agreement between the RESPA and Rockford Public Schools to the Board of Education. Motion to approve by Kelley Freridge with support from Christie Ramsey. Motion passed unanimously.
3. Fall Policy Update - Dr. Korie Wilson-Crawford presented a policy update to the Board of Education. This is a first reading, and no action was taken. This will be on the agenda in November for approval.

4. RHS Turntable Equipment – Assistant Superintendent of Business and Operations, Allison Clements presented a proposal to the Board of Education to purchase equipment for the turntable for the performing arts stage. Motion to approve by Jake Himmelspace with support from Kelley Freridge. Motion passed unanimously.
5. Edgerton Trails Furniture Purchase – Assistant Superintendent of Instruction, Mike Ramm presented a quote for approval to purchase some furniture for Edgerton Trails Elementary. Motion to approve by Christie Ramsey with support from Andrea Jacobson. Motion passed unanimously.

Old Business

1. Bond Update – Dr. Matthews gave a presentation on the upcoming Bond proposal and Kent ISD Enhancement Millage. Both items are on the November 4, 2025, ballot. Dr. Matthews encouraged everyone to vote. There was much discussion surrounding the details of Bond projects and School Finance.

Reports

1. Student Representative Report – Student Representative to the Board, Leah Rapp gave an update on the many activities taking place at Rockford High School including Homecoming, Flex Time and other activities.
2. Committee Reports – There were several committee meetings in September/October including HR, Instruction, Policy, Building and Site and Finance. Board members gave updates from each of these meetings.
3. Student Achievement Report – Assistant Superintendent of Instruction, Mike Ramm, gave an update on Student Achievement.
4. Collaborative Team Reports
 - Edgerton Trails Principal, Shannon Ouellette, gave an update on things happening at the Elementary level.
 - Rockford Freshman Center Principal, Kelly Amshey gave an update on things happening at the Secondary level.

Recognition of Visitors & Hearing of People Present – Public Comment

Audience Participation. No action taken.

Superintendent Remarks

Dr. Matthews talked about districts within the Kent ISD and many offer public comment at different times in their agenda. No confirmation is necessary when you sign up for public comment. He discussed the bond and that it is a renewal and not an increase. There is a lot of bond information on our website at www.rockfordschools.org.

Adjournment

President Folsom adjourned the meeting at 8:12 p.m.

Recording Secretary

Secretary, Board of Education



Memorandum

To: Board of Education Trustees
From: Dr. Korie Wilson-Crawford, Assistant Superintendent of Human Resources
Date: November 10, 2025
Subject: Wage Schedules for All Non-Affiliated Positions

Attached to this memo you will find salary schedules for all the district positions that are not covered under a collective bargaining agreement. As discussed in multiple previous meetings, the need to approve these salary schedules is precipitated by a Michigan Supreme Court opinion regarding calculations for salaries and coordination with the Office of Retirement Services (ORS) and the Michigan Public School Employee's Retirement System (MPERS).

Again, the opinion holds the following:

- NSI (normal salary index) calculations are unlawful because the ORS does not have the legal authority to create salary schedules for individuals.
- A salary schedule could and should exist for employees whose roles are outside of collective bargaining unit agreements.
- NSI is not defined in state law so the court provided a definition as follows: "a written document established by statute or approved by a reporting unit's governing body that indicates the time and sequence of compensation and conforms to a rule or principle."

Because of this, MASA and professional organizations that deal with school employment are recommending that the district's Board of Education approve salary or wage grids for a variety of positions that could fall within the bullets above. This board action, if approved, will serve to ensure that all wages paid will count toward an employees' final compensation upon retirement.

If you have any questions, please let me know. This will conclude our annual salary agenda items for the 2025-2026 school year.

STEP	Accountant	District Tech / Mechanic		District Tech (Mental Health)		Community R Admin Asst
0.00			\$0.00	\$50,000.00	\$71,155.00	\$47,500.00
1.00	\$70,000.00	\$38,994.43	\$54,656.90	\$50,000.00	\$71,155.00	\$50,424.00
2.00		\$41,415.98	\$55,871.24	\$51,500.00	\$75,573.73	\$52,142.73
3.00		\$44,199.14	\$57,086.65	\$55,638.48	\$80,652.28	\$54,515.22
4.00		\$46,861.80	\$58,300.99		\$86,047.48	\$57,933.32
5.00			\$59,515.32			\$61,530.98
6.00			\$60,729.66			\$65,665.86
7.00			\$60,729.66			\$69,890.54
8.00			\$60,729.66			
9.00			\$60,729.66			
10.00			\$60,729.66			
11.00			\$63,765.50			
12.00			\$63,765.50			
13.00			\$63,765.50			
14.00			\$63,765.50			
15.00			\$63,765.50			
16.00			\$72,875.16			
17.00			\$72,875.16			
18.00			\$72,875.16			
19.00			\$72,875.16			
20.00			\$72,875.16			
21.00			\$72,875.16			
22.00			\$72,875.16			
23.00			\$72,875.16			
24.00			\$72,875.16			
25.00			\$72,875.16			
26.00			\$72,875.16			
27.00			\$72,875.16			
28.00			\$72,875.16			
29.00			\$72,875.16			
30.00			\$72,875.16			
31.00						
32.00						
33.00						
34.00						
35.00						

Financial Assis	Receptionist	System Engin	Admin Asst	Special Event	HR Admin Ass	Aquatics Sup
\$79,000.00			\$42,000.00			
\$79,000.00	\$45,026.00	\$37,500.00	\$42,000.00	\$22,500.00	\$42,000.00	\$50,000.00
\$79,000.00	\$46,016.00	\$38,100.00	\$46,980.00	\$33,750.00	\$43,500.00	\$51,704.27
\$79,000.00	\$46,890.00	\$39,398.66	\$50,897.00	\$34,425.00	\$45,479.25	\$54,056.82
\$82,555.00	\$47,640.00	\$41,191.30	\$54,317.28	\$46,000.00	\$49,916.25	\$56,273.15
\$87,681.67	\$49,264.08	\$46,000.00	\$42,000.00	\$50,000.00	\$53,016.00	\$59,768.00
\$93,573.88	\$50,895.00	\$48,856.60	\$54,317.77	\$55,464.00	\$56,578.76	\$63,784.43
\$99,833.46	\$52,676.00	\$62,000.00	\$57,950.81	\$60,618.00	\$60,363.48	\$67,626.94
	\$54,256.28	\$66,166.40		\$65,751.34		
	\$57,885.73	\$70,152.42		\$67,198.00		
				\$68,474.76		
				\$69,570.00		
				\$71,940.89		
				\$75,214.21		
				\$78,598.85		
				\$83,480.00		
				\$89,089.88		
				\$94,456.84		

Nurse Assista	Finance Admin Asst	Application Specialist	Enrichment C	Community E
\$52,183.00				
\$52,183.00	\$45,000.00	\$38,500.00	\$55,000.00	\$60,000.00
\$54,322.50	\$52,125.00	\$39,116.00	\$58,696.00	\$63,726.00
\$57,695.93		\$40,449.29	\$62,472.27	\$68,008.39
\$61,573.10		\$42,289.73		\$72,383.77
\$74,813.87		\$46,000.00		
		\$65,000.00		
		\$69,036.50		
		\$71,107.60		
		\$75,391.29		

Application An	Executive Ass	TV Studio	Tec Facilities	Cool	Accountant	Nurse	Director Child
\$45,692.00		\$50,000.00					
\$45,692.00	\$42,500.00	\$50,000.00	\$62,000.00	\$42,693.00	\$50,000.00	\$52,000.00	
\$61,590.00	\$42,500.00	\$53,135.00	\$62,000.00	\$45,635.53	\$50,800.00	\$53,114.00	
\$62,206.00	\$44,965.13	\$56,434.68	\$80,000.00	\$49,916.25	\$55,814.76	\$54,153.74	
\$65,450.00	\$47,000.00	\$60,227.09	\$84,968.00	\$53,016.00	\$58,354.33	\$55,019.00	
\$66,595.00	\$49,138.50	\$64,101.86	\$90,677.85	\$58,700.00	\$68,980.35	\$56,894.81	
\$67,927.00	\$70,000.00		\$96,511.70	\$62,644.64	\$73,264.03	\$59,483.52	
\$69,286.00	\$74,389.00			\$78,187.50	\$78,187.37	\$75,000.00	
\$78,975.00	\$79,008.56				\$83,417.68	\$79,702.50	
\$80,150.00	\$84,000.00					\$84,652.00	
\$81,256.07	\$88,816.40					\$94,652.00	
\$83,044.00						\$101,012.61	
\$84,621.84						\$107,769.80	
\$85,975.00							
\$88,905.43							
\$92,950.63							
\$98,778.63							
\$104,912.78							
\$108,060.17							
\$114,569.97							

Maintenance	Payroll Benefi	Payroll Coord	Payroll Assist:	Route Planne	Accts Pay	Coo	District Techn
\$0.00					\$45,022.50		\$38,037.00
\$45,263.33	\$39,000.00	\$39,000.00	\$42,000.00	\$34,000.00	\$45,022.50		\$42,500.00
\$45,814.75	\$39,858.00	\$39,858.00	\$42,000.00	\$37,484.34	\$48,818.00		\$46,530.00
\$46,367.28	\$42,858.00	\$42,858.00	\$46,980.00	\$38,375.58	\$52,098.70		\$46,530.00
\$46,918.71	\$43,672.00	\$43,672.00	\$50,897.00	\$40,954.42	\$55,583.68		\$46,530.00
\$47,471.24	\$45,672.00	\$45,672.00	\$55,317.28	\$41,912.75			\$46,530.00
\$48,022.67	\$46,403.00	\$46,403.00	\$59,017.70				\$47,344.00
\$48,022.67	\$47,403.00	\$47,403.00	\$58,962.69				\$48,291.00
\$48,022.67	\$49,018.75	\$49,018.75					\$49,257.00
\$52,000.00	\$52,249.11	\$52,249.11					\$50,242.00
\$55,229.20	\$55,788.75	\$55,788.75					\$52,500.00
\$58,940.60	\$59,253.23	\$61,153.00					\$53,500.00
\$62,883.40	\$63,235.05	\$65,262.48					\$54,238.30
	\$67,465.12	\$72,975.00					\$55,432.00
							\$56,485.21
							\$57,389.00
							\$59,344.88
							\$62,045.07
							\$65,935.30
							\$70,029.88
							\$72,130.78
							\$76,476.11

Special Event: District Tech Transportatio Security Supe Microsoft Systems Engineer

\$42,000.00			\$0.00	
\$44,000.00	\$38,900.00	\$33,847.42	\$62,160.00	\$76,950.00
\$46,956.80	\$40,261.50	\$34,359.73		\$77,950.00
\$49,785.59	\$42,967.07	\$42,500.00		\$79,025.71
	\$50,000.00	\$45,164.75		\$80,764.00
		\$47,969.48		\$82,298.52
		\$51,193.03		\$83,615.00
		\$54,486.58		\$86,464.81
		\$36,411.03		\$90,398.96
		\$36,411.03		\$96,066.88
		\$36,411.03		\$102,032.73
		\$37,436.68		\$105,093.71
		\$37,436.68		\$111,424.81
		\$37,436.68		
		\$37,436.68		
		\$43,099.60		
		\$45,060.63		

Proposed 2025-2026 RPS Administrative Salary Schedule (Building and Directors)

STEP	Elementary Principals	Assistant Principals	Middle School Principals	High School Principals	Directors	Executive Directors
1	\$ 123,319.60	\$ 109,331.00	\$ 132,887.50	\$ 143,518.50	\$ 110,965.21	\$ 145,860.00
2	\$ 124,662.30	\$ 112,855.51	\$ 134,565.07	\$ 145,476.73	\$ 111,453.46	\$ 151,071.83
3	\$ 126,004.99	\$ 114,086.58	\$ 136,243.71	\$ 146,330.00	\$ 114,981.71	\$ 153,309.65
4	\$ 127,347.69	\$ 115,317.65	\$ 137,922.34	\$ 149,393.19	\$ 116,660.34	\$ 155,547.48
5	\$ 129,934.38	\$ 116,548.72	\$ 139,600.98	\$ 151,351.42	\$ 118,338.98	\$ 157,786.37
6	\$ 130,123.44	\$ 117,779.79	\$ 141,279.61	\$ 153,309.65	\$ 120,017.61	\$ 159,260.00
7	\$ 131,292.85	\$ 118,322.55	\$ 143,068.00	\$ 155,267.88	\$ 121,696.25	\$ 162,262.02
8	\$ 132,719.53	\$ 120,241.93	\$ 144,636.88	\$ 157,226.11	\$ 123,374.88	\$ 165,112.19
9	\$ 134,062.23	\$ 121,473.00	\$ 146,315.52	\$ 160,062.46	\$ 125,868.91	\$ 166,738.73
10	\$ 135,404.92	\$ 122,678.00	\$ 147,994.15	\$ 161,142.57	\$ 126,732.15	\$ 168,976.56
11	\$ 136,422.62	\$ 123,934.07	\$ 149,672.79	\$ 163,101.87	\$ 128,300.00	\$ 171,214.38
12	\$ 138,064.00	\$ 124,689.94	\$ 151,351.42	\$ 165,060.10	\$ 130,089.42	\$ 173,452.21
13	\$ 139,931.60	\$ 126,396.21	\$ 153,030.06	\$ 167,018.33	\$ 132,998.46	\$ 175,691.10
14	\$ 141,735.77	\$ 127,953.65	\$ 155,938	\$ 168,047.41	\$ 133,244.70	\$ 177,928.92
15	\$ 142,057.80	\$ 128,858.35	\$ 156,362.87	\$ 170,934.79	\$ 135,885.00	\$ 180,166.75
16	\$ 143,735.49	\$ 130,089.42	\$ 158,065.96	\$ 172,893.02	\$ 136,329.82	\$ 182,404.57
17	\$ 144,804.85	\$ 132,382.00	\$ 159,744.60	\$ 174,851.25	\$ 138,482.60	\$ 184,643.46
18	\$ 145,970.55	\$ 132,624.00	\$ 161,423.23	\$ 176,809.48	\$ 139,102.30	\$ 186,881.29
19	\$ 147,490.24	\$ 133,782.63	\$ 163,101.87	\$ 178,767.71	\$ 141,886.57	\$ 189,119.11
20	\$ 148,512.94	\$ 135,013.70	\$ 164,780.50	\$ 180,727.00	\$ 146,776.50	\$ 192,810.00

The steps listed above are not years of service in Rockford. The Superintendent will consider other variables such as level of responsibility, special projects, previous career experience and performance into account when setting annual step placement for administrators.

Proposed 2025-2026 RPS Assistant Superintendent Salary Schedule

STEP	2024-2025 Assistant Superintendents Base Salary (longevity included)	2024-2025 Assistant Superintendent Annuity and Merit Pay	2025-2026 Assistant Superintendents Base Salary (longevity included)	2025-2026 Assistant Superintendent Annuity and Merit Pay
1	\$161,200	\$22,514 (Annuity) \$1,000 (Merit) *To be included in MPSERS Compensation Numbers	\$171,823	\$23,998 (Annuity) \$1,000 (Merit) *To be included in MPSERS Compensation Numbers
2	\$163,662		\$174,447	
3	\$166,124		\$177,072	
4	\$168,586		\$179,696	
5	\$171,048		\$182,320	
6	\$173,510		\$184,944	
7	\$177,604		\$189,308	
8	\$178,435		\$190,194	
9	\$179,314		\$191,131	
10	\$184,178		\$195,260	
11	\$185,821		\$198,067	
12	\$188,283		\$200,691	
13	\$191,369		\$202,908	
14	\$193,208		\$205,940	
15	\$195,670		\$208,565	
16	\$198,132		\$211,189	
17	\$200,594		\$213,813	
18	\$203,056		\$216,437	
19	\$205,518		\$219,062	
20	\$208,000		\$221,707	

The

steps listed above are not years of service in Rockford. The Superintendent will consider other variables such as level of responsibility, level of education, special projects, previous career experience and performance into account when setting annual step placement for all cabinet-level administrators.

The addition of special stipends, including interim assignments, may be authorized and added by the Superintendent of Schools. Any special stipends and assignments shall be in addition to the above salaries. If/when added, these supplemental contracts are explicitly approved to be included in salary calculations though they may not appear on this document.

BAC/PRESCHOOL 25-26 UPDATED OCTOBER

STEP	ADCC-0	BAC-0	BACAM-0	BACL-0	BCLAM-0	CEPSA-0	CRECP-0	PSA-0	PSA+-0	PSTSC-0
1.00	\$18.5900	\$14.7200	\$25.2000	\$21.4200	\$36.6100	\$25.0600	\$15.9400	\$15.6200	\$16.6200	\$21.5700
2.00	\$19.2900	\$15.1300	\$25.8600	\$21.7900	\$37.2300	\$25.0600	\$16.5800	\$16.3900	\$17.3900	\$22.0600
3.00	\$20.0300	\$15.5200	\$26.5300	\$22.1600	\$37.8800	\$25.0600	\$17.1800	\$16.7600	\$17.7600	\$22.4500
4.00	\$20.7800	\$15.9100	\$27.1900	\$22.5400	\$38.5300	\$25.0600	\$18.0700	\$17.6000	\$18.6000	\$22.8800
5.00	\$21.5900	\$16.2700	\$27.8200	\$22.8900	\$39.1500	\$25.0600	\$19.0200	\$18.4100	\$19.4100	\$23.3600
6.00	\$22.4600	\$16.2700	\$27.8200	\$22.8900	\$39.1500	\$25.3100	\$20.3200	\$18.4100	\$19.4100	\$23.3600
7.00	\$22.4600	\$16.2700	\$27.8200	\$22.8900	\$39.1500	\$25.3100	\$20.3200	\$18.4100	\$19.4100	\$23.3600
8.00	\$22.4600	\$16.2700	\$27.8200	\$22.8900	\$39.1500	\$25.3100	\$20.3200	\$18.4100	\$19.4100	\$23.3600
9.00	\$22.9100	\$16.2700	\$27.8200	\$22.8900	\$39.1500	\$25.3100	\$20.3200	\$18.4100	\$19.4100	\$23.3600
10.00	\$22.9100	\$16.2700	\$27.8200	\$22.8900	\$39.1500	\$25.3100	\$20.3200	\$18.4100	\$19.4100	\$23.3600
11.00	\$23.2000	\$16.4000	\$28.0500	\$23.0400	\$39.3400	\$25.3100	\$20.6000	\$18.5500	\$19.5500	\$23.5000
12.00	\$23.2000	\$16.4000	\$28.0500	\$23.0400	\$39.3400	\$25.3100	\$20.6000	\$18.5500	\$19.5500	\$23.5000
13.00	\$23.2000	\$16.4000	\$28.0500	\$23.0400	\$39.3400	\$25.3100	\$20.6000	\$18.5500	\$19.5500	\$23.5000
14.00	\$23.2000	\$16.4000	\$28.0500	\$23.0400	\$39.3400	\$25.3100	\$20.6000	\$18.5500	\$19.5500	\$23.5000
15.00	\$23.2000	\$16.4000	\$28.0500	\$23.0400	\$39.3400	\$25.3100	\$20.6000	\$18.5500	\$19.5500	\$23.5000
16.00	\$23.2700	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.7000	\$18.6500	\$19.6500	\$23.5800
17.00	\$23.2700	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.7000	\$18.6500	\$19.6500	\$23.5800
18.00	\$23.2700	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.7000	\$18.6500	\$19.6500	\$23.5800
19.00	\$23.2700	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.7000	\$18.6500	\$19.6500	\$23.5800
20.00	\$23.2700	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.7000	\$18.6500	\$19.6500	\$23.8800
21.00	\$23.3400	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
22.00	\$23.3400	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
23.00	\$23.3400	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
24.00	\$23.3400	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
25.00	\$23.3400	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
26.00	\$23.3900	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
27.00	\$23.3900	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
28.00	\$23.3900	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
29.00	\$23.3900	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800
30.00	\$23.3900	\$16.4700	\$28.1600	\$23.0900	\$39.4700	\$0.0000	\$20.8400	\$18.6500	\$19.6500	\$23.8800

STEP	ADAST-0	ASL-0	CECO-0	CEREC-0	DSEC-0	NUCLE-0	NURSE-0
0.00	\$19.2200						
1.00	\$19.2200	\$22.7200	\$21.6300	\$15.3900	\$16.2300	\$17.1800	\$25.9800
2.00	\$19.8800	\$22.7200	\$22.4500	\$16.0000	\$16.7900	\$17.4600	\$26.8200
3.00	\$20.5600	\$22.7200	\$23.2900	\$16.6100	\$17.4300	\$17.6600	\$27.6600
4.00	\$21.2400	\$22.7200	\$24.1800	\$17.4700	\$18.2200	\$17.9400	\$28.5300
5.00	\$22.1100	\$22.7200	\$25.1000	\$18.4300	\$19.1800	\$18.2200	\$29.4500
6.00	\$23.1100	\$22.7200	\$25.1000	\$19.6600	\$20.3700	\$18.5200	\$29.4500
7.00	\$23.1100	\$22.7200	\$25.1000	\$19.6600	\$20.3700	\$18.5200	\$29.4500
8.00	\$24.1200	\$22.7200	\$25.1000	\$19.6600	\$20.3700	\$18.8100	\$29.4500
9.00	\$24.1200	\$22.7200	\$25.1000	\$19.6600	\$20.3700	\$18.8100	\$29.4500
10.00	\$24.1200	\$22.7200	\$25.3800	\$19.6600	\$20.6500	\$18.8100	\$29.7500
11.00	\$25.5600	\$22.7200	\$25.3800	\$19.9400	\$20.6500	\$19.1100	\$29.7500
12.00	\$25.5600	\$22.7200	\$25.3800	\$19.9400	\$20.6500	\$19.1100	\$29.7500
13.00	\$25.5600	\$22.7200	\$25.3800	\$19.9400	\$20.6500	\$19.1100	\$29.7500
14.00	\$25.5600	\$22.7200	\$25.3800	\$19.9400	\$20.6500	\$19.1100	\$29.7500
15.00	\$25.9200	\$22.7200	\$25.3800	\$19.9400	\$21.3100	\$19.1100	\$29.7500
16.00	\$25.9200	\$22.7200	\$25.4500	\$20.0200	\$22.0600	\$19.4100	\$29.8200
17.00	\$25.9200	\$22.7200	\$25.4500	\$20.0200	\$22.0600	\$19.4100	\$29.8200
18.00	\$25.9200	\$22.7200	\$25.4500	\$20.0200	\$22.0600	\$19.4100	\$29.8200
19.00	\$25.9200	\$22.7200	\$25.4500	\$20.0200	\$22.0600	\$19.4100	\$29.8200
20.00	\$25.9200	\$22.7200	\$25.4500	\$20.0200	\$22.0600	\$19.7200	\$29.8200
21.00	\$25.9200	\$22.7200	\$25.5400	\$20.1100	\$22.1300	\$19.7200	\$29.9000
22.00	\$25.9200	\$22.7200	\$25.5400	\$20.1100	\$22.1300	\$19.7200	\$29.9000
23.00	\$25.9200	\$22.7200	\$25.5400	\$20.1100	\$22.1300	\$19.7200	\$29.9000
24.00	\$25.9200	\$22.7200	\$25.5400	\$20.1100	\$22.1300	\$20.0400	\$29.9000
25.00	\$25.9200	\$22.7200	\$25.5400	\$20.1100	\$22.1300	\$20.0400	\$29.9000
26.00	\$25.9200	\$22.7200	\$25.6000	\$20.1600	\$22.1800	\$20.0400	\$29.9500
27.00	\$25.9200	\$22.7200	\$25.6000	\$20.1600	\$22.1800	\$20.0400	\$29.9500
28.00	\$25.9200	\$22.7200	\$25.6000	\$20.1600	\$22.1800	\$20.3700	\$29.9500
29.00	\$25.9200	\$22.7200	\$25.6000	\$20.1600	\$22.1800	\$20.3700	\$29.9500
30.00	\$25.9200	\$22.7200	\$25.6000	\$20.1600	\$22.1800	\$20.3700	\$29.9500

PRESCHOOL CONTRACTS 25-26 UPDATED OCTOBER

STEP	CDL5A-0	PECC-0	PS1/2-0
1.00	\$43,927.27	\$35,914.12	\$46,690.20
2.00	\$43,927.27	\$36,712.22	\$47,746.94
3.00	\$43,927.27	\$37,385.62	\$49,024.70
4.00	\$43,927.27	\$38,108.89	\$49,535.18
5.00	\$43,927.27	\$38,882.04	\$50,624.96
6.00	\$43,927.27	\$38,882.04	\$51,586.83
7.00	\$43,927.27	\$38,882.04	\$52,412.24
8.00	\$43,927.27	\$38,882.04	\$53,318.99
9.00	\$43,927.27	\$38,882.04	\$53,318.99
10.00	\$43,927.27	\$38,882.04	\$53,318.99
11.00	\$43,927.27	\$39,131.42	\$53,318.99
12.00	\$43,927.27	\$39,131.42	\$53,318.99
13.00	\$43,927.27	\$39,131.42	\$53,318.99
14.00	\$43,927.27	\$39,131.42	\$53,318.99
15.00	\$43,927.27	\$39,131.42	\$53,318.99
16.00	\$43,927.27	\$39,256.14	\$53,318.99
17.00	\$43,927.27	\$39,256.14	\$53,318.99
18.00	\$43,927.27	\$39,256.14	\$53,318.99
19.00	\$43,927.27	\$39,256.14	\$53,318.99
20.00	\$43,927.27	\$39,754.95	\$53,318.99
21.00	\$43,927.27	\$39,754.95	\$53,318.99
22.00	\$43,927.27	\$39,754.95	\$53,318.99
23.00	\$43,927.27	\$39,754.95	\$53,318.99
24.00	\$43,927.27	\$39,754.95	\$53,318.99
25.00	\$43,927.27	\$39,754.95	\$53,318.99
26.00	\$43,927.27	\$39,754.95	\$53,318.99
27.00	\$43,927.27	\$39,754.95	\$53,318.99
28.00	\$43,927.27	\$39,754.95	\$53,318.99
29.00	\$43,927.27	\$39,754.95	\$53,318.99
30.00	\$43,927.27	\$39,754.95	\$53,318.99

SECURITY 25-26 UPDATED OCTOBER

STEP	STY -0
1.00	\$22.1500
2.00	\$22.7100
3.00	\$23.7500
4.00	\$23.7500
5.00	\$23.7500
6.00	\$23.7500
7.00	\$24.6700
8.00	\$24.6700
9.00	\$24.6700
10.00	\$24.6700
11.00	\$24.8200
12.00	\$24.8200
13.00	\$24.8200
14.00	\$24.8200
15.00	\$24.9800
16.00	\$24.9800
17.00	\$24.9800
18.00	\$24.9800
19.00	\$24.9800
20.00	\$24.9800
21.00	\$24.9800
22.00	\$24.9800
23.00	\$24.9800
24.00	\$24.9800
25.00	\$24.9800
26.00	\$24.9800
27.00	\$24.9800
28.00	\$24.9800
29.00	\$24.9800
30.00	\$24.9800



Memorandum

To: Dr. Steven Matthews, Superintendent

From: Dr. Korie Wilson-Crawford, Assistant Superintendent of Human Resources

Date: November 10, 2025

Subject: 2025-2026 HIGH SCHOOL EXTRA DUTY WINTER COACHING RECOMMENDATIONS

SPORT	POSITION	NAME
BASKETBALL (BOYS)	Head Coach	Kyle Clough
	JV Coach	Jeff Grauzer
	Freshman Coach	Nicolas Duba
BASKETBALL (GIRLS)	Head Coach	Bradley Wilson
	JV Coach	Brian Hendricks
	Freshman Coach	Sarah Barnett
BOWLING	Boys Head Coach	Brandon Engstrom
	Girls Head Coach	Jerome Tarabek
COMPETITIVE CHEERLEADING	Head Coach	MeLisa Milanowski
	JV Coach	Hillary VanDam
	Freshman Coach	Kelly Brown
DANCE-VARSITY	Head Coach	Amanda Carfagnini
GYMNASTICS	Head Coach	Michelle Ankney
	Assistant Coach	Averi Nixon
HOCKEY	Head Coach	Carl Mokosak
	Assistant Coach	Tyler Borchers
SKIING	Boys/Girls Head Coach	Daniel Male
	Assistant Coach	POSTED
SWIMMING (BOYS)	Head Coach	Kevin Brown
	Assistant Coach	Hunter Ignasiak
	Diving Coach	Joshua Vickery
WRESTLING	Head Coach	Brian Richardson
	Assistant Coaches	Caleb Westveer/Eric Dietz



Rockford Public Schools

Quality Community – Quality Schools
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Office of the Superintendent

Dr. Steve Matthews, Superintendent

350 N. Main Street Rockford, MI 49341 Phone:
616.863.6554 Fax: 616.863.6355

Memorandum

To: Rockford Public Schools board of Education

From: Dr. Steve Matthews, Superintendent

Date: November 11, 2025

Subject: FOIA Fee Appeal

Ms. Emily Whalen submitted a FOIA for costs relate to transportation.

We responded to her FOIA per our policy and the law. We granted the request. We provided a fee estimate based on the cost of the lowest paid individual capable of completing the work.

She is appealing the fee as unreasonable and excessive.

The fee is based upon the labor costs of the lowest paid employee who is capable of performing the work. Based upon her request our accountant is the lowest paid person capable of doing the work. It would cost an estimated 6 hours of time.

The recommendation is to deny her appeal. The request requires time and effort to collect the requested information. Based upon our staffing the lowest paid employee who can reasonably gather this information is our accountant.

Granting the appeal would set a precedent that I would not recommend. Per the law organizations can charge for the time and effort in collecting the information requested in a FOIA. The law requires that fees not be excessive. The law requires that the organization use the lowest paid individual capable of collecting the information.

We have followed the law. Gathering requested FOIA information takes employees away from their jobs.

Granting this appeal would set the precedent that no FOIA expense could be reimbursed. I would not recommend that the board set that precedent.



Memorandum

To: Steve Matthews Ph.D., Superintendent
From: Mike Ramm, Assistant Superintendent of Instruction
Date: November 6, 2025
Subject: Adoption and Purchase of PowerSchool Student Information System

Dr. Matthews,

The purpose of this memo is to formally recommend the adoption and purchase of PowerSchool as the new district-wide Student Information System (SIS) for Rockford Public Schools. If approved, the district would enter into a contract beginning on January 1, 2026 for an integration, training, and readiness phase before launching to the school community for the 26/27 school year.

Our current SIS is Skyward and has been the district's platform for over two decades. In response to stakeholder feedback and in alignment with *RAMS XII Pillar 5: Organizational Effectiveness - Strategy 5B1: Updated Communications Platforms*, the district initiated an information system review process and formed a representative committee. The committee, composed of administrators, support staff, teachers, and technology specialists, engaged in a decision making process that included:

- Developing detailed criteria based on district needs.
- Reviewing multiple platform demonstrations.
- Conducting reference checks with peer districts.
- Analyzing usability, functionality, and long-term support.

At the conclusion of the process, the committee unanimously recommended that PowerSchool Student Information System be considered for approval as it best meets our district's evolving communication, instruction, and operational demands. PowerSchool provides a modern and user-friendly interface that will significantly improve data management, instructional support, and communication. Additionally, the platform has widespread use among other districts in our region and the Kent ISD has staff dedicated to supporting PowerSchool in area districts.

A final budget proposal is attached for your review and summarized below.

- **Integration and Subscription** - \$50,888.16 (January 1, 2026 - June 30, 2026)
- **Subscription** - \$156,301.52 (July 1, 2026 - June 30, 2027)
- **Professional Learning** - Not to Exceed \$37, 825.00

Should the board approve moving forward, we will finalize a contract with PowerSchool not to exceed the approved amounts and begin roadmapping for district integration beginning on January 1st. Again, full district readiness is set for the start of the 2026/27 school year. A multi-year contract (versus annual renewals) with fixed known future subscription costs would also be negotiated. The typical PowerSchool annual subscription model has historically averaged an increase of approximately 4% annually.

We are confident that adopting PowerSchool is a critical step forward for the district. Thank you for the opportunity to bring this proposal to the RPS Board of Education for consideration.

Thank you,

Mike Ramm



Annual Subscription Fees						
PowerSchool	Student Count	License Fee	Base Annual	Implementation	Prorated Yr 1	Description
PowerSchool with Enrollment and Data Verification	7611	\$ 16.72		\$ 63,610.20	\$ 127,220.40	
School Messenger (06/30/26 - 06/30/27)	7611	\$ 1.64	\$ 12,482.04		\$ 12,482.04	SchoolMessenger Communicate subscription - Existing License Expires 06/30/2026
Schoology (07/31/26 - 06/30/27)	7611	\$ 7.98	\$ 60,735.78		\$ 55,674.47	Schoology LMS (Complete) - Existing License Expires 07/31/2026
TOTAL SUBSCRIPTIONS			\$ 200,438.22	\$ 63,610.20	\$ 195,376.91	
Multi-License Customer Discount (20%)			\$ 40,087.64	\$ (12,722.04)	\$ (39,075.38)	Schoology/PowerSchool/SchoolMessenger Combined Discount
TOTAL (After Discount)			\$ 160,350.58	\$ 50,888.16	\$ 156,301.52	Total Subscription Fees
				12/31/25-06/30/26	2026/27 SY	

One-Time Professional Services						
PowerSchool						
Deployment & Consultation Hours			\$ 53,590.00			PowerSchool and RPS Working Together to Migrate and Implement the new system.
Remote Training			\$ 16,405.00			
Additional Training Allowance (If Necessary)			\$ 21,000.00			
One-Time Implementation and Training Fee Waiver			\$ (53,170.00)			
TOTAL PROFESSIONAL SERVICES			\$ 37,825.00			One-Time Cost for implementation & Training
				12/31/25-06/30/26		

PowerSchool is the premier choice for district administration seeking a powerful, scalable, and integrated Student Information System (SIS). Designed to meet the complex needs of modern school districts, PowerSchool offers a centralized platform that streamlines data management across schools, enhances operational efficiency, and supports data-driven decision-making. Its robust suite of tools—including real-time analytics, customizable reporting, and seamless integration with state compliance systems—empowers district leaders to monitor performance, allocate resources effectively, and ensure accountability. With its secure, cloud-based infrastructure and strong interoperability with other educational technologies, PowerSchool not only simplifies administrative workflows but also fosters collaboration among educators, students, and families. For districts aiming to elevate student outcomes and operational excellence, PowerSchool delivers unmatched reliability and innovation.



Memorandum

To: Board of Education
From: Dr. Korie Wilson-Crawford, Assistant Superintendent of Human Resources
Date: November 10, 2025
Subject: 2025-2026 Employee Resignations

Mary Cory	Teacher	East Middle	11/14/2025
Morgan Blankenhagen	Behavioral Specialist	Edgerton Trails & Roguewood	10/31/2025



Rockford Public Schools

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Human Resources Department
Dr. Korie Wilson-Crawford, Assistant Superintendent
350 N. Main Street • Rockford, MI 49341
Phone: 616.863.6554 • Fax: 616.863.6355

Memorandum

To: Board of Education
From: Dr. Korie Wilson-Crawford, Assistant Superintendent of Human Resources
Date: November 10, 2025
Subject: Administrator Retirement for 2026-2027

John Henry	Director of Food Service	High School	June 30, 2026
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Memorandum

To: Dr. Steven Matthews, Superintendent
From: Dr. Korie Wilson-Crawford, Assistant Superintendent of Human Resources
Date: November 10, 2025
Subject: Fall Policy 2025 Update – Second Reading

With the Policy Committee's approval, the following NEOLA policy update will be brought to the Board for a second reading on November 10, 2025.

Policy Number	Description	Revised	New	Rescind	Replacement
Po1623	Section 504/ADA Prohibition Against Disability Discrimination in Employment	X			
Po2210	Curriculum Development – Approved Courses	X			
Po2260	Nondiscrimination and Access to Equal Educational Opportunity	X			
Po2260.01	Section 504/ADA Prohibition Against Discrimination Based Disability	X			
Po2264	Nondiscrimination on the Basis of Sex in Education Programs or Activities			X	
Po2266	Nondiscrimination on the Basis of Sex in Education Programs or Activities	X			
Po2412	Homebound Instruction Program	X			
Po3123	Section 504/ADA Prohibition Against Disability Discrimination in Employment	X			
Po4123	Section 504/ADA Prohibition Against Disability Discrimination in Employment	X			
Po4162	Controlled Substance and Alcohol Policy for Commercial Motor Vehicle (CMV) Drivers	X			
Po5120	Assignment Within District	X			
Po5517.01	Bullying and Other Aggressive Behavior Towards Students	X			

Thank you for your continued support of the Policy Review Committee.



Policy Committee Meeting

Date: October 8, 2025
Time: 9:30 A.M.
Location: Administration Building

1. Welcome
2. Policy Discussion
3. Other Questions
4. Adjournment



Rockford Public Schools

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RPS Board of Education Policy Committee Meeting

October 10, 2025

Meeting Location: Administration Building **Meeting Time:** 9:30 A.M.

Attendance: Dr. Korie Wilson Crawford, Christie Ramsey, Jake Himmelspach (Absent), Andrea Jacobson, and Erin Wenger (recorder)

Andrea called the meeting to order at 9:40 A.M.

Welcome

Dr. Korie Wilson-Crawford updated Trustees on the district's new policy representative, Kevin Schooly who is replacing Darlene Dongvillo who has retired.

Policy Discussion

The policies presented are recommendations based on conversations with NEOLA.

- Po1623- SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT.
 - A. Editorial changes, most notably, the Michigan reporting Office of Civil Rights location has changed from Cleveland, OH to Washington DC due to office closure
- Po2210- CURRICULUM DEVELOPMENT - APPROVED COURSES
 - A. Documentation related to the calculation of instructional time for each approved course
 - B. This policy will accompany the Pupil Account Manual part of the Michigan School Code
 - C. All will get updated to this current year
- Po2260- NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
 - A. Editorial changes and the change to Scott Beckman's official title from; Director of Security to Executive Director of Safety and Security.
 - B. Changes will be made to Scott's title will be made on all policies that reflect his title in the district
 - C. Policy outlines the formal complaint procedures for the district
 - D. District has updated the website to reflect the different scenarios based on student needs

- Po2260.01- SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED OF DISABILITY
 - A. Editorial changes
 - B. Same as Po2260 with the exception of 504/ADA complaints are filed with the OCR (Office of Civil Rights)
- Po2264- NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
 - A. Policy is being rescinded and put into Po2266
- Po2266- NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
 - A. New Definiton under Sexual Harassment changing “fondling” to “criminal sexual contact”
 - B. Editorial changes
 - C. Korie will request clarification to our Representative, Kevin on the effective date, August 1, 2024
- Po2412- HOMEBOUND INSTRUCTION PROGRAM
 - A. Clarification on who can certify student eligibility
 - B. Certification starts with the physician and Larinda Fase, Director of Special Programs, works with families and Mike Ramm approves the plan.
- Po3123- SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
 - A. This policy is for professional/certified staff and reporting to the OCR (Office of Civil Rights)
- Po4123- SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
 - A. This policy is for support staff and reporting to the OCR (Office of Civil Rights)
- Po4162- CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR COMMERCIAL MOTOR VEHICLE (CMV) DRIVERS
 - A. Changes in the DOT (Department of Transportation) return-to-work duty from substance abuse treatment. These employees may be returned to work in a non-DOT position
- Po5120- ASSIGNMENT WITHIN DISTRICT
 - A. Only editorial changes
- Po5517.01- BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARDS STUDENTS
 - A. Added definition to current policy regarding bullying and harassment
 - B. Editorial changes
 - C. The district provides training and restorative practices annually with staff before the start of the school year

No further questions or comments, or discussion.

Meeting adjourned at 10:33 AM By Andrea Jacobson

Book	Policy Manual
Section	Board Prep 40.1 Nondiscrimination
Title	Copy of SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po1623
Status	
Adopted	June 22, 2015
Last Revised	December 13, 2021

1623 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

The Board of Education prohibits discrimination against any employee or applicant based upon the employee's or applicant's his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one (1) or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

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

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aids or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Compliance Officer(s)

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

Korie Wilson-Crawford
 Assistant Superintendent of Human Resources
 350 N. Main St.
 Rockford, MI 49341
 616-863-6554
 kwilsoncrawford@rockfordschools.org

Kelly Amshey
 Principal
 4500 Kroes
 Rockford, MI 49341
 616-863-6348
 kamshey@rockfordschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's website.

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

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

Training

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

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

Facilities

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

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

Notice

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

Complaint Procedures

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

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

Department of Education's Office for Civil Rights.

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

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

Internal Complaint Procedure

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

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the District Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the District Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the District Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the District Compliance Officer for good cause.
- C. The District Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The District Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) days. If no decision is rendered within ten (10) days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Superintendent. The District Compliance Officer shall maintain the District's files and records relating to the complaint.
- D. The Superintendent will, within ten (10) days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The Superintendent will render a his/her decision with ten (10) days of the hearing.
- E. The employee may be represented, at the employee's his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

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

OCR Complaint

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

U.S. Department of Education

Office for Civil Rights

Lyndon Baines Johnson Department of Education Building
400 Maryland Ave., SW
Washington, DC 20202-1100

Telephone: (800) 421-3481
 FAX: (202) 453-6012
 TDD: 800-877-8339
 E-mail: OCR@ed.gov
 Web: <http://www.ed.gov/ocr>

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

Retaliation

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

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

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

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

Revised 9/12/18

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

Book	Policy Manual
Section	Board Prep 40.1
Title	Copy of CURRICULUM DEVELOPMENT- APPROVED COURSES
Code	po2210
Status	
Adopted	June 22, 2015
Last Revised	August 10, 2020

2210 - CURRICULUM DEVELOPMENT- APPROVED COURSES

The Board of Education recognizes its responsibility for the quality of the educational program of the District. To this end, the curriculum shall be developed, evaluated and adopted on a continuing basis and in accordance with a plan for curriculum growth established by the Superintendent.

For purposes of this policy and consistent communication throughout the District, the curriculum shall be defined as:

- A. the courses of study, subjects, classes and organized activities provided by the District;
- B. all the planned activities of the District, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the District.

The Board directs that the curriculum of the District:

- A. provide grade-appropriate instruction on career development in each grade level from kindergarten through 12th;
- B. provides instruction in courses required by statute and State Department of Education regulations;
- C. ensures, to the extent feasible, that special learning needs of students are provided for in the context of the regular program or classroom and provides for effective coordination with programs or agencies that are needed to meet those needs that cannot be dealt with in the regular program or classroom;
- D. be consistent with the District's philosophy and goals and ensure the possibility of their achievement;
- E. allows for the development of individual talents and interests, as well as recognizes that learning styles of students may differ;
- F. utilizes a variety of learning resources to accomplish the educational goals;
- G. encourages students to utilize guidance and counseling services in their academic and career planning.

As educational leader of the District, the Superintendent shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study.

The Superintendent shall make progress reports to the Board periodically.

The Superintendent may conduct such innovative programs as are deemed to be necessary to the continuing growth of the instructional program and to better ensure accomplishment of the District's educational goals.

The Superintendent shall report each such innovative program to the Board along with its objectives, evaluative criteria and costs.

Approved Courses

The Board shall adopt a list of the individual courses that have been approved. The list shall include courses offered by the District for credit or grade promotion and shall be used when determining which courses may be included in membership for State aid purposes and for auditing purposes when examining the membership counted for State school aid on the count days. The list of approved courses shall include traditional offerings and courses offered through other means, such as experiential learning courses, online courses, and all courses offered in shared time programs under appropriate provisions of the State School Aid Act. (M.C.L. 388.1766b). The list of approved courses shall include all extended learning opportunities associated with each course and a description of each such opportunity. The list shall also include a description of the content of each approved course and documentation related to course approval (including the list of approved courses for membership purposes , and documentation related to the calculation of instructional time for each approved course).

Unless the Board disapproves, the Superintendent may proceed to conduct the program.

The Board encourages, where it is feasible and in the best interests of the District, participation in programs of educational research.

Revised 9/23/19

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Legal

M.C.L. 380.1282, 380.1166a

Reference: Pupil Accounting Manual 2019-2020, Michigan Department of Education

Book	Policy Manual
Section	Board Prep 40.1 Nondiscrimination
Title	Copy of NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po2260
Status	
Adopted	June 22, 2015
Last Revised	December 13, 2021

2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth.

As such, the Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Superintendent shall:

A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based upon Protected Classes, ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon Protected Classes in all aspects of the program;

C. Student Access

1. review current and proposed programs, activities, facilities, and practices to ensure that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State regulations;
2. verify that facilities are made available, in accordance with Board Policy 7510 - Use of School Facilities, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;

This language does not prohibit the District from establishing and maintaining a single-gender school, class, or program within a school if a comparable school, class, or program is made available to students of each gender.

D. District Support

verify that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Evaluation

verify that tests, procedures, or guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of Protected Classes.

Definitions:

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

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged have engaged in unlawful discrimination/retaliation, regardless of whether the Reporting Party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

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

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

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

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

Korie Wilson-Crawford
Assistant Superintendent of Human Resources
350 N. Main St.
Rockford, MI 49341
616-863-6554
kwilsoncrawford@rockfordschools.org

Scott Beckman
~~Director, Security~~ Executive Director of Safety and Security
350 N Main
Rockford, MI 49341
616-863-6320
sbeckman@rockfordschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's website.

The District will accommodate the use of certified service animals when there is an established need for such supportive aid in the school environment. Certain restrictions may be applied when necessary due to allergies, health, safety, disability or other issues of those in the classroom or school environment. The goal shall be to provide all students with the same access and participation opportunities provided to other students in school. Confirmation of disability, need for a service animal to access the school programming, and current certification/training of the service animal may be required.

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for

Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Superintendent shall annually attempt to identify children with disabilities, ages 0-25, who reside in the District but do not receive public education.

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

In addition, the Superintendent shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (also see Policy 2225). The Superintendent is responsible for verifying that a concentration of students who are Limited English Proficient (LEP) in one or more programs is not the result of discrimination.

Reports and Complaints of Unlawful Discrimination and Retaliation

Students and Board employees are required, and all other members of the School District community and Third Parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the CO within two (2) days.

Members of the School District community, which includes students or Third Parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the Complainant's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Principal shall report the act to one of the COs who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend the Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Principal informed of the status of the Policy 2260 investigation and provide the Principal with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept reports of unlawful discrimination/retaliation directly from any member of the School District community or a Third Party, or receive reports that are initially filled with another Board employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO/designee must contact the Complainant, if age eighteen (18) or older, or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex Education Programs or Activities, any student who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful discrimination or retaliation with the **U.S. Department of Education, Office for Civil Rights, Lyndon Baines Johnson Department of Education Building, 400 Maryland Ave., SW, Washington, DC 20202-1100, Telephone: (800) 421-3481, FAX: (202) 453-6012, TDD: 800-877-8339, E-mail: OCR@ed.gov, Web: <http://www.ed.gov/ocr>**. ~~United States Department of Education Office for Civil Rights ("OCR"). The Cleveland Office of the OCR can be reached at 1350 Euclid Avenue, Suite 325, Cleveland, Ohio 44115; Telephone: (216) 522-4970; Fax: (216) 522-2573; TDD: (216) 522-4944; E mail: ocr.cleveland@ed.gov; Web: <http://www.ed.gov/ocr>~~.

Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful discrimination or retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

The Complainant may proceed immediately to the formal complaint process and individuals who participate in the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community and a student will be formally investigated.

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

A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the COs.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the Complainant's wishes, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the Complainant about how to communicate concerns to the Respondent.
- B. Distributing a copy of Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity to the individuals in the school building or office where the Respondent works or attends.
- C. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

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

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one (1) of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, or other District official at the student's school, the CO, Superintendent, or another District official who works at another school or at the District level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs. If a Complainant informs a teacher, Principal, or other District official at the student's school, Superintendent, or other District employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO/designee within two (2) days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent; a detailed description of the facts upon which the complaint is based (i.e., when, where, and what occurred); a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in consultation with the Superintendent.

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

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the formal complaint within five (5) days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO/designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful discrimination/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used. The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent must either issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) days of the party's receipt of the Superintendent's decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) days of this meeting. The decision of the Board will be final.

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

The parties may be represented, at their own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that is learned or provided during the course of the investigation.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Retaliation

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

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

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

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

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

The District will endeavor to assist the student and/or the student's his/her parents in their access to District programs by providing notices to the parents and students in a language and format that they are likely to understand.

Materials approved by the State Department of Education describing the benefits of instruction in Braille reading and writing shall be provided to each blind student's individualized planning committee. The District shall not deny a student the opportunity for instruction in Braille, reading, and writing solely because the student has some remaining vision.

Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315) created and received as part of an investigation, which may include, but not be limited to:

- A. all written reports/allegations/complaints/grievances/ statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);

- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Code of Conduct and/or Employee Handbooks);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

These investigative records and materials created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 3/25/19

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Legal

M.C.L. 380.1146, 380.1704, 37.1101 et seq., 37.2402, 37.1402, 37.2101-37.2804
 Fourteenth Amendment, U.S. Constitution
 20 U.S.C. Section 1681, Title IX of Education Amendments Act
 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
 29 U.S.C. Section 794, Rehabilitation Act of 1973, as amended
 29 C.F.R. Part 1635
 42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964
 42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act
 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
 34 C.F.R. Part 110 (7/27/93)
 Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979
 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

Book	Policy Manual
Section	Board Prep 40.1 Nondiscrimination
Title	Copy of SECTION 504/ADA PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY
Code	po2260.01
Status	
Adopted	June 22, 2015
Last Revised	December 13, 2021

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

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

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

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

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

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

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

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

With respect to vocational education services, a qualified person with a disability means a person with a disability who meets the academic and technical standards requisite to admission or participation in the vocational program or activity. The Board will not deny a student with disabilities access to its vocational education programs or courses due to

architectural and/or equipment barriers, or because the student needs related aids or services to receive an appropriate education.

Compliance Officer(s)

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

Korie Wilson-Crawford
Assistant Superintendent of Human Resources
350 N. Main St.
Rockford, MI 49341

616-863-6554
kwilsoncrawford@rockfordschools.org

Kelly Amshey
Principal
4500 Kroes
Rockford, MI 49341

616-863-6348
kamshey@rockfordschools.org

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

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

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

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

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

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

Training

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

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

Facilities

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

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

Education

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

An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For students with disabilities who are not eligible for specially designed instruction under the IDEIA, the special education and related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13). Parents/guardians/custodians ("parents") are invited and encouraged to participate fully in the evaluation process and development of a Section 504 Plan. The quality of education services provided to students with disabilities will be equal to the quality of services provided to students without disabilities.

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

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

Notice

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

Complaint Procedures

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

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

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

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

Internal Complaint Procedures

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

Step 1

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

Step 2

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

Step 3

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

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

OCR Complaint

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

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Ave., SW
Washington, DC 20202-1100
Telephone: (800) 421-3481
FAX: (202) 453-6012

TDD: 800-877-8339
 E-mail: OCR@ed.gov
 Web: <http://www.ed.gov/ocr>
 U.S. Department of Education
 Office for Civil Rights
 Cleveland Office
 1350 Euclid Avenue, Suite 325
 Cleveland, Ohio 44115
 (216) 522-4970
 FAX: (216) 522-2573
 TDD: (216) 522-4944
 E-mail: OCR.Cleveland@ed.gov
 Web: <http://www.ed.gov/ocr>

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

Retaliation

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

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

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

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

Revised 9/12/18

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

Book	Policy Manual
Section	Board Prep 40.1 Nondiscrimination
Title	Copy of NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2264
Status	
Adopted	August 12, 2024

2264 - 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 2266 and AG 2266. 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 CFR 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.

NONDISCRIMINATION

Overview:

The Board of Education of the Rockford Public 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.

KEY 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, extracurricular activities, athletics, performances, and community engagement and outreach programs. The term applies to all activity that occurs on school grounds or on other property owned or occupied by the Board. It also includes 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 decisionmaker 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 employee, 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 student 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. A student who is pregnant or experiencing related conditions shall receive comparable treatment to those with temporary medical conditions. In other words, to the extent not otherwise addressed above, the Board will treat pregnancy or related conditions in the same manner and under the same policies as any other medical condition with respect to any medical or hospital benefit, service, plan, or policy the Board administers, operates, offers, or participates in with respect to students admitted to the District's education program or activity.

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 extracurricular activity;
- B. the District requires such certification of all students participating in the class, program, or extracurricular 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 Board employee 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 employee 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 extracurricular 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. See Board Policy 6700—Fair Labor Standards Act.

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:

Dr. Korie Wilson-Crawford

Assistant Superintendent, Human Resources
 350 N. Main St Rockford, MI 49341
 kwilsoncrawford@rockfordschools.org
 616-863-6554

Scott Beckman
 Director of Security
 350 N. Main St. Rockford, MI 49341
 sbeckman@rockfordschools.org
 616-863-6320

The Board designates Dr. Korie Wilson Crawford 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.

The Title IX Coordinator shall report directly to the Superintendent except when the Superintendent 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's Legal Counsel until the matter in which the Superintendent is a party is concluded.

Questions about this policy and Policy 2266 and AG 2264 and AG 2266 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.

Notice of Nondiscrimination

The Superintendent shall provide a notice of nondiscrimination to students, parents, guardians, or other authorized legal representatives of elementary and secondary students; employees; applicants for admission and employment; and all unions and professional organizations holding collective bargaining or professional agreements with the Board. Specifically, the Superintendent shall post the notice of nondiscrimination 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

Overview:

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 grievance 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 Policy 2266) involving conduct alleged to have occurred prior to August 1, 2024, are subject to the grievance procedures outlined in Policy 2266.

Under all circumstances, the Title IX Coordinator shall offer and coordinate supportive measures, as appropriate, in accordance with this policy, or Policy 2266, 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 whether to use the grievance procedures contained in this policy or the grievance procedures contained in Policy 2266. 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 Policy 2266 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 of Policy 2264, including the Title IX Coordinator, the investigator, the decisionmaker, and the appeal decisionmaker, 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 decisionmaker.

If the Title IX Coordinator does not intend to serve as the investigator and decisionmaker 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 decisionmaker 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 decisionmaker in a specific case, the Title IX Coordinator shall secure one (1) or more independent third parties to serve as the investigator and/or decisionmaker. Similarly, the Title IX Coordinator has authority to secure an independent third party to serve as the appeal decisionmaker.

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 fifteen (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 thirty (30) 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 regular 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 five (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 decisionmaker, 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 ten (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 five (5) days of receiving the Dismissal.

The Title IX Coordinator, or the Superintendent 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; consulting with their family members, confidential resources, or advisors; or otherwise preparing for or participating in the grievance procedures. The parties shall not engage in retaliation, including against witnesses.

The Title IX Coordinator, or designated decisionmaker, 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 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 notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.~~

~~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 decisionmaker 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 decisionmaker did not take part in an investigation of the allegations or dismissal of the complaint;~~

- D. ensure that the appeal decisionmaker 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 an 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 decisionmaker, 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 decisionmaker, 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.

Questioning the Parties and Witnesses:

If the investigator and decisionmaker are two (2) separate individuals, the decisionmaker 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 decisionmaker are the same person, the decisionmaker 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 decisionmaker 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 decisionmaker may allow each party to propose/submit in writing relevant questions that the party wants asked of any party or witness and the decisionmaker 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 decisionmaker determines—in the decisionmaker's sole discretion—may lead to probative evidence that will assist the decisionmaker in determining whether sex discrimination occurred. The decisionmaker'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 decisionmaker will:

- A. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker, 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 decisionmaker's determination as to whether sex discrimination occurred, the party may file an appeal. Appeals must be submitted, in writing, within five (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 decisionmaker 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 decisionmaker'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 decisionmaker, who will be a person who did not conduct the Investigation or render the Determination, and is appropriately trained;~~
 - ~~1. provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the decisionmaker's determination;~~
 - ~~2. provide the appeal decisionmaker 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 decisionmaker's determination; and~~
 - ~~3. notify the parties, in writing, of the result of the appeal and the appeal decisionmaker's rationale for the outcome.~~

~~Parties Provided a Reasonable and Equal Opportunity to Make a Statement in Support of, or Challenging, the Determination~~

~~When a party files an appeal, the party must set forth the reason for the appeal, and the other party will have five (5) days to provide the appeal decisionmaker with a statement in support of their position. Once the decisionmaker receives the statement (or the deadline for filing such a statement expires), the appeal decisionmaker will have ten (10) days to issue a decision on the appeal.~~

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

~~The appeal decisionmaker shall determine the outcome of the appeal based on the appeal decisionmaker'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 decisionmaker 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 decisionmaker's written determination) and the appeal decisionmaker's application of the law and Board policy to the facts in the record. The appeal decisionmaker must give due deference and due weight to the decisionmaker'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 decisionmaker is expected to uphold the decisionmaker's determination unless the appeal decisionmaker determines the decisionmaker's determination is unlawful, unreasonable, or against the manifest weight of the evidence. Every reasonable presumption must be made in favor of the decisionmaker's determination.~~

~~The appeal decisionmaker 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 decisionmaker'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 employees, 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 extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; training and education programs related to sex-based 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 Superintendent 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:

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For Students

A. Informal Discipline

1. changing of seating or location;
2. pre-school, lunchtime, after-school detention;
3. in-school discipline;
4. Saturday school.

B. Formal Discipline

1. ~~suspension of bus riding/transportation privileges;~~
2. ~~removal from co-curricular and/or extracurricular activity(ies), including athletics;~~
3. ~~emergency removal;~~
4. ~~suspension for up to ten (10) school days;~~
5. ~~expulsion for up to eighty (80) school days or the number of school days remaining in a semester, whichever is greater;~~
6. ~~expulsion for up to one (1) year;~~
7. ~~permanent exclusion; and~~
8. ~~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. ~~demotion;~~
- F. ~~suspension without pay;~~
- G. ~~termination and any other sanction authorized by any applicable Board Policy, Employee/Administrator Handbook, and/or collective bargaining agreement.~~

~~The District may also provide remedies which may include disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent 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 Superintendent 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 5600—Student Discipline, Policy 5605—Suspension/Expulsion of Students with Disabilities, Policy 5610—Emergency Removal, Suspension, Expulsion, and Permanent Exclusion of Students, Policy 5610.02—In School Discipline, and Policy 5611—Due Process Rights. Discipline of a student respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972 ("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 collective bargaining agreement.~~

~~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 employees to fulfill any function of the Board under this policy including, but not limited to, Title IX Coordinator, investigator, decisionmaker, appeal decisionmaker, 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, decisionmaker, appeal decisionmaker, and facilitator of the informal resolution process.~~

~~The Superintendent may delegate functions assigned to a specific Board employee under this policy including, but not limited to, the functions assigned to the Title IX Coordinator, investigator, decisionmaker, appeal decisionmaker, and facilitator of the informal resolution process to any suitably qualified individual and such delegation may be rescinded by the Superintendent 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.~~

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Legal

20 U.S.C. 1092(F)(6)(A)(v)

20 U.S.C. 1232g

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)

29 C.F.R. Part 1636

34 C.F.R. Part 99

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

42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

42 U.S.C. 2000gg

OCR's Revised Sexual Harassment Guidance (2001)

Book	Policy Manual
Section	Board Prep 40.1
Title	Copy of NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES
Code	po2266
Status	
Adopted	April 26, 2021
Last Revised	August 12, 2024

2266 - NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES

~~Effective August 1, 2024, this policy pertains shall only pertain~~ to Reports or Formal Complaints of Sexual Harassment that are based on conduct alleged to have occurred on or before July 31, 2024, and after January 8th, 2025. For complaints made regarding conduct occurring between August 1, 2024, and January 8, 2025, please see the rescinded policy 2264.

Introduction

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

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

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

Coverage

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

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

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

Definitions

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

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

- A. A Board employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).
 1. "Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, and the "nonforcible" sex offenses of Incest and Statutory Rape. Sexual assault includes rape, sodomy, sexual assault with an object, **criminal sexual contact (f.k.a. fondling), fondling**, incest, and statutory rape.
 - a. *Rape* is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - b. *Sodomy* is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - c. *Sexual Assault with an Object* is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.
 - d. **Criminal Sexual Contact (f.k.a. Fondling)** is the intentional touching of the clothed or unclothed body parts, without consent, of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by the victim of the other individual's clothed or unclothed body parts, without consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation. ~~Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.~~
 - e. *Incest* is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
 - f. *Statutory Rape* is sexual intercourse with a person who is under the statutory age of consent as defined by State law.
 - g. *Consent* refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.
 - h. *Incapacitated* refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.
 2. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:
 - a. a current or former spouse or intimate partner of the victim;

- b. a person with whom the victim shares a child in common;
 - c. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - d. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
 - e. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.
3. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
4. "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress.

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

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

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

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

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

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

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

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

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

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

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

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

Title IX Coordinators

The Board designates and authorizes the following individuals to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Korie Wilson-Crawford
Assistant Superintendent of Human Resources
350 N. Main St.
Rockford, MI 49341
616-863-6554
kwilsoncrawford@rockfordschools.org

Scott Beckman
Director, Security
350 N. Main St.
Rockford, MI 49341
616-863-6320
sbeckman@rockfordschools.org

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

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

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

*Korie Wilson-Crawford
Assistant Superintendent of Human Resources
350 N. Main St.
Rockford, MI 49341
616-863-6554
kwilsoncrawford@rockfordschools.org*

*Scott Beckman
~~Director, Security~~ Executive Director of Safety and Security
350 N. Main St.
Rockford, MI 49341
616-863-6320
sbeckman@rockfordschools.org*

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

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

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

Grievance Process

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

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

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

Report of Sexual Discrimination/Harassment

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

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

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

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

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

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

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

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

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

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

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

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

Formal Complaint of Sexual Harassment

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

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

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

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

Timeline

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

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

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

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

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

Dismissal of a Formal Complaint

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

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

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

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

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

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

Consolidation of Formal Complaints

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

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

Informal Resolution Process

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

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

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

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

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

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

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

The informal resolution process is not available to resolve allegations that a Board employee or another adult member of the School District community or Third Party sexually harassed a student.

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

Investigation of a Formal Complaint of Sexual Harassment

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

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

The District is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in that capacity, and which are made and maintained in connection with the

provision of treatment to the party, unless the party provides the District with voluntary, written consent to do so; if a student party is not an Eligible Student, the District must obtain the voluntary, written consent of a parent.

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

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

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

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

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

The District will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. The investigator(s) and decision-maker(s) must provide a minimum of one (1) days' notice with respect to investigative interviews and other meetings.

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

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

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

Determination of Responsibility

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

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

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

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

The written determination will include the following content:

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

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

A. Informal Discipline

- 1. writing assignments;
- 2. changing of seating or location;
- 3. pre-school, lunchtime, and/or after-school detention;
- 4. in-school discipline;
- 5. Saturday school.

B. Formal Discipline

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

If the decision-maker(s) determines the student Respondent is responsible for violating this policy (i.e., engaging in Sexual Harassment), the decision-maker(s) will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the Superintendent of the recommended remedies, so an authorized administrator can consider the recommendation(s) and implement an appropriate remedy(ies) in compliance with Policy 5600 – Student Discipline, Policy 5605 – Suspension/Expulsion of Students with Disabilities, Policy 5610 – Emergency Removal, Suspension, and Expulsion of Students, Policy 5610.02 - In-School Discipline, and Policy 5611 – Due Process Rights. Discipline of a student Respondent must comply with the applicable provisions of the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

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

- A. oral or written warning;
- B. written reprimands;

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

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

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

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

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

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

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

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

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

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

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

Appeal

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

- A. procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
- B. new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

- C. the Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

The Complainant(s) may not challenge the ultimate disciplinary sanction/consequence that is imposed.

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within three (3) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

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

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

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

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

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

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

The determination of responsibility associated with a Formal Complaint, including any recommendations for remedies/disciplinary sanctions, becomes final when the time for filing an appeal has passed or, if an appeal is filed, at the point when the decision-maker(s) for the appeal's decision is delivered to the Complainant and the Respondent. No further review beyond the appeal is permitted.

Retaliation

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

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

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

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

Confidentiality

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

Application of the First Amendment

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

Training

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

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

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

Recordkeeping

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

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

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

The District will make its training materials publicly available on its website.

Outside Appointments, Dual Appointments, and Delegations

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

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

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

Revised 12/13/21

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Legal

20 U.S.C. 1092(F)(6)(A)(v)

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)

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

42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

OCR's Revised Sexual Harassment Guidance (2001)

Book	Policy Manual
Section	Board Prep 40.1
Title	Copy of HOMEBOUND INSTRUCTION PROGRAM
Code	po2412
Status	
Adopted	June 22, 2015
Last Revised	August 10, 2020

2412 - HOMEBOUND INSTRUCTION PROGRAM

The Board of Education shall arrange through the Kent Intermediate School District for individual instruction to students of legal school age who are not able to attend classes because of a physical or emotional disability.

A physician, psychiatrist, hospital (e.g. psychiatric hospitals), or licensed treatment facility (e.g. substance abuse centers) must certify the student as homebound or hospitalized. Psychologists, chiropractors, or other professionals may not certify a student as eligible. The certification must state: Applications for individual instruction shall be made by a physician or physician's assistant (licensed to practice in this State), parent, student, or other care giver. A physician or physician's assistant must:

- A. certify the nature and existence of a medical condition;
- B. state the probable duration of the confinement;
- C. request such instruction;
- D. present evidence of the student's ability to participate in an educational program.

Applications must be approved by the Assistant Superintendent of Curriculum or his/her designee.

The District shall recommend that the instruction begin within three (3) days from the date of notification for non-special education students. In the case of students under an individualized education program (IEP), the instruction is to begin within fifteen (15) days after notification in order to arrange for a meeting of an individualized education program committee (IEPC), if necessary.

The program of homebound or hospitalized instruction given each student shall be in accordance with regulations of the State Board of Education with such exceptions as may be recommended by the physician. Teachers of homebound special education students shall hold a Michigan teaching certificate appropriate for the level of instruction for which the assignment is made or for the type of instruction called for by an IEP. Teachers of non-disabled students must hold a valid teaching certificate.

The District reserves the right to withhold recommendation for homebound instruction when:

- A. the instructor's presence in the place of a student's confinement presents a hazard to the health of the teacher;
- B. a parent or other adult in authority is not at home with the student during the hours of instruction;
- C. the condition of the student is such as to preclude his/her benefit from such instruction.

The Superintendent shall develop administrative guidelines for implementing the policy.

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Legal M.C.L. 388.1606, 388.1709

Reference: Pupil Accounting Manual 2019-2020, Michigan Department of Education

Book	Policy Manual
Section	Board Prep 40.1 Nondiscrimination
Title	Copy of SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po3123
Status	
Adopted	June 22, 2015
Last Revised	December 13, 2021

3123 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

The Board of Education prohibits discrimination against any employee or applicant based upon the employee's or applicant's his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one (1) or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

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

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aids or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Compliance Officer(s)

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

Korie Wilson-Crawford
 Assistant Superintendent of Human Resources
 350 N. Main St.
 Rockford, MI 49341
 616-863-6554
 kwilsoncrawford@rockfordschools.org

Kelly Amshey
 Principal
 4500 Kroes
 Rockford, MI 49341
 616-863-6348
 kamshey@rockfordschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's website.

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

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

Training

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

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

Facilities

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

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

Notice

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

Complaint Procedures

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

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

Department of Education's Office for Civil Rights.

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

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

Internal Complaint Procedure

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

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the District Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the District Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the District Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the District Compliance Officer for good cause.
- C. The District Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The District Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) days. If no decision is rendered within ten (10) days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Superintendent. The District Compliance Officer shall maintain the District's files and records relating to the complaint.
- D. The Superintendent will, within ten (10) days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The Superintendent will render a his/her decision with ten (10) days of the hearing.
- E. The employee may be represented, at the employee's his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

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

OCR Complaint

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

U.S. Department of Education
Office for Civil Rights

Lyndon Baines Johnson Department of Education Building
400 Maryland Ave., SW
Washington, DC 20202-1100
Telephone: (800) 421-3481
FAX: (202) 453-6012

TDD: 800-877-8339
 E-mail: OCR@ed.gov
 Web: <http://www.ed.gov/ocr>
 U.S. Department of Education
 Office for Civil Rights
 Cleveland Office
 1350 Euclid Avenue
 Suite 325
 Cleveland, Ohio 44115
 (216) 522-4970
 FAX: (216) 522-2573
 TDD: (216) 522-4944
 E-mail: OCR.Cleveland@ed.gov
 Web: <http://www.ed.gov/ocr>

Retaliation

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

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

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

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

Revised 9/12/18

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Legal

29 C.F.R. Part 1630

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

34 C.F.R. Part 104

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

Book	Policy Manual
Section	Board Prep 40.1 Nondiscrimination
Title	Copy of SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT
Code	po4123
Status	
Adopted	June 22, 2015
Last Revised	December 13, 2021

4123 - SECTION 504/ADA PROHIBITION AGAINST DISABILITY DISCRIMINATION IN EMPLOYMENT

The Board of Education prohibits discrimination against any employee or applicant based upon the employee's or applicant's his/her disability. As such, the Board will not engage in employment practices or adopt policies that discriminate on the basis of disability, or otherwise discriminate against qualified individuals with disabilities in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training, or other terms, conditions and privileges of employment. The Board further will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

"An individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one (1) or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

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

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (defined as devices that magnify, enhance, or otherwise augment a visual image, but not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aid(s) and cochlear implant(s) or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, use of assistive technology, reasonable accommodations or "auxiliary aids or services," learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy.

A qualified person with a disability means the individual satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and, with or without reasonable accommodation, can perform the essential functions of the job in question.

The Board will provide a reasonable accommodation to a qualified individual who has an actual disability or who has a record of a disability, unless the accommodation would impose an undue hardship on the operation of the District's program and/or activities. A reasonable accommodation is not required for an individual who is merely regarded as having a disability.

Compliance Officer(s)

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

Korie Wilson-Crawford
 Assistant Superintendent of Human Resources
 350 N. Main St.
 Rockford, MI 49341
 616-863-6554
 kwilsoncrawford@rockfordschools.org

Kelly Amshey
 Principal
 4500 Kroes
 Rockford, MI 49341
 616-863-6348
 kamshey@rockfordschools.org

The names, titles, and contact information of these individuals will be published annually on the School District's website.

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

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

Training

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

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

Facilities

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

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

Notice

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

Complaint Procedures

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

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

Department of Education's Office for Civil Rights.

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

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

Internal Complaint Procedure

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

- A. An employee with a complaint based on alleged discrimination on the basis of disability may first discuss the problem with the District Compliance Officer.
- B. If the informal discussion does not resolve the matter, or if the employee skips Step A, the individual may file a formal written complaint with the District Compliance Officer. The written complaint must contain the name and address of the individual or representative filing the complaint, be signed by the complainant or someone authorized to sign for the complainant, describe the alleged discriminatory action in sufficient detail to inform the District Compliance Officer of the nature and date of the alleged violation, and propose a resolution. The complaint must be filed within thirty (30) days of the circumstances or event giving rise to the complaint, unless the time for filing is extended by the District Compliance Officer for good cause.
- C. The District Compliance Officer will conduct an independent investigation of the matter (which may or may not include a hearing). This complaint procedure contemplates informal, but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to present witnesses and other evidence relevant to the complaint. The District Compliance Officer will provide the complainant with a written disposition of the complaint within ten (10) days. If no decision is rendered within ten (10) days, or the decision is unsatisfactory in the opinion of the complainant, the employee may file, in writing, an appeal with the Superintendent. The District Compliance Officer shall maintain the District's files and records relating to the complaint.
- D. The Superintendent will, within ten (10) days of receiving the written appeal, conduct a hearing with all parties involved in an attempt to resolve the complaint.

The Superintendent will render a his/her decision with ten (10) days of the hearing.
- E. The employee may be represented, at the employee's his/her own cost, at any of the above-described meetings/hearings.
- F. The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

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

OCR Complaint

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

U.S. Department of Education
Office for Civil Rights

Lyndon Baines Johnson Department of Education Building
400 Maryland Ave., SW
Washington, DC 20202-1100
Telephone: (800) 421-3481
FAX: (202) 453-6012

TDD: 800-877-8339
 E-mail: OCR@ed.gov
 Web: <http://www.ed.gov/ocr>
 U.S. Department of Education
 Office for Civil Rights
 Cleveland Office
 1350 Euclid Avenue
 Suite 325
 Cleveland, Ohio 44115
 (216) 522-4970
 FAX: (216) 522-2573
 TDD: (216) 522-4944
 E-mail: OCR.Cleveland@ed.gov
 Web: <http://www.ed.gov/ocr>

Retaliation

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

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

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

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

Revised 9/12/18

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Legal

29 C.F.R. Part 1630

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

34 C.F.R. Part 104

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

Book	Policy Manual
Section	Board Prep 40.1
Title	Copy of CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR COMMERCIAL MOTOR VEHICLE (CMV) DRIVERS
Code	po4162
Status	
Adopted	June 22, 2015
Last Revised	August 10, 2020

4162 - CONTROLLED SUBSTANCE AND ALCOHOL POLICY FOR COMMERCIAL MOTOR VEHICLE (CMV) DRIVERS

Purpose

The Board of Education believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with District vehicles (collectively Covered Employees), must be mentally and physically alert at all times while on duty.

To that end, the Board has established this policy which includes an alcohol and controlled substances testing program. The Board expects all Covered Employees to comply with Policy 4122.01 on Drug-Free Workplace which prohibits the possession, use, sale or distribution of alcohol and any controlled substance on District property at all times.

Further, the Board concurs with the federal requirement that all Covered Employees should be free of any influence of alcohol or controlled substance while on duty. Therefore, participation in the alcohol and controlled substances testing program is a condition of employment for all Covered Employees.

Covered Employees

This policy covers all commercial driver's license (CDL) holders and regular and substitute bus drivers, as well as other District employees who operate, inspect, service and condition a commercial motor vehicle (CMV) while on duty, regardless of whether they are required to hold a CDL.

Definitions

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply.

- A. The term *alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol. This term is a volume breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test as described herein.
- B. The term *controlled substance* includes any illegal drug, the possession or use of which is unlawful pursuant to Federal, State and local laws and regulations and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions. This term includes, but is not limited to, marijuana metabolites, cocaine metabolites, amphetamines, opiate metabolites and phencyclidine (PCP).
- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety-sensitive functions* includes waiting to be dispatched, inspecting equipment, servicing, driving, loading or unloading District vehicles, as well as repairing, obtaining assistance, or remaining in attendance upon a disabled District vehicle. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.

E. The term *CDL license holder* means all *driver* CDL holders and regular and substitute bus drivers who operate a CMV while on duty, as well as other District employees who operate, inspect, service and condition a CMV while on duty, regardless of whether they are required to hold a CDL.

F. The term *while on duty* means all time from the time the Covered Employee begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

Procedures

The Superintendent shall establish a drug and alcohol testing program whereby each Covered Employee is tested for the presence of alcohol in his or her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opiates
- D. Amphetamines
- E. Phencyclidine (PCP)

The alcohol and controlled substances tests are to be conducted in accordance with federal and state regulations: a) prior to employment (**Controlled Substances Only**); b) reasonable suspicion; c) upon return to duty after any alcohol or drug rehabilitation; d) after any accident resulting in human death, where the driver is issued a citation and the accident results in an injury that requires immediate medical attention away from the scene or where there is disability damage to any motor vehicle that requires towing; e) on a random basis; and f) on a follow-up basis.

The Superintendent shall require that the District query the FMCSA's Drug and Alcohol Clearinghouse for current and prospective CDL drivers' drug and alcohol violations before allowing a driver to operate a District-owned and/or operated vehicle, consistent with Federal regulations, including consent requirements.

Any support employee who tests positive as defined in the guidelines shall be:

- A. immediately prohibited from driving any District vehicle or conducting a safety-sensitive function;
- B. evaluated by a substance abuse professional;
- C. subject to discipline up to and including discharge, in accordance with District guidelines and the terms of any applicable collective bargaining agreements.

No support employee who has tested positive for alcohol or a controlled substance may be returned to a safety-sensitive position without having been evaluated by a qualified substance abuse professional (SAP), completed any required treatment program and passed a retest. Return to a safety-sensitive position is solely at the District's discretion and the employee may be required to participate in ongoing services if recommended by the SAP. Any staff member who has tested positive for alcohol or a controlled substance will be provided with a list of SAPs available and acceptable to the District.

Prior to the beginning of the testing program, the District shall provide training for all Covered Employees, including drivers and their supervisors, about:

- A. the dangers of illegal drug use and controlled substance and alcohol abuse;
- B. indicators of probable alcohol misuse and controlled substance abuse;
- C. Policy 4122.01 - Drug-Free Workplace, Policy 4161 - Unrequested Leaves of Absence/Fitness for Duty, Policy 4170 - Substance Abuse and Policy 4170.01 - Employee Assistance Program;
- D. the sanctions that may be imposed for violations of Policy 4122.01.

All time spent undergoing an alcohol or controlled substance test, including travel time, will be paid at the staff member's regular rate of pay, or at his/her overtime rate, if applicable. Any staff member who is not allowed to return to work while awaiting test results will be compensated during the waiting period for all work time lost, including overtime, if

applicable. The Board shall pay all costs associated with the administration of alcohol and controlled substance tests. This includes testing of the "split specimen" at a Federally certified laboratory if so requested by a staff member. Requests for a "split specimen" must be made within seventy-two (72) hours of receipt of the notification of a positive drug test. The Board will not pay for the employee's time while not on duty, if the split specimen test results are positive.

Alcohol and drug test results shall be protected as confidential medical records as appropriate under Federal law (i.e. test results shall be provided on a right to know basis - the employee, the employer, and the substance abuse professional - and the results shall not be presented until analyzed by a Medical Review Officer).

A tested individual, upon written request, will be promptly provided copies of any records relating to his/her use of drugs and alcohol, including any records pertaining to his/her drug and alcohol tests. A tested individual must provide specific written consent before his/her test result can be provided to any other person except as required by law.

All tests shall be conducted in accordance with Federal testing guidelines and be performed by a laboratory that is Federally certified.

The alcohol and drug testing program shall be under the direction of the Superintendent.

The Superintendent shall arrange for periodic retraining of supervisors and staff members as necessary. The Superintendent shall provide a copy of this policy and testing guidelines to all Covered Employees and will include available resources to assist employees with problems related to the use of alcohol and controlled substances.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples
- B. clear and consistent communication with the District's Medical Review Officer (MRO)
- C. methodology and procedures for conducting random tests for controlled substances and alcohol
- D. preparation and submission of all required reports to the District, the MRO and to Federal and State governments.

The Superintendent shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO and the drug collection site(s) in accordance with the requirements of the law.

Notification

A tested candidate shall be notified of the results of a pre-employment controlled substances test conducted under this part, if the driver requests such results within sixty (60) calendar days of being notified of the disposition of the employment application.

A tested individual shall be notified of the results of random, reasonable suspicion and post-accident tests for controlled substances conducted under this policy if the test results are verified positive. The tested individual shall also be informed which controlled substance or substances were verified as positive.

The Superintendent shall make reasonable efforts to contact and request each driver who submitted a specimen under the employer's program, regardless of the driver's employment status, to contact and discuss the results of the controlled substances test with a medical review officer who has been unable to contact the driver.

The Superintendent shall immediately notify the medical review officer that the driver has been notified to contact the medical review officer within seventy-two (72) hours.

Individuals holding a CDL license must notify all current employers of any DOT violations (such as testing positive for the presence of alcohol or a controlled substance in violation of this policy). The notification must be made 1) by the end of the business day following the day the individual first receives notice of the violation or 2) prior to performing any safety-sensitive function, whichever comes first. Individuals are not required to notify the employer that administered the test or that documented the circumstances giving rise to the violation.

In the event that an individual is selected for testing, the Superintendent will inform the individual that the test is required by applicable law.

Reporting Test Results

The Superintendent shall report all information required by Federal regulations to the Clearinghouse in a timely manner. The Superintendent shall prepare and maintain a summary of the results of its alcohol and controlled substances testing programs performed under this policy during the previous calendar year, when requested by the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its drivers. Such summaries shall be submitted in a manner and timeline as required by law.

Educational Materials Related to Certain Federal Regulations, Board Policies and Procedures

CDL License Holders and other employees who perform safety-sensitive functions will be provided educational materials at the time of hire or at any time when required to operate a District vehicle. The educational materials shall explain the requirements of applicable federal regulations and the Board's policies and District's procedures with respect to meeting these federal regulations. The Board designates the Director of Transportation as the individual responsible for providing educational materials to CDL License Holders and other employees who perform safety-sensitive functions. The educational materials will include, at a minimum, the following:

- A. the contact information for the Director of Transportation, who is the individual designated by the Board to answer questions about the educational materials;
- B. a statement that all CDL License Holders and other employees who perform safety-sensitive functions are subject to Federal law addressing the misuse of alcohol and other controlled substances;
- C. information sufficient to make clear to employees the period of the workday during which they are required to comply with the regulations;
- D. information concerning prohibited conduct;
- E. the circumstances under which employees are subject to testing for alcohol and/or controlled substances;
- F. the procedures for testing for the presence of alcohol and controlled substances in order to protect the employee and the integrity of the testing process, to safeguard the validity of the test results and to confirm the results are attributed to the correct employee, including post-accident information, procedures and instructions required under federal regulations;
- G. the requirement that employees must submit to alcohol and controlled substance testing as required by the regulations;
- H. an explanation of what constitutes a refusal to be tested for alcohol or controlled substances and the attendant consequences;
- I. the consequences of testing positive, including the requirements of immediate removal from safety-sensitive functions, and the procedures regarding referral, evaluation and treatment;
- J. the consequences for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04;
- K. information concerning the effects of alcohol and controlled substances use on an individual's health, work and personal life; signs and symptoms of an alcohol and/or controlled substances problem (the employee's or a co-worker's); and available methods of intervening when a controlled substances and/or alcohol problem is suspected (including confrontation and how to refer someone to an Employee Assistance Program or to management); and
- L. information regarding the requirement that certain personal information collected and maintained under Federal law be reported to the Commercial Driver's License Drug and Alcohol Clearinghouse.
- M. information indicating that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited on all school board property and at school-sponsored activities. Individuals are strictly prohibited from reporting to work or being on duty while under the influence of alcohol or a controlled substance.

These materials are to be distributed to each staff member upon being hired or transferred into a covered position thereafter. Each staff member must sign a statement certifying receipt of these materials. A staff member who refuses to sign the requisite statement shall be prohibited from performing any safety-sensitive functions. Each employee (and labor organization representing District employees) shall receive written notice of the availability of this information and the identity of the District's designated representative in charge of answering employee questions about the materials.

Return-to-Duty (Safety-Sensitive Positions)

Employees who are removed from performing safety-sensitive functions as a result of this policy must complete the Return-to-Duty ("RTD") process as required by the U.S. Department of Transportation ("DOT") regulations and their Federal Motor Carrier Safety Act ("FMCSA") Drug and Alcohol Clearinghouse status must be changed from "prohibited" to "not prohibited" before resuming safety-sensitive duties. The RTD process requires an evaluation by a qualified Substance Abuse Professional ("SAP"), successful compliance with the SAP's prescribed education and/or treatment program, and a follow-up evaluation by the SAP determining that the employee has complied with the program. The employee must then complete a DOT return-to-duty test and obtain a verified negative drug test result and/or an alcohol test result of less than 0.02 before being permitted to return to the performance of safety-sensitive functions.

In addition, employees must comply with the SAP's written follow-up testing plan, which will be administered by the District in accordance with DOT regulations. An employee who fails to comply with the follow-up testing plan will not be permitted to perform safety-sensitive duties.

Subject to any collective bargaining agreement or other legal requirements, employees who are otherwise eligible to resume safety-sensitive functions may not do so without the Superintendent's approval.

~~Employees who are removed from performing safety sensitive functions as a result of this policy must take and pass a return to duty test before returning to performing safety sensitive functions. The return to duty test will not occur until after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety sensitive duties. The employee will not be permitted to perform safety sensitive functions until the start of the employee's next regularly scheduled duty period, but not less than twenty-four (24) hours following administration of the return to duty test.~~

~~Employees must also comply with the SAP's written follow up testing plan, which will be administered by the District, or they will not be permitted to perform safety sensitive duties.~~

~~Subject to any collective bargaining agreement or other legal requirements, employees who are eligible to return to performing safety sensitive functions may not do so without the approval of the Superintendent.~~

Revised 2/25/19

Revised 3/25/19

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Legal 49 C.F.R. 382
49 C.F.R. Part 40

Book	Policy Manual
Section	Board Prep 40.1
Title	Copy of Copy of ASSIGNMENT WITHIN DISTRICT
Code	po5120
Status	
Adopted	June 22, 2015

5120 - **ASSIGNMENT WITHIN DISTRICT**

The Board directs that the assignment of students to schools within the District be consistent with the best interests of students and the best use of the resources of the District.

The Board shall determine periodically the school attendance areas of the District and shall expect the students within each area to attend the school so designated.

The Superintendent shall periodically review existing attendance areas and recommend to the Board such changes as may be justified by:

- A. considerations of safe student transportation and travel;
- B. convenience of access to schools;
- C. financial and administrative efficiency.

No assignment to schools or attendance schedules shall discriminate against students on the basis of gender, race, religion, disability or national origin.

The Superintendent may assign a student to a school other than that designated by the attendance area when such exception is justified by circumstances and is in the best interest of the student.

Every effort shall be made to continue a student in the elementary school to which ~~the student s/he~~ is initially assigned. Wherever possible and advisable in the interests of the students, siblings shall be assigned to the same building.

The Superintendent shall assign incoming transfer students to such schools, grades and classes as may afford each student the greatest likelihood of realizing ~~each student his/her~~ fullest educational potential.

The Principal shall assign students in ~~his/her~~ school to appropriate grades, classes or groups. This action shall be based on consideration of the needs of the student, as well as the administration of the school.

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Book	Policy Manual
Section	Board Prep 40.1
Title	Copy of Copy of BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS
Code	po5517.01
Status	
Adopted	June 22, 2015
Last Revised	August 28, 2017

5517.01 - BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS

It is the policy of the District to provide a safe and nurturing educational environment for all of its students.

The Board of Education recognizes that a school that is physically and emotionally safe and secure for all students and staff will be better able to promote good citizenship, increase attendance and engagement, and support academic achievement. The Board expects students and staff to conduct themselves in a manner that promotes positive relationships and a positive school climate, with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

This policy protects all students from bullying/aggressive behavior regardless of the subject matter or motivation for such impermissible behavior.

Bullying or other aggressive behavior toward a student, whether by other students, District employees or third parties, including Board members, parents, guests, contractors, vendors and volunteers, is strictly prohibited. This prohibition includes written, physical, verbal and psychological abuse, including hazing, gestures, comments, threats or actions, including electronically transmitted acts to a student which cause, or threaten to cause, bodily harm, reasonable fear for personal safety or personal degradation.

Demonstration of appropriate behavior, treating others with civility and respect and refusing to tolerate harassment or bullying is expected of administrators, District employees and volunteers to provide positive examples for student behavior.

This policy applies to all "at school" activities in the District, including activities on District property, in a District vehicle or at any time or place where a child's imminent safety or over-all well-being may be at issue, and those occurring off District property, if the student or District employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where a District employee is engaged in school business. Misconduct occurring outside of school may also be disciplined if it interferes with the school environment.

Notification

Notice of this policy will be **annually** circulated and posted in conspicuous locations in all buildings and departments within the District and discussed with students, as well as incorporated into the professional staff member, student and parent handbooks. State and federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedure.

Parents of the alleged victim(s) of bullying/aggressive behavior, as well as of the alleged aggressor(s), shall be promptly notified of any complaint or investigation, as well as the results of the investigation, to the extent consistent with student confidentiality requirements. A record of the time and form of notice, or attempts at notice, shall be kept in the investigation file.

To the extent appropriate and/or legally permitted, **confidentiality** will be maintained during the investigation process. However, a proper investigation will, in some circumstances, require the disclosure of names and allegations. Further, the appropriate authorities may be notified depending on the nature of the complaint and/or the results of the investigation.

Reporting

~~No later than September 30, 2015,~~ The District shall submit a copy of this policy to the Michigan Department of Education (MDE).

The District shall, on an annual basis, report incidents of bullying to the MDE according to the form and procedures established by the MDE.

Should this policy be amended or otherwise modified, the District shall submit a copy of the amended or modified policy to the MDE no later than thirty (30) days after adopting the modification.

Implementation

The Superintendent is responsible to implement this policy and may develop further guidelines not inconsistent with this policy.

This policy is not intended, and should not be interpreted, to interfere with legitimate free speech rights of any individual. However, the District reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program.

Procedure

Any student who believes ~~they have been or are~~/he has been, or is, the victim of bullying, hazing or other aggressive behavior should immediately report the situation to the Principal or Assistant Principal. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board member. Complaints against the Principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

A student may also submit a report or complaint to any of the above-designated individuals through e-mail, voice mail, regular mail or by leaving a sealed note addressed to the individual at that person's office or desk. The student may submit a report or complaint anonymously but this may affect the ability to fully investigate the matter when the complaining student is not available to provide additional information during the course of the investigation.

The identity of a student who reports bullying/aggressive behavior, as well as those students who provide information during an investigation, will remain confidential to the extent possible and to the extent allowable by law. Only District employees directly involved in the investigation of the complaint or responsible for remedying any violations will be provided access to the identity of the complaining student(s) and student witnesses and then only to the extent necessary to effectively deal with the situation.

The identity of the student who files the report or complaint will not be voluntarily shared with the alleged perpetrator(s) or the witnesses unless the student and his/her parent give written permission to do so. Any investigation report will likewise not be voluntarily produced with the names of the reporting student or witnesses. However, under certain circumstances, the District may be required by law to disclose the report and/or the student's name. In addition, under certain circumstances, the identity of the reporting student may become obvious even without disclosure by District employees.

Every student is encouraged, and every District employee is required, to report any situation they believe to be bullying/aggressive behavior directed toward a student. Reports shall be made to those identified above. While reports may be made anonymously, formal disciplinary action may not be taken solely on the basis of an anonymous report without other corroborating evidence.

The Principal shall promptly investigate and document all complaints about bullying/aggressive or other behavior that may violate this policy. The investigation must be completed as promptly as the circumstances permit after a report or complaint is made.

If the investigation finds an instance of bullying/aggressive behavior has occurred, it will result in prompt and appropriate remedial action. This may include up to expulsion for students, up to discharge for District employees, up to exclusion for parents, guests, volunteers and contractors and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement or other appropriate officials.

If during an investigation of a reported act of bullying/aggressive behavior, the Principal believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying and/or harassment to one of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

The individual responsible for conducting the investigation shall document all reported incidents and report all verified incidents of bullying/aggressive or other prohibited behavior, as well as any remedial action taken, including disciplinary actions and referrals, to the Superintendent. The Superintendent shall submit a compiled report to the Board on an annual basis.

Non-Retaliation/False Reports

Retaliation or false allegations against any person who reports, is thought to have reported, files a complaint, participates in an investigation or inquiry concerning allegations of bullying/aggressive behavior (as a witness or otherwise) or is the target of the bullying/aggressive behavior being investigated is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint of bullying/aggressive behavior is substantiated. Suspected retaliation should be reported in the same manner as bullying/aggressive behavior.

Making intentionally false reports about bullying/aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

Prevention/Training/Restorative Practices

The District shall provide a minimum of annual training for school employees and volunteers who have significant contact with students on school policies and procedures regarding bullying and harassment to help promote a positive school climate. Training will provide school employees with a clear understanding of their roles and responsibilities and the necessary skills to fulfill them. (Examples of appropriate trainings include, but are not limited to, age-appropriate strategies to prevent bullying; age-appropriate strategies for immediate, effective interventions to stop incidents; internet safety issues as they relate to cyberbullying; and fostering an understanding of and respect for diversity and difference).

The District will utilize restorative practices that emphasize repairing the harm to the victim and school community in the correction of bullying behavior, which may include victim-offender conferences that:

- A. are initiated by the victim;
- B. are approved by the victim's parent or, if the victim is at least fifteen (15) years old, by the victim;
- C. are attended voluntarily by the victim, a victim advocate, the offender, member of the school community and supporters of the victim and the offender (the "restorative practices team");
- D. would provide an opportunity for the offender to accept responsibility for the harm caused to those affected and to participate in setting consequences to repair the harm, such as requiring the offender to apologize; participate in community service, restoration of emotional or material losses or counseling; pay restitution; or any combination of these. The selected consequences and time limits for completion will be incorporated into an agreement to be signed by all participants.

Definitions

The following definitions are provided for guidance only. If a student or other individual believes there has been bullying/aggressive behavior, regardless of whether it fits a particular definition, **the student or other individuals** ~~she~~ should report it immediately and allow the administration to determine the appropriate course of action.

"Aggressive behavior" is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical or emotional well-being. Such behavior includes, for example, bullying, hazing, harassment, stalking, intimidation, menacing, coercion, name-calling, taunting, making threats and hitting/pushing/shoving.

"At School" is defined as in a classroom, elsewhere on school premises, on a school bus or other school-related vehicle or at a school-sponsored activity or event, whether or not it is held on school premises. It also includes conduct using a telecommunications access device or telecommunications service provider that occurs off school premises if either owned by, or under the control of, the District.

"Bullying" is defined as any written, verbal or physical acts including cyber bullying (i.e., any electronic communication including, but not limited to, electronically transmitted acts, such as internet, telephone or cell phone, personal digital assistant [PDA] or wireless hand held device) that, without regard to its subject matter or motivating factor, is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

- A. substantially interfering with educational opportunities, benefits or programs of one (1) or more students;

- B. adversely affecting the ability of a student to participate in, or benefit from, the District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;
- C. having an actual and substantial detrimental effect on a student's physical or mental health; and/or
- D. causing substantial disruption in, or substantial interference with, the orderly operation of the school.

Bullying can be physical, verbal, psychological or a combination of all three. Some examples of bullying are:

- A. Physical – hitting, kicking, spitting, pushing, pulling; taking and/or damaging personal belongings or extorting money; blocking or impeding student movement; unwelcome physical contact.
- B. Verbal – taunting, malicious teasing, insulting, name calling, making threats.
- C. Psychological – spreading rumors, manipulating social relationships, coercion or engaging in social exclusion/shunning, extortion or intimidation. This may occur in a number of different ways including, but not limited to, notes, e-mails, tweets, social media postings and graffiti.

"Harassment" The District shall provide a minimum of annual training for school employees and volunteers who have significant contact with students on school policies and procedures regarding bullying and harassment to help promote a positive school climate. Training will provide school employees with a clear understanding of their roles and responsibilities and the necessary skills to fulfill them. (Examples of appropriate trainings include, but are not limited to, age-appropriate strategies to prevent bullying; age-appropriate strategies for immediate, effective interventions to stop incidents; internet safety issues as they relate to cyberbullying; and fostering an understanding of and respect for diversity and difference). ~~includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a non-verbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status or disability, but may also include sexual orientation, physical characteristics (e.g., height, weight, complexion), cultural background, socioeconomic status or geographic location (e.g., from rival school, different state, rural area, city, etc.).~~

"Intimidation/Menacing" includes, but is not limited to, any threat or act intended to: place a person in fear of physical injury or offensive physical contact; substantially damage or interfere with a person's property; or intentionally interfere with or block a person's movement without good reason.

"Staff" includes all District employees and Board members.

"Third parties" include, but are not limited to, coaches, District volunteers, parents, school visitors, service contractors, vendors, others engaged in District business or others not directly subject to school control at intra-District or inter-district athletic competitions or other school events.

he scope of this policy includes the prohibition of every form of bullying, harassment, and cyberbullying/harassment, whether in the classroom, on school premises, immediately adjacent to school premises, when a student is traveling to or from school (portal to portal), or at a school-sponsored event, whether or not held on school premises. Bullying or harassment, including cyberbullying/harassment, that is not initiated at a location defined above is covered by this policy if the incident results in a potentially material or substantial disruption of the school learning environment for one (1) or more students or staff and/or the orderly day-to-day operations of any school or school program.

For further definition and instances that could possibly be construed as:

Harassment, see Policy 5517

Hazing, see Policy 5516.

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Legal

M.C.L. 380.1310b (Matt's Safe School Law, PA 241 of 2011), PA 478 of 2014

Policies on Bullying, Michigan State Board of Education

Model Anti-Bullying Policy, Michigan State Board of Education

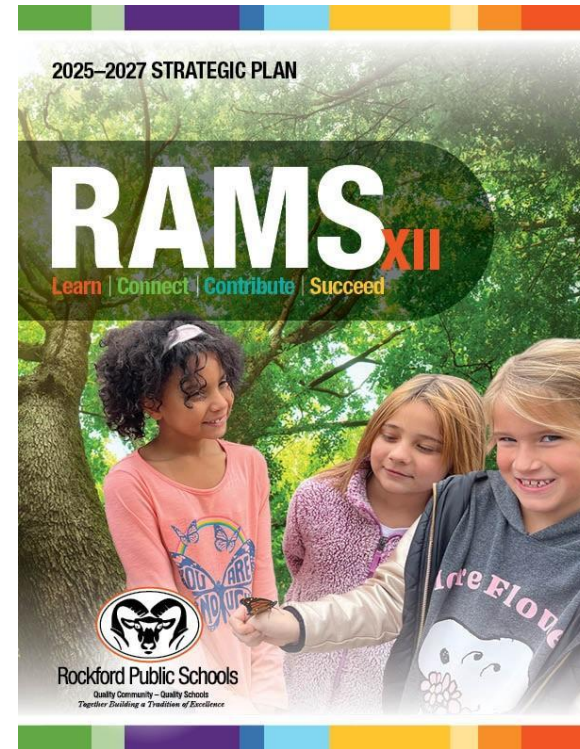


Bond Election Results

Election Day: November 4, 2025

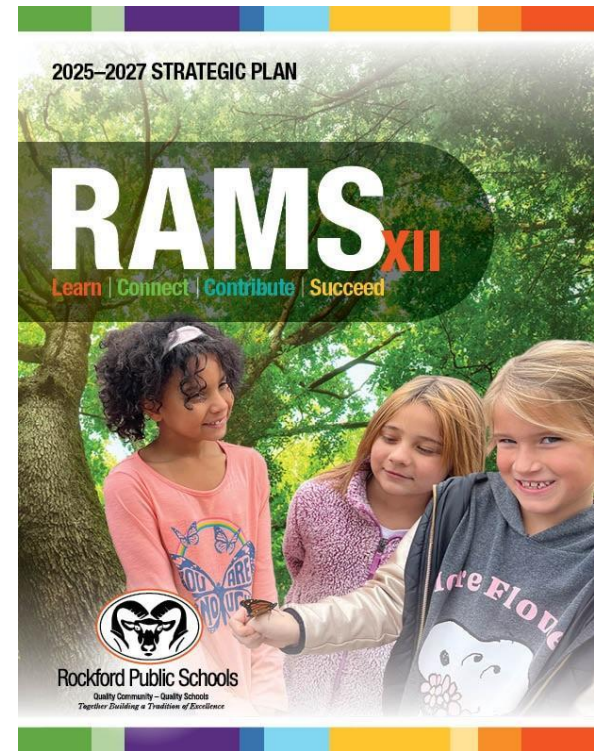
Election results

- Total vote
 - Yes - 5,298 41.29%
 - No - 7,533 58.71%
- Total votes
 - 2019 - 5521
 - 2025 - 12831
- Every precinct voted against the proposal
-



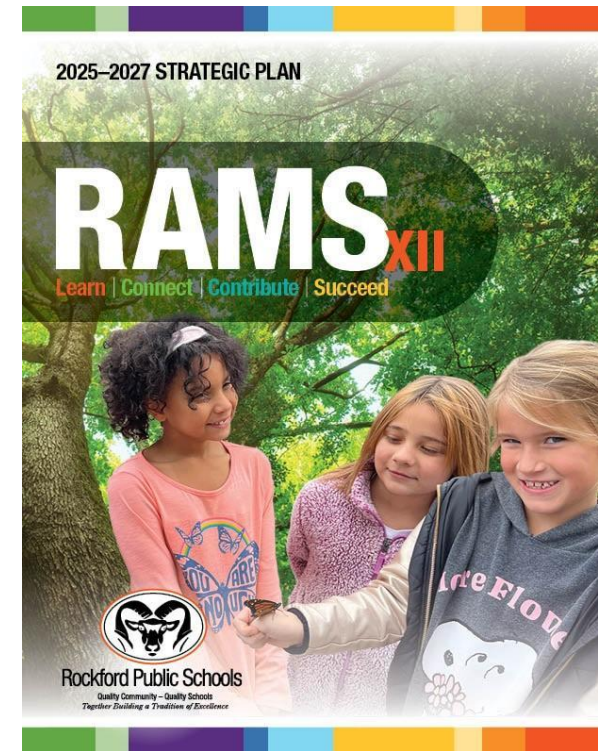
Where we go from here

- We have support
- The election reflects a larger group that was not supportive of the proposal
 - Questions to ask:
 - Do they support the schools but not this proposal?
 - What questions do they have that we need to answer about how we finance schools?



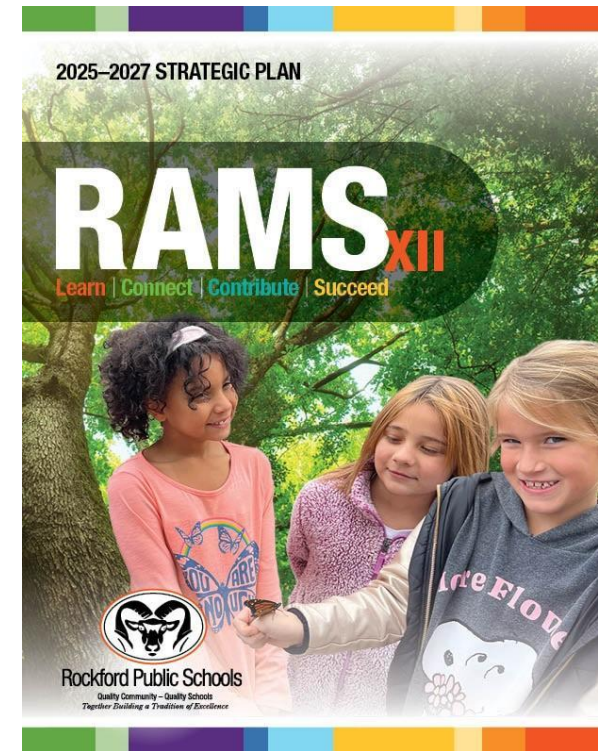
Need still exists

- Our facilities report identified needs
 - Elementary air conditioning
 - Gyms for four elementary schools
 - Performing arts center upgrades
 - More space for Career and Technical Education at the high school



Grateful

- For the voters
- For the process
- For the impetus it gives us to expand our reach
- For the clear message that I need to improve my communication to the community
- For the push it gives us as a leadership team as we look to revisit our strategic plan in 2026-2027



Thoughts?

