

# policy

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ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS

The Board of Education establishes the following policy for determining the eligibility of students to attend the schools of this District.

- A. The Board will educate, tuition-free, students who are legal residents of the District. Proof of residency will be required for registration in the District. If residency is with individuals other than a parent, it must be based on a reason other than educational purposes.
- B. The District shall provide a free education to those students who are considered by Federal law to be illegal aliens or considered to be homeless by State-established criteria.
- C. Upon request of a student's parent, students who have gained twelfth grade status and who no longer reside within the District shall be permitted to complete their high school education tuition free.
- D. Students enrolled in the special education program of this District whose parents do not reside within the District may attend as tuition students with tuition computed pursuant to 121.83(1)(c) Wis. Stats. (Discretionary as to attendance, and mandatory as to calculation of tuition.)
- E. Resident students in grades 9-12 who attend private school or homebased educational programs shall be accepted into the District's educational programs for up to two (2) classes if the student satisfies the high school admission standards and sufficient space is available in the classes.
- F. A high school student who now resides in a different school district as a result of a reorganization under Chapter 117 and who has completed 9th and 10th grade at his/her former school district shall be allowed to complete his/her education at the former school district, provided the other district agrees. The school board of residence shall pay the student's tuition. The school of attendance shall count the student in its membership for State Aid purposes under subchapter II.

- G. Children of joint custody orders may attend school without payment of tuition if one (1) parent resides in this District or the order designates as the residential parent the parent with legal residence in the District.
- H. Foreign students, participating in a bona fide, foreign-exchange program and living with a resident host family, may be admitted tuition-free.
- I. Students whose parents do not reside within the District, but who present evidence that they will move into the District within a short period of time, may enroll in the schools of this District as tuition students for the time not in residence. Tuition will be refunded in accordance with State law.
- J. Minor students residing in the District, but not living with a parent, may be required to provide information sufficient to allow the administration to properly determine resident status under law.
- K. Tuition students may be accepted in accordance with State law and the approval of the District Administrator.
- L. Nonresidents may be accepted into the District's Adult Education classes upon payment of the appropriate fees.
- M. Nonresident students may be accepted into the District's Summer or Interim Session School Program upon payment of appropriate fees.
- N. Nonresident students may be accepted into the District's program under the Full-Time Open Enrollment Program.

- O. The District Administrator, at his/her discretion, may deny admission to a student who has been expelled from another Wisconsin public school district, for the period of the unexpired term of the expulsion. When the expulsion from the other district has expired, the student is to be admitted providing all other eligibility requirements have been met.
  
- P. Students who have begun the school year as residents and who no longer reside in the District may be permitted to complete the school year tuition-free.

120.13(1(f), 121.77 et seq., 121.81, 121.84, Wis Stats.  
42 U.S.C. 11431

## HOMELESS STUDENTS

This policy is designed to ensure that homeless children and youth are provided equal access to educational programs and have an opportunity to meet the same challenging academic standards as all other students in the School District of Portage. These students shall not be segregated on the basis of their status as homeless with established safeguards that protect homeless students from discrimination on the basis of their homelessness as per the definition as identified in the McKinney-Vento Homeless Assistance Act.

### Definition of Homeless Children and Youth

The term “homeless children and youth” means individuals who lack a fixed, regular and adequate nighttime residence due to economic hardship.

It includes children and youth who:

- are temporarily sharing the housing of other persons due to loss of housing, economic hardship, or similar reason
- are living in motels, hotels, or camp grounds due to lack of alternative accommodations
- are living in emergency shelters
- are abandoned in hospitals or waiting in foster care placement
- have a nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- are living in cars, parks, public spaces, abandoned buildings, substandard housing, or bus or train stations
- are runaway children or abandoned

Homeless status is determined in cooperation with parents or in cases of unaccompanied youth the local educational agency liaison.

### Enrollment

Children will be immediately enrolled and identified on a case by case basis.

- Ensure that staff members are familiar with and understand the requirements of the McKinney-Vento Homeless Assistance Act
- District Secretaries in all buildings should know who the homeless liaison is
- Include information about the homeless liaison on the district website
- The rights of the homeless shall be published and available to students, parents, and community agencies

### Placement

Students shall be placed in a school according to the child’s best interest *and/or* continue the child’s or youth’s education in the school of origin for the duration of homelessness, in any case in which a family becomes homeless between academic

years or during an academic year, or for the duration of the academic year, if the child or youth becomes permanently housed during the academic year.

- in determining the best interests of the child or youth to the extent feasible the child or youth will be kept in the school of origin, except when doing so is contrary to the wishes of the child's or youth's parent(s) or guardian(s), for the duration of homelessness.
- in the case of an unaccompanied youth, the local educational agency liaison will assist in placement or enrollment decisions considering the requests of such unaccompanied youth.
- the choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or guardian or has been temporarily placed elsewhere.

### Residency

A homeless child or youth is a resident if the child is personally present somewhere within the district with a purpose to remain but not necessarily to remain permanently.

The child or youth shall be considered a resident when living with a parent, guardian, or person in loco parentis not solely for school purposes or for participation in extra curricular activities.

Homeless students who do not live with their parents or guardians may enroll themselves in school.

The address listed on the enrollment forms becomes proof of residency.

### Comparable Services

Each homeless child or youth shall be provided services comparable to services offered to other students in the school district, such as: transportation, preschool programs, free and reduced lunch, Title 1 or other services.

### Transportation

Once permanent housing is found the family has a choice to stay in the school they are attending, school of origin or attend the school where they have found housing. If a family chooses to stay in the school of origin, transportation will be provided until the end of the academic year.

Permanent housing is defined as any signed lease or long-term approved living situation. Self-paying day to day in a motel is not considered permanent housing.

In the case where the school of origin and current residence are different LEA's, the two school districts will agree on a method for transportation and share costs.

### Homeless Liaison Designation

The Director of Instruction shall be designated as the Homeless Liaison.

Responsibilities include:

- Meet with school personnel for identification/notification processes.
- Assist homeless parents and guardians or unaccompanied youths with obtaining medical and academic records for school enrollment and verifying eligibility for participation in food and nutritional programs.
- Full and equal opportunity to succeed in the school district is explained to homeless children and youth.
- Homeless families, children and youths receive educational services for which they are eligible and referrals to other appropriate agencies.
- Public notice of educational rights of homeless children and youths is disseminated in such public places as school, meal sites and other locations frequented by low income families.
- Compliance with all policies and procedures and resolve any enrollment disputes.
- Ensure district policies and procedures do not serve as barriers for the enrollment and participation of homeless children and youth.

42 U.S.C. 11431 et seq.



EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

Children of an active duty member of the United States armed services shall be entitled to all of the rights and protections afforded under the Interstate Compact on Educational Opportunity for Military Children (Compact).

The intent of this policy is to minimize the potential challenges to educational success for children of military families because of frequent moves and deployment of their parents by:

- A. facilitating the timely enrollment and placement of children of military families in educational and other school programs and activities;
- B. facilitating the on-time graduation of children of military families; and
- C. providing for the uniform collection and sharing of information between and among schools and military families.

A student whose parent or legal guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the District Administrator to visit with his/her parent or legal guardian relative to such leave or deployment of the parent or guardian. The additional excused absences granted by the District Administrator or designee, to visit with a parent who has returned from deployment for a period of time within thirty (30) days of the return from deployment.

The District Administrator shall maintain guidelines for implementation of this policy which are consistent with the Compact and State law.

The guidelines shall apply to children of military families within the state as well as between member states.

Interstate Compact on Educational Opportunity for Military Children  
2009 Wisconsin Act 329

### ENTRANCE AGE

The Board of Education shall establish student entrance age requirements which are consistent with Wisconsin Law and sound educational practice and which ensure equitable treatment.

A. Kindergarten: Pursuant to the authority vested in the State Superintendent of Public Instruction by Section 115.28(8) Wisconsin Statutes, the following conditions and standards are prescribed:

1. A child is eligible for entrance into 4-year old kindergarten if s/he attains the age of four (4) on or before September 1st. There is no early admission to 4-year old kindergarten.
2. A child is eligible for 5-year old kindergarten when s/he attains the age of five (5) on or before September 1st of the year in which s/he registers for entrance and meets residence requirements or has already completed a 4-K program.
  - a. A written letter shall be made by the parent(s)/ guardian(s) to the school district superintendent for early admission to 5-year old Kindergarten of any child who will be five (5) years old between September 1st and October 1st. The deadline is June 1.
  - b. The letter is shared with the school psychologist and elementary principal of the school the child would attend.
  - c. Within 10 business days the elementary principal shall hold a personal interview with the family to determine the parent(s)/ guardian(s) reasons for requesting entrance prior to the legal age. At this time a child would be considered if space and staff is available.
  - d. An evaluation of the child's potential to benefit from early admission to school shall be completed as soon as possible after the personal interview is completed. The evaluation shall consider emotional, social, cognitive, and readiness skills as well as physical health. The individual evaluation shall be conducted by the district's school psychologist. The evaluation shall be at no cost to the parent(s)/ guardian(s).
  - e. After the evaluation has been completed, a review shall be held with the parent(s)/ guardian(s) to consider the appropriateness of early entrance into 5-year old Kindergarten. The principal will send a recommendation to the Board of Education, including an anticipated start date for the student. Early admission will be granted only if staff and facilities are deemed sufficient.

- f. If early admission is granted, the placement is reviewed within six weeks of the start of the school year to see if it is appropriate for the child. The child's parent(s)/ guardian(s), classroom teacher(s), school psychologist and building principal are involved in the review process. If placement is found to be inappropriate at that time, continuation of the placement may be modified, overruled or denied.
  - g. If early admission is denied following the evaluation and the parent(s)/ guardian(s) choose to pursue placement, then the parent(s)/ guardian(s) need to contact the superintendent no later than July 1. If parent(s)/ guardian(s) disagree with the superintendent's decision, it may be appealed to the school board no later than the regular August board meeting. The school board has the final authority for the early admission decision. If the student is denied early admission, acceleration of the child could occur in future years.
- 3. Wisconsin Law states that completion of 5-year old Kindergarten is mandatory.
  - 4. Any student who has moved to the District from another state or country that does not require the completion of a 5-year old kindergarten prior to enrollment in first grade will be assessed to determine appropriate placement. After the assessments are completed, a meeting will be held with the parent(s)/ guardian(s) to discuss the placement of the child.

B. Older Students

- 1. The Wisconsin Constitution guarantees a free education for children ages 4 through 20 who have not graduated from high school. The requirement of the local school district to provide free public elementary and secondary education to resident children is stated in Wis. Stat. sec. 121.77(1), as follows: "Every elementary school and high school shall be free to all pupils who reside in the district." For school attendance purposes, a child is a resident of the district where he or she lives, regardless of where his or her parent lives, unless he is there "for the sole purpose of having the privileges of the public school of the district to which he may be transferred."

Wis. Stats 118.14, 118.15, 120.12(25)

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## OPEN ENROLLMENT PROGRAM (Inter-District)

### SELECTION CRITERIA

No later than January 31 of each school year the District Administrator or his/her designee will report to the School Board the space available for next school year in the schools, programs, classes and grades of the district for open enrollment students. The process and criteria as outlined below shall be utilized by the District Administrator or his/her designee in determining if space is still available.

A nonresident pupil may apply for full-time enrollment in a district school or program under the open enrollment program. Applications will be accepted and acted upon in accordance with procedures and time lines specified in state law. The district shall consider the following criteria when accepting or rejecting a nonresident pupil's application for full-time enrollment:

1. Preference will be given to applications to any nonresident pupils attending school in the district and their siblings.
2. The district will consider the availability of space in the schools, programs or grades within the school district. Considerations will include:
  - a. class size limits
  - b. pupil-teacher ratios
  - c. nonresident pupils currently attending district schools whose tuition is paid by other districts
  - d. enrollment projections
  - e. in-district transfers

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3. The district will not accept a pupil who has been expelled by a school district during the current school year or preceding two school years for conduct specified in the law or who has disciplinary proceedings pending on such conduct. Conduct specified in the law includes endangering the health, safety, or property of others, conveying or causing to be conveyed a bomb threat involving school property, and possessing a dangerous weapon as defined in s. 939.22(10), while at school or under the supervision of a school authority.
4. If any of the above disciplinary actions occur after initial acceptance of the pupil and prior to the pupil starting school in the district, enrollment will be denied to the nonresident pupil.
5. If the student is an applicant for preK, 4 year-old kindergarten, early childhood, or a school-operated day care program resides in a district which offers the program for which application is made.
6. Additional considerations for children with disabilities include:
  - a. if the special education and related services required by the pupil's individualized education program (IEP) are available in the district.
  - b. if there is space available in the special education program identified in the pupil's IEP, including any class size limits, pupil-teacher ratios, state enrollment guidelines, or enrollment projections.
  - c. if the nonresident pupil's IEP changes after the pupil begins attending the district and the special education program or related services required by the IEP are not available in the district or if there is no space available in the program identified in the IEP, the pupil will be returned to the district of residence.
  - d. all reimbursement will be in accordance to related state statutes
7. If the pupil has been reported or identified as having a possible disability, but has not yet been evaluated pursuant to state and federal requirements, the pupil will not be accepted for enrollment until an IEP is in place. At that time, the above considerations will apply.

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8. If the district received more nonresident applications for a particular grade, program, or school than there are spaces in the grade, program, or school. The selection procedure shall be as follows:

Assign a number to each application and place the numbers in a container in the presence of at least one other staff member, conduct a blind drawing of the numbers and list each number chosen in the order they are drawn. The drawing is to continue until all numbers have been drawn.

The district will establish a waiting list for those applications which exceed the number of available seats. Non-resident students placed on the waiting list will be assigned numbers according to the blind drawing of applicants as established in the selection procedure listed in this policy. If space becomes available, students will be accepted from the list according to the acceptance and rejection selection criteria listed in this policy. Wait list applicants will be notified of an opening as soon as possible but no later than the third Friday in August. If a student from the waiting list is accepted, the parent will be notified by mail. That notification of acceptance shall include a written notice that the student has been accepted from the waiting list and the school or program to which the student will be assigned.

Notice of acceptance from the parent must be received within (10) days from the notice of selection, but in no case shall such notice be accepted after the first day of the school year. In the case that a parent should not respond with a notice of acceptance within (10) days of the notice of selection, the acceptance will be rescinded and the space will be offered to the next applicant on the waiting list.

Non resident pupils enrolled under this policy must reapply for enrollment prior to entering middle school in the district.

## Transportation

The parents of nonresident pupils will be responsible for transportation of the pupil to and from district schools.

Transportation for special education students will be in accordance to state law. (Wis Statute 121.54(3).)

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## Responsibilities

Nonresident open enrollment pupils attending school or classes in the district are subject to the same rules and regulations as resident pupils. If the nonresident school district determines that an open enrolled student is habitually truant from the nonresident district during either semester in the current school year, the district may prohibit the student from attending the nonresident district in the succeeding semester or school year. [Wis. Stats. § 118.51 (11)]

## Reapplication

Nonresident pupils enrolled under this policy must reapply for enrollment in middle school in the District.

## Class Size Limits

Class size limits to determine eligibility to accept non-resident student applications are as follows:

- Portage High School – 240 students per grade level
- Bartels Middle School – 200 students per grade level
- All Elementary Schools -
  - K: 18 students per class
  - 1: 19 students per class
  - 2: 20 students per class
  - 3: 23 students per class
  - 4: 24 students per class
  - 5: 25 students per class

## Resident Open Enrollment Pupils

### Full-time

Resident pupils may apply for full-time enrollment in another public school district in accordance with state law. The number of pupils permitted to enroll in another public school district will be limited as authorized by state law. If the district receives more applications than will be allowed under this section, acceptance will be determined by random selection. Preference will be given to pupils already attending public school in the district to which they are applying and their siblings.

## Students with Disabilities

Class size limits for students with disabilities will be determined based on the disability area, the level of need for the individual student and the Department of Public Instruction's recommendations for determining appropriate caseloads.

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The District will not discriminate on the basis of an applicant's intellectual, academic, artistic, athletic, or other ability, talent, or accomplishment, or based on a mental or physical disability, except as provided for in the statute authorizing this program

118.145(4), 118.51, 118.51(3), 118.52, Wis. Stats.

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## COURSE OPTIONS

The Board of Education will provide students enrolled in the District including nonresidents enrolled through a whole grade sharing agreement with the student's resident school district with the ability to take up to two (2) courses at any given time through one or more other educational institutions, including in a non-resident public school district, the University of Wisconsin system institution, a technical college, a nonprofit higher education institution, a tribal college, a charter school, and any other nonprofit organization approved by the Department of Public Instruction. Likewise, the Board will consider the enrollment of a non-resident student in up to two (2) courses per term under the criteria set forth in this policy and any criteria required by law.

### Resident Student Applications for Course Options

#### A. General Procedures

The parent of any student enrolled as a resident of the District or a nonresident enrolled through a whole grade sharing agreement with the student's resident school district that wishes to attend one (1) or two (2) courses at another educational institution under this policy shall make a written application to such other institution no less than six (6) weeks prior to the beginning of the term in which the course(s) are offered. The application:

1. must be on a form provided by the Wisconsin Department of Public Instruction;
2. must be copied to the Board at the same time as the application is made to the other educational institution.

#### B. Decisional Criteria for Resident Applications

The Board shall review all applications received under this policy to attend courses at an outside educational institution under the criteria below. Both the educational institution of proposed attendance and the Board must approve the course.

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Acceptance or denial of any resident student's application shall be made no later than one (1) week prior to the start of the course. Rejection of a student's application to attend such courses shall be made in writing and shall provide an explanation of the reason for rejecting the application. One of the following reasons must be the basis for such rejection:

1. *Individualized Education Program (IEP).* If the Board determines that the proposed course conflicts with the student's IEP, the Board shall reject the course.
2. *High School Graduation Requirements.* If the Board determines that the proposed course does not satisfy graduation requirements, the Board may reject the application.
3. *Student Plan.* If the Board determines that the proposed course does not satisfy the student's academic and career plan, the Board may reject the application.

If the District determines that the course does not satisfy the District's high school graduation requirements, it shall notify the student in writing of this determination at least one week prior to the start date of the course. This notice shall be provided whether the application is approved or rejected.

## Non-Resident Student Applications for Course Options

### A. General Procedures

The parent of any non-resident student that wishes to attend one or two courses offered by the District shall make a written application to the Board no less than six (6) weeks prior to the beginning of the term in which the course(s) are offered. The application:

1. must be on a form provided by the Wisconsin Department of Public Instruction;
2. must be copied to the student's resident School Board at the same time as the application is made to the non-resident School Board.

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B. Decisional Criteria

The Board will determine acceptance or rejection of a non-resident student's application to attend courses in the District using the same criteria and policies for entry into the course that apply to resident students, except that preference for attendance may be given to resident students. Applications from non-resident students that are already accepted into two courses in a particular term will be rejected on that ground. If a particular course has limited enrollment, those spots not taken by resident students will be allocated to non-resident applicants under this policy that otherwise qualify for enrollment on a randomly selected basis.

The parents and the resident school district are to be notified, in writing, no later than one (1) week prior to the commencement of the course whether the application has been accepted or rejected. If accepted, the notification is to include the name of the school the student is to attend and that the enrollment is valid only for the forthcoming semester or school year or special time period during which the course(s) will be offered. If rejected, the notice shall state the reason for the rejection.

General Requirements

A. Notice of Intent to Enroll

The parents of the student must notify both the resident school district and the district in which the student has applied for course options enrollment of the student's intent to enroll after receipt of the decision to accept the application but before the beginning of the applicable course.

B. Transportation

By enrolling in a course under this policy either as a resident or non-resident, the parent understands that the parent is responsible for transporting the student to and from any courses attended under this policy, unless the Department of Public Instruction agrees to reimburse the parent directly for such costs.

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## Tuition for Attendance at an Institution of Higher Education

A student that attends course(s) at an institution of higher education may be charged additional tuition by the institution if the student will receive postsecondary credit for successful completion of the course. The Board and the institution must agree on the permissible amount of tuition the institution of higher education may charge for applicable courses.

### E. Appeal of Rejection

Any application that is rejected under this policy may be appealed to the State Superintendent of Public Instruction within 30 days of the decision. The Superintendent's decision is final and will only reverse the initial decision if that decision was arbitrary or unreasonable.

## Release of Resident Students

The Board shall release any resident student who wishes to apply for part time enrollment in another school district except that the District must refuse to allow a student to enroll if the course conflicts with the provisions of an IEP for the student.

The District may reject the application for enrollment if the costs of the course would create an undue financial burden on the District as defined in Wis. Stats. 118.52(6).

Wis. Stats. 118.52

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### **INTRA-DISTRICT TRANSFERS OPTIONS**

Parents who wish to have their children attend another district school the following school year must submit in writing by use of the "In District Transfer Request Form" between February 1st and April 30th. Requests will be evaluated by space and programming availability with notification of approval or denial being made by June 8th. In-District Transfer Requests must be submitted between February 1 and April 30th. Requests received by April 30th will receive approval or denial notification by June 8th. Children with a sibling already attending the requested school shall be approved for transfer and will be given preference, if space is available. Requests received after April 30th will be placed on a waiting list and notification of approval or denial will in most cases be determined after August registration, however may not be determined until after school begins. Selection will be determined by receipt order of In-District Transfer request. Final approval will be determined at the first Board of Education meeting following registration. In-District Transfer request may be revoked due to attendance issues, tardy issues or inappropriate behavior.

Parents shall be responsible for transportation of said children. Bus transportation may be provided only if the parent transports to a safe, existing pick up point and there is space available on that individual bus. All pick up points must be approved by the school bus contractor in advance.

Parents need only apply once for a transfer, once approved the student will remain in the "new" school for their entire elementary years; the only time this may be altered is if "resident" students would be overcrowded due to "transfer" students.

All requests will be reviewed on a case by case basis by the District Administrator and may be appealed to the school board. Class sizes and program availability will be determining factors in such decisions. Generally maximum class size for purposes of this guideline will be 22 (Kdgn – 3rd grade), and 25 (4th through 6th grade) in schools not in the AGR program. The maximum class size in schools participating in the AGR program will be 18 in Kdgn – 3rd grade and 25 in grades 4 -6.

### NONIMMIGRANT STUDENTS AND VISITOR PROGRAMS

The Board of Education recognizes the positive cultural benefits to the students, staff, and the community in meeting students from other countries and in having exchange students as members of the student body of this District's high school(s).

An exchange visitor student is a foreign national who has been selected by a sponsor that has been approved by the United States Department of State (USDOS) to participate in an exchange visitor program and who is seeking to enter or has entered the United States temporarily on a J-1 visa.

#### **Exchange Visitor Program for Nonimmigrant Students with J-1 Visas**

The Board authorizes the District Administrator to consider a request to admit an exchange visitor student who meets the USDOS requirements and applies for admission through a sponsoring organization, and to determine whether or not that student should be accepted.

In accordance with Federal law, an exchange visitor student will be selected and sponsored by an organization that has been approved by the USDOS. The Board, pursuant to Federal law, requires the sponsoring agency to secure prior written acceptance of the District Administrator for the placement of an exchange visitor student in any District high school.

After written acceptance of school placement is secured, the sponsoring agency should issue the certificate of eligibility for J-1 Visas to the exchange visitor student who meets the criteria established in Federal law for participation in an EVP.

Pursuant to Federal law the sponsoring agency is also responsible for selecting a host family who resides in the District for each exchange visitor student.

Lastly, pursuant to Federal law, a sponsoring agency can place no more than five (5) exchange visitor students per District high school. However, with Board approval, the District Administrator may request, in writing, the placement of more than five (5) students from a sponsoring agency in the high school.

Participation by nonimmigrant students in this program will be consistent with Federal law that requires the following:

- A. the student possess sufficient English language proficiency to participate in the high school curriculum;
- B. the student's participation does not exceed an academic year;
- C. the student pays to the Board the full amount of tuition prior to the commencement of the academic term of attendance;
- D. the student otherwise maintains his/her lawful temporary immigration status.

### **Other Nonimmigrant Students**

This policy does not apply to nonimmigrant students with citizenship in countries other than the United States who are not participating in an approved exchange visitor program at a District school

All other nonimmigrant students with citizenship in countries other than the United States who seek to enroll in the District's schools are subject to State law and the District's policies regarding enrollment and, if applicable, tuition.

8 C.F.R. 214 et seq.

8 U.S.C. 1101 (Immigration Reform and Control Act)

121.84(1)(c), Wis. Stats.

Mutual Education and Cultural Exchange Act of 1961, as amended

Immigration and Nationality Act

22 C.F.R. 62, Exchange Visitor Program

### WITHDRAWAL FROM SCHOOL

The Board of Education affirms that, while Wisconsin law requires attendance of each student until eighteen (18) years of age, it is in the best interests of both students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a student wishes to withdraw from school, efforts should be made to determine the underlying reason for such action and the resources of the District should be used, when and as appropriate, to assist the student in reaching his/her career goals. No student under the age of eighteen (18) will be permitted to withdraw without the written consent of a parent and the approval of the District Administrator. The withdrawal of any student under the age of eighteen (18) must comply with the requirements for participation in a program leading to graduation, consistent with State law.

The District Administrator shall develop administrative guidelines for withdrawal from school which:

attempt to satisfy the student's educational needs through alternative programs

help the student define his/her own educational life goals and help plan the realization of those goals;

118.15(b-e), Wis. Stats.



### PERSONAL COMMUNICATION DEVICES

The Portage Community School District recognizes the value electronic communication devices (ECD) add to the educational experience of all students in grades 9-12. The use of Electronic Communication Devices (ECD) includes, but is not limited to laptops, netbooks, mp3 players, tablet devices, and cell phones. These devices may not:

1. Disrupt the education process in the school district
2. Endanger the health or safety of any student or anyone else
3. Invade the rights of others at school
4. Involve illegal or prohibited conduct of any kind

Students may possess electronic communication devices while on school premises, which includes any place owned, rented, or under the control of the Portage Community School District. Possession or use of any ECD by a student is a privilege, which may be forfeited by anyone who fails to abide by district policy. Use of ECD for taking photos or recording video is prohibited unless approved in advance by the building administration. Use of ECD is prohibited in locker rooms, dressing rooms, bathrooms, or other locations where individuals can reasonably expect privacy. Violators may be subject to discipline and/or expulsion.

Use of ECD in the classroom, in areas being used to conduct instruction or on school trips are at the discretion of the teacher, coach, sponsor, chaperone, or any school staff member acting in an official or unofficial supervisory capacity. Use of such devices by students is to be determined by the instructor, but will no longer be allowed in high school classrooms .

With these devices, students will have access to the district's wireless filtered internet. This access is for educational purposes only. The user experience will vary depending on the device used. Students using devices with cell-network capabilities will be expected to abide by the same guidelines as district-owned devices.

Technical support will not be provided for personal devices. The student must take full responsibility for setting up and maintaining the device. Students are responsible for ensuring their ECD have virus protection and are free of any viruses or other files that may affect the district network.

Students who bring in electronic wireless devices do so at their own risk. The Portage Community School District shall not be responsible for the safety, security, loss, or damage of personal electronic devices that students choose to bring to

**school. The Portage Community School District does not provide personal property insurance for any personally owned wireless communication devices.**

**All ECD and their users must follow the policies in the district's Internet Safety and Acceptable Use Policy. Any and all activity may be monitored when the devices are used on school property. Violations of this policy will result in the loss of network access, confiscation of the device, disciplinary action, and/or other consequences as deemed appropriate by district administration**

## ATTENDANCE

State law requires the Board of Education to enforce the regular attendance of students. Further, the Board recognizes that the District's educational program is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

All children between six (6) and eighteen (18) years of age shall attend school regularly during the full period and hours; *as set forth in the school board approved school year calendar*, that the school in which the child is enrolled is in session until the end of the term, quarter, or semester of the school year in which the child becomes eighteen (18) years of age, unless they fall under an exception under State law, this policy, or administrative guideline issued under this policy. A child who is enrolled in five (5) year-old kindergarten shall attend school regularly; *following the school year calendar as approved by the school board*, during the full period and hours that kindergarten is in session until the end of the school term.

### Written Excuse Required

The District Administrator *may* require, from the parent or guardian of each student or from an adult student, who has been absent for any reason a written, signed, dated statement stating the reason for the absence and the time period covered by the absence. The Board reserves the right to verify such statements and to investigate the cause of each:

single absence;

prolonged absence;

absence of more than 3 days duration;

repeated unexplained absence and tardiness; or

### School Attendance Officer

The District Administrator shall designate an administrator at each school to be the School Attendance Officer. The School Attendance Officer shall perform any duties and responsibilities s/he is required to perform by State law, this policy, and any administrative guidelines issued by the school. The duties of the School Attendance Officer shall include, but not be limited to, the following.

- A. Determining daily from attendance reports submitted by teacher: which students enrolled in the school are absent from school and whether the absence is excused.
- B. Submitting to the District Administrator, on or before August 1st of each year, a report of the number of students enrolled in the school who were absent in the previous year and whether the absences were excused. The District Administrator shall then submit this information to the State Superintendent.
- C. Providing student attendance information to individuals and agencies for purposes authorized by State law.

### Excused Absences

As required under State law, a student shall be excused from school for the following reasons:

A. Physical or Mental Condition

The student is temporarily not in proper physical or mental condition to attend a school program.

B. Obtaining Religious Instruction

To enable the student to obtain religious instruction outside the school during the required school period.

C. Permission of Parent or Guardian

The student has been excused by his/her parent or guardian before the absence for any or no reason. A student may not be excused for more than ten (10) days per school year under this paragraph and must complete any course work missed during the absence. Examples of reasons for being absent that should be counted under this paragraph include, but are not limited to, the following:

professional and other necessary appointments (e.g., medical, dental, and legal) that cannot be scheduled outside of the school day

to attend the funeral of a relative

legal proceedings that require the student's presence

college visits

D. Religious Holiday

For observance of a religious holiday consistent with the student's creed or belief.

E. Suspension or Expulsion

The student has been suspended or expelled.

F. Program or Curriculum Modification

The Board has excused the student from regular school attendance to participate in a program or curriculum modification leading to high school graduation or a high school equivalency diploma as provided by State law.

G. High School Equivalency – Secured Facilities

The Board has excused a student from regular school attendance to participate in a program leading to a high school equivalency diploma in a secured correctional facility, a secured child caring institution, a secure detention facility, or a juvenile portion of county jail, and the student and his/her parent or guardian agree that the student will continue to participate in such a program.

H. Child at Risk

The student is a "child at risk" as defined under State law and is participating in a program at a technical college on either a parttime or full-time basis leading to high school graduation, as provided under State law.

A student may be excused from school, as determined by the School Attendance Officer, or his/her designee, for the following reasons:

Quarantine

Quarantine of the student's home by a public health officer.

Emergency

An emergency that requires the student to be absent because of familial responsibilities or other appropriate reasons.

### Unexcused Absences

Unexcused absences demonstrate a deliberate disregard for the educational program and are considered a serious matter. The District Administrator shall develop administrative guidelines to address unexcused absences.

### Truancy Plan

The ~~Board~~ *administration* will issue a Truancy Plan based upon the recommendations of the County Truancy Committee convened under State law, the Board's policies and procedures, and applicable provisions of State law. The ~~Board~~ *administration* will review and, if appropriate, revise the Truancy Plan at least once every two (2) years.

The Truancy Plan will include, at a minimum, the following:

- A. procedures to be followed for notifying the parents or guardians of the unexcused absences of a student who is truant or a habitual truant and for meeting and conferring with such parents or guardians
- B. plans and procedures for identifying truant children of all ages and returning them to school, including the identity of school personnel to whom a truant child shall be returned
- C. methods to increase and maintain public awareness of and involvement in responding to truancy within the school district
- D. a provision addressing the immediate response to be made by school personnel when a truant child is returned to school

- E. the types of truancy cases to be referred to the District Attorney and the time periods within which the District Attorney will respond to and take action on the referrals
- F. plans and procedures to coordinate the responses to the problems of habitual truants, as defined under Sec. 118.16(1)(a), Wis. Stats., with public and private social services agencies
- G. methods to involve the truant child's parent or guardian in dealing with and solving the child's truancy problem

A student will be considered truant if s/he is absent part or all of one (1) or more days from school during which the School Attendance Officer, principal, or a teacher has not been notified of the legal cause of such absence by the parent or guardian of the absent student. A student who is absent intermittently for the purpose of defeating the intent of the Wisconsin Compulsory Attendance Statute Sec. 118.15, Wis. Stats., will also be considered truant.

A student will be considered a habitual truant if s/he is absent from school without an acceptable excuse for part or all of five (5) or more days on which school is held during a school semester.

#### Notice of Truancy

The School Attendance Officer shall notify a truant student's parent or guardian of the student's truancy and direct the parent or guardian to return the student to school no later than the next day on which school is in session or to provide an excuse for the absence. The notice under this paragraph shall be given before the end of the second school day after receiving a report of an unexcused absence. Notice shall be made by personal contact or telephone call, if possible, and a written record of this notice shall be kept. If such notice is not effective, notice shall be made by mail. This notice must be given every time a student is truant until the student becomes a habitual truant.



Notice of Habitual Truancy

When a student initially becomes a habitual truant, the School Attendance Officer shall provide a notice to the student's parent or guardian, by registered or certified mail, which contains the following:

- A. a statement of the parent's or guardian's responsibility under State law to cause the student to attend school regularly
- B. a statement that the parent, guardian, or student may request program or curriculum modifications for the student under State law and that the student may be eligible for enrollment in a program for children at risk
- C. a request that the parent or guardian meet with the appropriate school personnel to discuss the student's truancy

The notice shall include the name of the school personnel with whom the parent or guardian should meet, a date, time, and place for the meeting and the name, address, and telephone number of a person to contact to arrange a different date, time, or place. The date for the meeting shall be within five (5) school days after the date that the notice is sent, except that with the consent of the student's parent or guardian the date for the meeting may be extended for an additional five (5) school days.

- D. a statement of the penalties, under State law or local ordinances that may be imposed on the parent or guardian if s/he fails to cause the child to attend school regularly as required by State law

The School Attendance Officer will also continue to notify the parent or guardian of a habitual truant's subsequent unexcused absences.

Referral to the District Attorney

Truancy cases will be referred to the District Attorney as provided in the County Truancy Committee Plan. The School Attendance Officer will ensure that appropriate school personnel have done the following before any case is referred to the District Attorney:

- A. met with the student's parent or guardian to discuss the student's truancy or attempted to meet with the student's parent or guardian and received no response or were refused
- B. provided an opportunity for educational counseling to the student to determine whether a change in the student's curriculum would resolve the student's truancy and have curriculum modification under State law
- C. evaluated the student to determine whether learning problems may be a cause of the student's truancy and, if so, have taken steps to overcome the learning problems, except that the student need not be evaluated if tests administered to the student within the previous year indicate that the student is performing at his/her grade level
- D. conducted an evaluation to determine whether social problems may be a cause of the student's truancy and, if so, have taken appropriate action or made appropriate referrals

Note that paragraph A. is not required if the meeting between school personnel, the student, and the student's parent or guardian, which was requested in the Notice of Habitual Truancy to the parent or guardian, did not occur within ten (10) school days after the Notice was sent. Paragraphs B., C., and D. are not required if appropriate school personnel were unable to carry out the activity due to the student's absences from school.

### Excused Absences

A student whose absence from school was excused, except for an expelled student, shall be permitted to make-up course work and any quarterly, semester, or grading period examinations missed during the absences when they return to school. It is the student's responsibility to contact his/her teachers to determine what coursework and examinations must be made-up. Teachers shall have the discretion to assign substitute coursework and examinations. Teachers shall also have the discretion to specify where and when examinations and coursework shall be completed, including outside regular school hours. The time for completing the work shall be commensurate with the length of the absence, unless extended by the principal based upon extenuating circumstances.

### Unexcused Absences

Credit in a course or subject shall not be denied solely because of a student's unexcused absences from school. Students with unexcused absences shall be permitted to make-up course work and any quarterly, semester, or grading period examinations missed during the absence if the student is at risk of receiving no credit in a course or subject if the work is not made up.

Subject to the immediately preceding two (2) paragraphs, credit may, but is not required to be given for the completion of make-up work. Further, credit for makeup work may be given only after the student has satisfied consequences imposed for unexcused absences. The extent to which make-up credit is given shall be determined on a case-by-case basis by the principal and the respective teachers.

If make-up work has been assigned, it is the student's responsibility to contact his/her teachers to determine what coursework and examinations must be made up. Teachers shall have the discretion to assign substitute coursework and examinations. Teachers shall also have the discretion to specify where and when examinations and coursework shall be completed, including outside regular school hours. The time for completing the work shall be commensurate with the length of the absence, unless extended by the principal based upon extenuating circumstances.

115, 118.15, 118.125(2), 118.153, 118.16, 118.162, Wis. Stats.

FULL-TIME STUDENT

The Board of Education defines a full-time student as a student enrolled in a Board-approved program or seven (7) class hours per day (Grades 9 - 12). All course options must be exhausted to fill open periods.

Students who do not meet one (1) of the standards identified above will be classified as part-time students.

ABSENCES FOR RELIGIOUS INSTRUCTION

The Board of Education desires to cooperate with those parents who wish to provide for religious instruction for the children but also recognizes its responsibility to enforce the attendance requirements of the State.

The Board shall permit students, with written parental permission, to be absent from school during required school periods at least sixty (60) minutes but not more than 180 minutes per week to obtain religious instruction outside of school.

A student must be properly registered and a copy of such registration must be filed with the principal. The supervisor of the religious instruction must report monthly to the District the names of the students who are attending the weekly instruction.

The District will assume no liability for a student while attending religious instruction nor will it provide transportation for such instruction.

No solicitation for attendance at religious instruction shall be permitted on District premises. No member of the staff shall encourage nor discourage participation in any religious instruction program.

118.155, Wis. Stats.

**LATE ARRIVAL AND EARLY DISMISSAL**

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the District.

The Board of Education recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this District, the Board shall require that the school be notified in advance of such absences by written request of the student's parent, who shall state the reason for the tardiness or early dismissal. Justifiable reasons shall be determined by the building administrator.

If one parent has been awarded custody of the student by the courts, the parent of custody shall provide the school with a copy of the custody order and inform the school in writing of any limitations in the rights of the noncustodial parent. Absent such notice, the school will presume that the student may be released into the care of either parent.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her.

No student shall be released to anyone who is not authorized such custody by the parents.

### HEALTH SERVICES

The Board of Education may require students to submit to periodic health examinations to determine that each student's participation in health, safety, and physical education courses meets his/her individual needs.

The District shall specify the need for health services which may include, but not be limited to:

student physical examinations;

athlete physical examinations;

dental examinations;

vision screening;

audiometric screening.

Any health services program should also include instruction to staff members on the observance of students for conditions that indicate physical defect or disability.

The District shall directly notify the parents of students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when any non-emergency, invasive physical examination or screening is scheduled or expected to be scheduled for students if the examination or screening is: (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of a specific student, or other students.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

118.25(3)(4), 118.255, Wis. Stats.  
20 U.S.C. 1232h

### EMERGENCY NURSING SERVICES

To provide for the protection of the students, the District shall make available emergency nursing services during the regular school day and during all school sponsored activities of students.

The District shall provide for the management of illness (Policy 8310 and Policy 8335), accidental injury (Policy 8340 and Policy 8341), and the administration of medication and emergency care (Policy 8330).

The District Administrator shall develop guidelines that will provide student emergency information cards, equipment, supplies, and space for the emergency nursing services that are appropriate and readily accessible. The District Administrator shall also identify a medical advisor.

The District shall make available emergency student information, first aid supplies, and appropriate and accessible space for the rendering of emergency nursing services.

This policy has been reviewed in cooperation with other school district personnel and representatives from community health agencies and services. The School Board shall review and evaluate emergency nursing services each year, including a review of the policies referenced above.

Wis. Stat. 121.02(1)(g)  
PI 8.01(2)(g)4

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### IMMUNIZATION

1. Each Early Childhood, PreK4 and Kindergarten student shall present written evidence to the school of minimum immunization requirements for age in the Wisconsin Student Immunization Law (State Stats.252.04, HFS 140.05). The parent or legal guardian shall complete a student immunization record no later than the 30th school day. The Wisconsin Student Immunization law requirements may be waived for an individual student for:
  - Health reasons including a physician signature, a parent/legal guardian signature and a list of the specific immunization(s) waived.
  - Religious or personal conviction reasons including a parent/legal guardian signature and a list of the specific immunization(s) waived.
  
2. Any new or transfer student admitted to any school in the district shall present written evidence to the school of minimum immunization requirements for age in the Wisconsin Student Immunization Law. The parent or legal guardian shall complete a student immunization record no later than the 30th school day. The Wisconsin Student Immunization law requirements may be waived for an individual student for:
  - Health reason including a physician signature, a parent/legal guardian signature and a list of the specific immunization(s) waived.
  - Religious or personal conviction reasons including a parent/legal guardian signature and a list of the specific immunization(s) waived.
  
3. This includes students enrolled in our district for specific services (such as speech, occupational, or physical therapy) or attending limited classroom instruction (such as FACE/Tech Ed students from the parochial schools).

4. The District shall implement a temporary suspension to required immunization requirements if issued by the Wisconsin Department of Health Services.

120.12(16), 252.04, Wis. Stats.  
Wis. Admin Code DHS 144.07

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### ADMINISTRATION OF MEDICATION/EMERGENCY CARE

Medications are given to students in the school setting to continue or maintain a medical therapy which promotes health, prevents disease, relieves symptoms of illness or aids in diagnosis. Medication procedures are to be administered at home whenever possible.

The Portage Community School District shall administer medication in accordance with Wisconsin State Statutes 118.29, 118.291, and Wisconsin Administrative Code PI 8.01(2) (g). The School District may administer any prescription medication to a student in compliance with the written instruction of a practitioner\* and written consent from the student's parent or guardian as defined by Wisconsin Statute Ch. 118.29. Administration of nonprescription medication requires the written instruction and consent of the student's parent or guardian. Substances, which are not FDA approved (i.e. natural products, food supplements), will require the written instruction of a practitioner\* and written consent from the student's parent or guardian. All medication must be supplied by the parent.

Students with asthma may possess and self-administer a metered dose or dry powder inhaler with the written approval of the student's physician and parent or guardian. Students with anaphylactic allergies may possess and self-administer an auto injectable epinephrine pen with the written approval of the student's physician and parent or guardian. Students may self-administer sun screen with written consent of the student's parent or guardian. Students with diabetes may possess glucagon with the written consent of the student's physician and parent or guardian. Students at the Portage High School may self carry and self administer any non controlled substance if written permission from the parent/guardian and a health care provider is provided to the school principal or designee. These medications shall be maintained in the original containers while in a student's possession and not shared with others.

Medication administration may be delegated by the school nurse to any school employee or volunteer with proper training, supervision, and evaluation as defined in Wisconsin Administrative Code N. 6.01 and Department of Public Instruction training guidance. Determining such individuals will be the joint responsibility of the building administrator and the school nurse. The school employee or volunteer who is authorized to administer medication is immune from civil liability for his or her acts or omissions in administering medication to a student unless the act or omission constitutes a high degree of negligence. School nurses, as District employees, are regulated by the Wisconsin Nurse Practice Act; therefore, they are not necessarily immune from civil liability for the aforementioned acts or omissions. The Portage Community School District administrator or principal who authorizes an employee to administer a drug or prescription drug to a student will be immune from civil liability

for the action authorized, unless a court determines that the action constitutes a high degree of negligence.

No school employee, except a health care professional, may be required to administer medication to a student by any means other than oral ingestion. Student needs may require medications be administered by routes other than orally and will be accommodated for.

Procedures for obtaining and filing written instructions and consents for medication administration, and the protocols for storage, administration, and documentation are delineated in this policy's procedure below. In the instance that Glucagon is administered to an individual for severe low blood sugar reaction, 911 or the emergency medical services will be called to transport the individual to a hospital for further care and treatment.

In the instance that rectal diazepam (Diastat Accudial) is administered to an individual for seizure treatment, 911 or the emergency medical services will be called to transport the individual to a hospital for further care and treatment unless other specific directions are written into the student's care plan by the school nurse.

In the instance that epinephrine (EpiPen or EpiPen Junior) is administered to an individual for anaphylaxis treatment, 911 or the emergency medical services will be called to transport the individual to a hospital for further care and treatment.

Individuals in any of these situations need further care not available within a school. Parents or emergency contacts will be notified, as is appropriate and timely, to inform him or her of the situation.

\* A practitioner is defined as a Wisconsin licensed health care provider as one of the following: physician, dentist, optometrist, physician assistant, advanced practice nurse prescriber, or podiatrist.

References: Wisconsin State Statutes 118.29, 118.291 and 121.02(1) (g)  
Wisconsin Administrative Code N. 6.03(3)  
Wisconsin Act 160  
Wisconsin Department of Public Instruction, School  
Nursing and Health Services Program

## **MEDICATION ADMINISTRATION TO STUDENTS Procedures**

### **I. Training of Designee**

The health care professional, in collaboration with a school administrator, has the authority to delegate medication administration to a school employee in

compliance with Wisconsin State Statute 441.06(4) and Wisconsin Administrative Code N 6.03(3) if the following are met:

- a) The task must be commensurate with the education, preparation, and demonstrated abilities of the person delegated to.
- b) The school nurse provides direction (training) and assistance to the person delegated to. This training shall occur each school year.
- c) The person delegated to administer medications is periodically observed, monitored, and documented by the school nurse.
- d) The person delegated to completes the online DPI training course(s) for the medication(s) to be administered and submits certificate(s) of completion or session test(s) to the RN. This training shall occur once every 4 years.
- e) School personnel will be informed on a need to know basis when a student is taking medication for serious or chronic health conditions, so that they can observe for side effects to the medications.

## **II. Consent to Administer**

### **A. Prescription Medications**

A written, signed statement from the parent/guardian and a written, signed instruction from a practitioner\* must be on file at the school authorizing school personnel to administer any medication (see attached medication request/consent form). The statement must include:

Student name, date of birth

Medication name, dose, route, frequency/time/conditions,  
duration/length of order

Reason for medication

Precautions, possible untoward reactions, and/or interventions Name of  
practitioner\*

Parent/guardian signature, practitioner\* signature, date

Requests must be renewed each school year or more often if changes in dosage occur. All changes will be noted on the medication administration record, dated and initialed by the designee.

Prescription medications must be supplied in a legible pharmacy-labeled container indicating the correct dosage and administration instructions.

The school nurse shall be informed by school personnel of all students receiving medication and any changes in dosage. The nurse will review the medication record periodically and use professional judgment in contacting the practitioner, school personnel, or parents to resolve inconsistencies in administration directions.

\* A practitioner is defined as a Wisconsin licensed health care provider as one of the following: physician, dentist, optometrist, physician assistant, advanced practice nurse prescriber, or podiatrist. Parents/guardians may come to school to administer prescription medication.

**B. Non-prescription Medications**

Non-prescription medication (over-the-counter) which is FDA approved can be administered. A written, signed statement from the parent/guardian must be on file at school authorizing school personnel to administer (Medication Request/Consent form). A practitioner's\* signature will be required for a dosage that does not match the package's labeled weight- or age-appropriate dose. The statement must include:

- Student name, date of birth
- Medication name, dose, route, frequency/time/conditions, duration
- Reason for medication
- Precautions, possible untoward reactions, and/or interventions
- Name of practitioner\*
- Parent/guardian signature, date

Requests must be renewed each school year or more often if changes in dosage occur. All changes will be noted on the medication administration record, dated and initialed by the designee.

Non-prescription medications must be supplied in the original manufacturer's packaging with ingredients and recommended therapeutic dose for age and or weight listed.

Non-prescription medications must be supplied by parent in the original container with the student's name affixed.

Any non-prescription medication intended for long-term use on a daily basis must be accompanied by a practitioner's\* signature.

Parents/guardians may come to school to administer non-prescription medication.

**C. Food Supplements, Natural Products** For the safety and protection of students, food supplements and natural products will not be given in the school setting unless approved by the FDA or prescribed by a practitioner\*. A written, signed statement from the parent/guardian must be on file at school authorizing school personnel to administer (Medication Request/Consent form). The statement must include:

- Student name, date of birth
- Medication name, dose, route, frequency/time/conditions, duration
- Reason for medication
- Precautions, possible untoward reactions, and/or interventions Name of physician or healthcare practitioner Parent/guardian signature, date
- Practitioner\* signature and date if non-FDA approved

Food supplements and natural products must be supplied in the original manufacturer's packaging with ingredients and recommended therapeutic dose for age and or weight listed.

Food supplements and natural products must be supplied by parent in the original container with the student's name affixed.

Any food supplements and natural products intended for long-term use on a daily basis must be accompanied by a practitioner's\* signature.

Parents/guardians may come to school to administer natural products.

Any medication (prescription, over-the-counter or food supplements and natural products) provided to the school shall not be expired. It is the parent or guardian's

responsibility to make every effort to provide medication that will be current throughout the full school year.

**III. Self-Administered Medication**

- A. Students with asthma may possess and self-administer metered dose inhalers or dry powder inhalers for the purpose of preventing or alleviating the onset of asthmatic symptoms. The student must have the written approval of the student's practitioner\* and the written approval of the student's parent or guardian . A copy of this approval will be present in the student's school and maintained in the health record. The written approval must be renewed each school year.
- B. Students with severe allergies may possess and self-administer autoinjectable epinephrine for the purpose of preventing or alleviating the onset of a severe allergic reaction. The student must have the written approval of the student's practitioner\* and the written approval of the student's parent or guardian (see attached Medication Request/Consent form). A copy of this approval will be present in the student's school and maintained in the health record. The written approval must be renewed each school year. Activate Emergency Medical Services if Epinephrine is given.
- C. Students at the Portage High School may possess and self-administer non controlled substances, prescription or over-the-counter for preventing or alleviating symptoms. These medications will be in the original labeled packaged. The student must have the written approval of the student's practitioner\* and the written approval of the student's parent or guardian (see attached Medication Request/Consent form). A copy of this approval will be present in the student's school and maintained in the health record. The written approval must be renewed each school year.

**IV. Medication Storage**

Medication will be stored in a secure location. Medication which needs to be accessible to the student will be stored in an appropriate location per student need (i.e., emergency medications). Medication will be stored to maintain quality (i.e., refrigeration, temperature controlled area). The parent/guardian shall pick up unused portions of medication within seven days after the completion of the school year or when medications have been discontinued. After written and or verbal notification, medications will be disposed of according to Wisconsin Statutes.

**V. Documentation**

An accurate individual student record of administered medication will include:

- Demographic data such as name, birth date, level/grade, school year.
- Medication name, dose, date/time given.
- Signature of person administering.
- Dose changes require an updated practitioner order that is dated and signed.

The Student Medication Record (Medication Request/Consent form) will be maintained in the student health record after discontinuation of the medication for up to 7 years.

**VI. Rights and Responsibilities**

Designated school personnel have the responsibility to:

- Ensure that the medication is given within 30 minutes before or after the time specified by parent and practitioner\*.
- Maintain the medication administered at school in a secure place which also maintains medication quality (i.e., refrigeration for liquid antibiotics or temperature control for Epi pens).
- Report to the school nurse any dose changes, inconsistencies, or medication side effects.
- Keep a copy of the Medication Policy in an accessible spot for immediate reference.
- Document all medication administered or reason medication may not be administered (absent, refusal).
- Report errors and or missed medications to the school nurse immediately including completion of an Incident Report Form.

Designated school personnel have the right to refuse to administer medication to students when the medication administration procedures as described in Section II above have not been completed.

The professional school nurse has the responsibility to:

- Review medications and any changes in medications administered at school.
- Use professional judgment in carrying out the policy.
- Provide information on medication side effects.
- Provide training, supervision, and evaluation of the administration of medication in the school.
- Maintain records of staff completion of medication administration.
- Assure proper training, both knowledge and skills based along with ongoing supervision of delegated tasks.

**VII. Distribution of Policy and Liability Waiver**

- All school employees or volunteers who are authorized to administer drugs to a student shall receive a copy of this policy and shall be advised that, pursuant to the provision in Wisconsin State Statute 118.29, they are immune from civil liability for any acts or omissions in administering a drug or prescription drug to a student in accordance with this policy unless the act or omission is found by a court to constitute a high degree of negligence.
- The School District administrator or any school principal who authorizes an employee or volunteer to administer a drug or prescription drug to a student is immune from civil liability for the act of authorization unless it constitutes a high degree of negligence.

Refer to procedures for administering medication and accompanying forms:

- Medication Request/Consent Form
- Incident Report Form (medication errors)



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- Procedure for Administering Medications

**Legal References:**

Wisconsin State Statutes 118.29, 118.291 and 121.02(1)(g)

Wisconsin Administrative Code N. 6.03(3)

Wisconsin Act 160

Wisconsin Department of Public Instruction, School Nursing and Health Services Program

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### CARE OF STUDENTS WITH CHRONIC HEALTH CONDITIONS

Students with chronic health conditions will be provided with a free appropriate public education. If their impairment does not require specially designed instruction for them to benefit educationally, they will be eligible for accommodations/modifications/interventions of the regular classroom, curriculum, or activity (i.e. the school setting) with every effort made to provide them with the same access to an education as students without disabilities. Such accommodations/modifications/interventions will be provided pursuant to a Section 504 Plan.

Chronic health conditions, for the purposes of this policy, shall include but not be limited to:

- "peanut" and other food allergies;
- allergies;
- asthma;
- diabetes;
- seizure disorder;

All information regarding student identification, health care management, and emergency care shall be safeguarded as personally identifiable information in accordance with Policy 8330 and Policy 8350.

The District will coordinate school health practices for management of a chronic health condition and shall provide for:

- identification of individuals with chronic health conditions;
- development of individual health care action plans as appropriate;
- coordination of health care management activities by school staff;
- communication among school staff who interact with children with chronic health conditions;
- development of protocols to prevent exposure/episodic reactions;

School health practices shall provide students with chronic health conditions the opportunity for:

full participation in physical activities when students are well;

modified activities as indicated by the student's health care action plan, 504 plan, or Individualized Education Plan ("IEP");

access to preventative medications before activity (as prescribed by their medical providers) and immediate access to emergency medications during activity;

Staff will be trained about chronic health conditions and their control annually in each school in which there is a student with a chronic health condition.

Designated staff who have responsibility for specialized services such as giving inhaler treatments or injections, or conducting glucose and/or ketone tests shall be provided training specific to the procedures by a licensed health professional.

The school nurse shall maintain a copy of the training program and the records of training completed by school employees.

### STUDENT ACCIDENTS/ILLNESS/CONCUSSION

The Board of Education believes that school personnel have certain responsibilities in case of accidents, illness or concussions that occur in school. Said responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administration personnel, notification of parents, and the filing of accident reports.

#### Accidents

Employees should administer first aid within the limits of their knowledge of recommended practices. All employees should make an effort to increase their understanding of the proper steps to be taken in the event of an accident. However, any staff member or volunteer who, in good faith, renders emergency care to a student is immune from civil liability for his/her acts or omissions in rendering such emergency care.

The administrator in charge must submit an accident report to the District Administrator on all accidents.

#### Illness

School personnel shall not diagnose illness or administer medication of any kind except in accordance with policy 8330.

#### Concussion

A concussion is a type of traumatic brain injury. Concussions occur when there is a forceful blow to the head or body that results in rapid movement of the head and causes any change in behavior, thinking, or physical functioning. Concussions are not limited to situations involving loss of consciousness. Some symptoms of a concussion include headache, nausea, confusion, memory difficulties, dizziness, blurred vision, anxiety, difficulty concentrating, and difficulty sleeping.

Each school year students/parents shall be provided with an information sheet regarding concussion and head injury. If a student is going to participate in an activity where a concussive event may occur, the appropriate release must be signed at least once per school year.

Further, pursuant to, parents who inform coaches and teachers that their child is being treated by a healthcare professional for a concussion must provide written clearance from that healthcare professional for full or limited participation in class, practice, activity, or competition. Prior to receiving written clearance from a healthcare professional, students who have sustained a concussion may not participate in any school-related physical activities.

118.29, 118.293, Wis. Stats.

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### EMERGENCY MEDICAL AUTHORIZATION

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

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

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

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to follow the procedures described in the District Administrator's administrative guidelines and are not to abide by any "Do Not Resuscitate" (DNR) agreement that may exist for a student, unless ordered to do so by a court of law.

118.29(4), Wis. Stats.

### STUDENT SUICIDE

The Board of Education recognizes that depression and self destruction are severe problems among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the schools, and a student who has attempted self destruction poses a danger both to himself/herself and to other students.

All school personnel should be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

District staff shall receive professional development training in the risk factors, warning signs for suicide and depression and about the protective factors that help prevent suicide, as well as the available resources regarding youth suicide awareness and prevention. Such training shall include the warnings signs of non-suicidal self-injurious behaviors.

The District Administrator shall develop and implement administrative guidelines whereby members of the professional staff understand how to use an intervention procedure which includes the following:

Step 1 - Stabilization

Step 2 - Assessment of the Risk

Step 3 - Use of Appropriate Risk Procedure

Step 4 - Communication with Appropriate Parties

Step 5 - Follow-up

Throughout any intervention, it is essential that Board policies and District guidelines regarding confidentiality be observed at all times.

Any officer, employee, or volunteer of this Board who, in good faith, attempt to prevent suicide by a student is immune from civil liability for his/her acts or omissions in respect to the suicide or attempted suicide.

Kelson v City of Springfield, 767 F2d 651  
115.365(3), Wis. Stats.  
118.295, Wis. Stats.



### PROMOTION, PLACEMENT, AND RETENTION

The extent of each student's progress toward school adopted goals shall continually be of central concern to the school staff. Progress shall be viewed comprehensively in the light of such factors as the student's

- educational achievement
- age
- mental health
- social needs
- ability as determined by objective and subjective data
- environmental influences

Retention or advancement decisions will be the responsibility of the instructional staff with the final authority residing in the district administrator or his designee. Parents or guardians, teachers, the student involved, and other concerned persons may be included in the discussions of leading to a decision relative to promotion or retention.

The Board of Education recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It shall be the policy of the Board that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

Such pattern should coincide with the system of grade levels established by this Board and the instructional objectives established for each.

A student will be promoted to the succeeding grade level when s/he has:

- completed the course requirements at the presently assigned grade;
- in the opinion of the professional staff, achieved the instructional objectives set for the present grade;
- demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade;

Following sound principles of child guidance, the Board discourages the skipping of grades.

The District Administrator shall develop administrative guidelines for promotion, placement, and retention of students which:

ensure students who are falling seriously behind their peers or who may not be promoted receive the special assistance they may need to achieve the academic outcomes of the District's core curriculum;

require the recommendation of the relevant staff members for promotion, placement, or retention;

require that parents are informed in advance of the possibility of retention of a student at a grade level;

assure that efforts are made to remediate the student's difficulties before s/he is retained;

assign to the principal the final responsibility for determining the promotion, placement, or retention of each student.

118.33(6), Wis. Stats.

### WISCONSIN ACADEMIC EXCELLENCE SCHOLARSHIP

Wisconsin's Academic Excellence Scholarship is a State supported program, jointly administered by the Department of Public Instruction (DPI) and the Higher Education Aids Board (HEAB). The program offers scholarship recipients an exemption from specified tuition and fees for post high school education at eligible higher education institutions in Wisconsin.

By February 25th of each school year, the School Board will designate the appropriate number of senior(s) from the high school with the highest grade point average in all subjects as scholars eligible to receive an Academic Excellence Scholarship.

The following standards must be met to qualify for the Academic Excellence Scholarships. The student and alternates must:

- A. be a resident of the United States who is either a U.S. citizen or an alien lawfully admitted for permanent residence;
- B. be a Wisconsin resident as defined in 36.27 Wis. Stats.;
- C. have achieved senior status and have been in attendance for two (2) consecutive semesters during their junior (2nd semester) and senior year (s).
- D. be selected based on the Grade Point Average (GPA) on the student's official transcript as of the last day of the semester which ended just prior to February 25th.

In selecting the scholarship recipient(s) for the Academic Excellence Scholarship, both weighted and unweighted *courses* for seven (7) semesters will be used to compute grade point averages.

Students enrolled under the Chapter 220 Program and full-time public school Open Enrollment Program who qualify based on the standards identified above are eligible for the Academic Excellence Scholarship in the school they actually attend.

The designation of scholar will be awarded to the qualifying student(s) with the highest grade point average. The scholar's GPA shall be computed to as many places past the decimal point as necessary to determine a distinction between the scholars.

In the event of a tie involving the GPAs the first tie breaker will be the ACT composite score. The scholar with the highest ACT composite score will be selected.

Except for the limitation on the number of designated scholars, the faculty of the high school shall select the applicable number of seniors for designation as scholars and shall certify, in order of priority, any remaining seniors with the same grade point average as alternates for the scholars or, if there is no remaining senior with the same grade point average, any remaining seniors with the next highest grade point average, but not less than 3.800 or the equivalent, as alternates for the scholars.

39.41 Wis. Stats

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## ELIGIBILITY AND SELECTION OF THE TECHNICAL EXCELLENCE HIGHER EDUCATION SCHOLARSHIPS (TES)

A student competing for the Technical Excellence Scholarship must be in attendance at Portage High School for a minimum of 6 out of 8 semesters of their total high school career to be eligible and be in attendance two consecutive semesters during their Junior (2nd semester) and senior (first semester) year.

Senior students are eligible to compete for the scholarship their 8th semester of high school.

Students at Portage High School acquire senior status based on the number of years they attend high school. One year is a freshman, two years is a sophomore, three years is a junior and four years is a senior.

The student and alternates must:

- A. be a resident of the United States who is either a U.S. citizen or an alien lawfully admitted for permanent residence;
- B. be a Wisconsin resident as defined in 36.27 Wis. Stats.;

Senior students applying for the Technical Excellence Scholarship must be attending a school within the Wisconsin Technical College System the semester following their graduation from high school.

Prior to September 1, 2017, a high school counselor will affirm that the student's post-secondary plans relate to a career in technical education. Beginning the 2017-18 school year, the student must have an academic and career plan leading to a career in technical education.

All courses taken at PHS will be included in the GPA on the official high school transcript except:

- 1. High School course grades taken in Middle School
- 2. Pass/fail course grades
- 3. Homeschool course grades
- 4. Study Abroad course grades

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5. Course grades earned in another country by students with permanent resident status.

These courses will be noted on the transcript for credit only.

Reference: GRADING SCALE INCLUDING WEIGHTED GRADES

Point Ranking to determine scholarship winners and alternates (HEAB recommend system):

1. One point is given to a student for each credit earned in high school in CTE courses defined in the Perkins Career and Technical Education Act of 2006. Courses must be taught by a CTE instructor licensed for that specific discipline.
2. One point is given to a student for each year of activity in a Career and Technical Student Organization in Wisconsin. For activity in multiple CTSO's, one point is to be given for each year of participation in each organization.
3. For the purpose of assigning a ranking among eligible candidates, credit hours in process at the time of nomination should be counted toward the number of credits the student has earned.
4. When students emerge from the point system with tied scores, CTE grades become the tiebreaker. Rankings to "tied" students are based on the grade point earned by eligible students in CTE courses. The grades used for this purpose are only those grades earned in CTE courses, not a student's overall grade point

39.415 Wis. Stats

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## GRADUATION REQUIREMENTS

No student may receive a high school diploma unless the student satisfies the criteria for graduation in this policy.

Students must have enrolled in a class or have participated in a board-approved activity for each class period of each day or enrolled in an alternative educational program.

The high school principal shall be responsible for the general supervision and management of the graduation policy.

1. GRADUATION from Portage High School requires that each student earn a minimum of 24 credits while attending school during 16 different terms (a term is 9 weeks in length), grades 9-12, and that the requirements listed below are fulfilled:

The following credits are required to graduate:

- a. 4 credits of English  
3 credits of Social Studies 2 credits of Mathematics  
2.5 credits of Mathematics  
3 credits of Mathematics  
2 credits of Science 3 credits of Science  
1.5 credits of Physical Education  
0.5 credits of Health Education  
0.5 credit of Personal Finance

- b. Electives- 8.5 Credits

- c. Civics Graduation Test Requirement

Any students graduating from a Wisconsin high school "takes a civics test comprised of 100 questions that are identical to the 100 questions that may be asked of an individual during the process of applying for U.S. citizenship by the United States Citizenship and Immigration Services and the pupil correctly answers at least 60 of those questions." (Section 3266R, 118.33(1m)(a)1.) Students with IEP's must complete the test, but do not have to pass it in order to graduate.

Students identified as LEP may take the test in their language of choice. Transcripts should indicate that students pass the civics test requirement.

2. EARLY GRADUATION may be granted after completion of 14 or more terms of attendance, grades 9-12, to students who fulfill the following requirements:

- a. complete all the above graduation credit requirements;
- b. earn a cumulative GPA of 2.5 or above; Portage Community

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- c. have no more than 1 unexcused absences (0 truancies) in their last two terms of school attendance; and have no more than 5 excused absences per term in the last two terms of attendance. Additional absences must be doctor excused;
- d. submit a written request for early graduation to the high school principal during the term immediately prior to the term in which they wish to graduate. The request must include the purpose of the request and set forth a well-organized plan for their future. It must also be endorsed in writing by the student's parent/guardian.
- e. receive a recommendation for approval by a committee of professional staff at the high school, including a building administrator, the student's guidance counselor, and at least three (3) of the student's past or present high school teachers. The student and his/her parents may present the request to the committee, but the committee shall deliberate in private. The committee's recommendation shall be forwarded in writing to the Board's Curriculum/Co-Curriculum Committee for review. The committee will forward a recommendation to the Board of Education for final consideration and/or approval.

NOTES:      \*\* Exceptions to the deadlines for submitting the written request for early graduation may be considered where compelling personal/family reasons are demonstrated.  
                 \*\* A request for early graduation which is denied for reasons other than credits earned or grade point average may be appealed, in writing, within 30 days of the committee's decision to deny the request, to the school board by the student and his/her parents. The written appeal shall explain the basis for the appeal and provide all necessary supporting information for the school board to consider.

- 3.      **SPECIAL PROGRAMS** may be set up through the high school principal's office to fit the needs of individual students desiring to procure a high school diploma after they are above statutory attendance age limits. These must receive school board approval.

115.28, 118.30, 118.33, Wis. Stats.



### DIPLOMA DEFERRAL

Social graduation is an opportunity for students with individualized education programs (“IEPs”) to participate in high school graduation ceremonies without obtaining an official diploma. Students with IEPs who have completed all academic requirements for high school graduation or met necessary IEP goals and their age peers will graduate, but who have not yet completed their transition-related IEP goals may be eligible for social graduation. Students may participate in social graduation only upon the recommendation of their respective IEP teams. If social graduation is recommended, the student may engage in all aspects of the graduation celebration (e.g., wearing a cap and gown; sitting with the graduating class; having his/her name printed in the program and read aloud at the ceremony; walking across the stage to receive a faux diploma). Instead of receiving an official diploma, however, the student will receive an unsigned diploma or a certificate of participation.

The determination of whether social graduation is recommended for any particular student will be made on an individual basis during the first semester of any year in which the student’s chronological peer group is eligible to receive a high school diploma. The IEP team may raise the issue, or the student and/or his/her parent may raise the issue. The IEP team members should consider whether social graduation is appropriate to further the student’s progress with regard to IEP goals. The team may also consider any objectives the student will be required to accomplish before s/he is eligible to participate. Finally, the team should determine additional arrangements or preparations, if any, that will need to be made to enable the student to participate in the ceremony. If the team determines that social graduation is recommended, the District Administrator and high school principal shall be notified. The IEP team makes the final decision with regard to social graduation, in accordance with the student’s IEP goals, Federal and State laws and regulations and Board policies. Students for whom participation in graduation ceremonies is precluded for disciplinary issues (when the discipline was not a manifestation of the student’s disability) or nonpayment of school fines may not participate in social graduation.

After participating in the ceremony, the student is expected to continue working on his/her IEP transition goals and objectives. The student will also continue to receive services to address his/her transitional, vocational, and/or independent living skills as delineated in his/her IEP. An official high school diploma will be granted to the student when the IEP team determines that the transition goals have been met.

When a student turns twenty-one during the school year, the student will be eligible to complete the remainder of the school year. For students who turns 21 in the summer months prior to the start of a school year, the student is not eligible to return for the ensuing school year.

### CREDITS FROM NONPUBLIC SCHOOLS

In recognizing its responsibility to uphold the minimum educational standards of the State of Wisconsin, the Board of Education establishes the following policy and criteria regarding the acceptance of credits from nonpublic schools whether they be private schools, as defined by law, or other types of schools.

For credit or course-work to be accepted for courses taken in such schools, assurance of compliance with minimum requirements established by the State must be provided.

Recognition of credits or course-work shall be granted when the proper assurance and the student's transcript has been received. The District reserves the right to assess such transfer students in order to determine proper placement and to be assured the student can demonstrate the learnings which are prerequisite to a placement.

Although credits from nonpublic schools may be granted and placed on a student's transcript, no grades will be entered on the transcript or considered for class ranking. Only grades awarded for courses taken at the District or at a school whose curriculum meets the requirements stated in 118.165(1) shall be considered in class ranking and for entering on the transcript.

118.165, 115.01, Wis. Stats.  
P.I. 18, Wis. Adm. Code

**STUDENT CODE OF CLASSROOM CONDUCT AND DISCIPLINE**

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law regarding minors. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty should be maintained in the schools of this District.

The District Administrator shall establish procedures to carry out Board policy and philosophy, and shall hold all school personnel, students, and parents responsible for the conduct of students in schools, on school vehicles, and at school-related events.

Student conduct on or adjacent to school premises, on school vehicles, and at school-related events and activities shall be governed by the rules and provisions of the Student Code of Classroom Conduct.

Student conduct in the classroom shall be governed by the rules and provisions of the Code of Classroom Conduct. The code will be developed in consultation with a committee of school administrators, teachers, and pupil services professionals. Each school's Code of Classroom Conduct shall be adopted by the School Board as part of the student handbook..

118.13, Wis. Stats.

118.164, Wis. Stats.

120.13, Wis. Stats.

Wis. Admin. Code P.I. 9.03

Wis. Admin. Code P.I. 41

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

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

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

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

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, 1979

### USE OF TOBACCO BY STUDENTS

The Board of Education is committed to providing students, staff, and visitors with a tobacco and smoke-free environment. The negative health effects of tobacco use for both users and non-users, particularly in connection with second hand smoke, are well established. In addition, students less than eighteen (18) years of age are generally prohibited by law from purchasing or possessing cigarettes and other tobacco products.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes and any other lighted smoking devices for burning tobacco or any other substance. Accordingly, the Board prohibits students from using or possessing tobacco in any form on District premises, in District vehicles, within any indoor facility owned or while leased or contracted for by the District and used to provide education or library services to children, and at all District-sponsored events.

120.12(20), Wis. Stats.  
254.92, Wis. Stats.  
20 U.S.C. 6081 et seq.  
U.S.D.O.E. Memorandum, 1995  
20 U.S.C. 7182  
20 U.S.C. 7114

## STUDENT ANTI-HARASSMENT

### Prohibited Harassment

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

The Board will not tolerate any form of harassment and will take all necessary and appropriate actions to eliminate it, including suspension or expulsion of students and disciplinary action against any other individual in the School District community. Additionally, appropriate action will be taken to stop and otherwise deal with any third party who engages in harassment against our students.

The Board will vigorously enforce its prohibition against harassment based on the traits of sex (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or state civil rights laws (hereinafter referred to as "Protected Characteristics"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. Additionally, the Board prohibits harassing behavior directed at students for any reason, even if not based on one of the Protected Characteristics, through its policies on bullying.

Harassment may occur student to student, student-to-staff, staff to student, male to female, female to male, male to male, or female to female. The Board will investigate all allegations of harassment and in those cases where harassment is substantiated, the Board will take immediate steps designed to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in harassment will be subject to appropriate disciplinary action.

For purposes of this policy, "School District community" means individuals students, administrators, teachers, staff, and as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with the *district*, 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).

**Other Violations of the Anti-Harassment Policy**

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties

## Definitions

### Bullying

Bullying is prohibited by Board Policy 5517.01 – Bullying. It is defined as deliberate or intentional behavior using words or actions, intended to cause fear, intimidation, or harm. Bullying may be a repeated behavior and involves an imbalance of power. Furthermore, it may be serious enough to negatively impact a student’s educational, physical, or emotional well-being. Bullying need not be based on any Protected Characteristic. Bullying behavior rises to the level of harassment when the prohibited conduct is based upon the student’s sex (including transgender status, change of sex, or gender identity), race color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation of physical, mental, emotional or learning disability, or any other characteristic protected by Federal or State civil rights.

### Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student based on one or more of the student’s Protected Characteristics that:

- A. places a student in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- C. has the effect of substantially disrupting the orderly operation of a school.



**Sexual Harassment**

"Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- A. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of access to educational opportunities or program;
- B. submission or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education;
- C. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education, or creating an intimidating, hostile, or offensive educational environment.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. unwelcome verbal harassment or abuse;
- B. unwelcome pressure for sexual activity;
- C. unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact, other than necessary restraint of students by teachers, administrators, or other school personnel to avoid physical harm to persons or property;
- D. unwelcome sexual behavior or words including demands for sexual favors, accompanied by implied or overt threats concerning an individual's educational status;
- E. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's educational status;
- F. unwelcome behavior or words directed at an individual because of gender;

Examples are:

- 1. repeatedly asking a person for dates or sexual behavior after the person has indicated no interest;
- 2. rating a person's sexuality or attractiveness;
- 3. staring or leering at various parts of another person's body;
- 4. spreading rumors about a person's sexuality;
- 5. letters, notes, telephones calls, or materials of a sexual nature;
- 6. displaying pictures, calendars, cartoons, or other materials with sexual content.

- G. inappropriate boundary invasions by a District employee or other adult member of the District community into a student's personal space and personal life.
- H. remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history; and
- I. verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

It is further the policy of the Board that a sexual relationship between staff and students is not permissible in any form or under any circumstances, in or out of the work place, in that it interferes with the educational process and may involve elements of coercion by reason of the relative status of a staff member to a student.

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

#### **Race/Color Harassment**

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

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

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

### **National Origin Harassment**

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

### **Disability Harassment**

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's physical, mental, emotional or learning disability and when the conduct has the purpose or effect of interfering with the individual's educational performance; of creating an intimidating, hostile, or offensive learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

### Reporting Procedures

Students and all other members of the School District community, as well as third parties, are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor, or District employee or official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first opportunity.

Students who believe they have been subjected to harassment are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint will not adversely affect the complaining individual's participation in educational or extra-curricular programs unless the complaining individual makes the complaint maliciously or with knowledge that it is false.

If, during an investigation of a reported act of bullying in accordance with Policy 5517.01 – Bullying, the principal determines that the reported misconduct may have created a hostile learning environment and may have constituted harassment based on sex (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or state civil rights laws, the principal will report the act of bullying to one of the Compliance Officers who shall assume responsibility to investigate the allegation in accordance with this policy.

Reporting procedures are as follows:

- A. Any student who believes s/he has been the victim of harassment prohibited under this policy will be encouraged to report the alleged harassment to any District employee, such as a teacher, administrator or other employee.
- B. Any parent of a student who believes the student has been the victim of harassment prohibited under this policy is encouraged to report the alleged harassment to the student's teacher, building administrator or District Administrator.

- C. Teachers, administrators, and other school officials who have knowledge or received notice that a student has or may have been the victim of harassment prohibited under this policy shall immediately report the alleged harassment to the Compliance Officer and the building principal or District Administrator.
- D. Any other person with knowledge or belief that a student has or may have been the victim of harassment prohibited by this policy shall be encouraged to immediately report the alleged acts to any District employee, such as a teacher, administrator or other employee.
- E. The reporting party or complainant shall be encouraged to use a report form available from the principal of each building or available from the District office, but oral reports shall be considered complaints as well. Use of formal reporting forms shall not be mandated. However, all oral complaints shall be reduced to writing.
- F. To provide individuals with options for reporting harassment to an individual of the gender with which they feel most comfortable, each school's building principal shall be advised to designate both a male and a female Complaint Coordinator for receiving reports of harassment prohibited by this policy. At least one (1) Complaint Coordinator or other individual shall be available outside regular school hours to address complaints of harassment that may require immediate attention.

**District Compliance Officers**

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

Peter Hibner  
Assistant Superintendent

Portage Community School District

305 E. Slifer Street  
Portage, WI 53901  
608-742-4879 Ext. 4134  
hibnerp@portagek12.wi.us  
Peter Hibner  
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Margaret Rudolph  
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A CO will be available during regular school/work hours to discuss concerns related to harassment, to assist students, other members of the School District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student.

Any District employee who directly observes harassment of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Thereafter, the COs must contact the student, if over age eighteen (18) or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the District's intent to investigate the alleged misconduct, including the obligation of the compliance officer to conduct an investigation following all the procedures outlined in the complaint procedures.

The COs are assigned to accept complaints of harassment directly from any member of the School District community or a visitor to the District, or to receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin review and investigation or the CO will designate a specific individual to conduct such a process. The CO will prepare recommendations for the District Administrator or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer as soon as possible, but always within no more than two (2) calendar days of learning of the incident.

#### **Investigation and Complaint Procedure**

Any student who believes that s/he has been subjected to harassment may seek resolution of his/her complaint through the procedures described below. Further, a process for investigating claims of harassment and a process for rendering a decision regarding whether the claim of harassment was substantiated are set forth below.

Due to the sensitivity surrounding complaints of harassment, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. Once the complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) calendar days of the complaint being received).



If at any time during the investigation process the investigator determines that the complaint is properly defined as Bullying, under Policy 5517.01 - Bullying and not Harassment under this Policy, because the conduct at issue is not based on a student's Protected Characteristics, the investigator shall transfer the investigation to the appropriate building principal.

### **Complaint Procedure**

A student who believes s/he has been subjected to harassment hereinafter referred to as the "complainant", may file a complaint, either orally or in writing with a teacher, principal, or other District employee at the student's school, the CO, District Administrator, or other District employee who works at another school or at the District level. Due to the sensitivity surrounding complaints of harassment, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) days after the conduct occurs while the facts are known and potential witnesses are available. If a complainant informs a teacher, principal, or other District employee at the student's school, the CO, District Administrator, or other District employee, either orally or in writing, about any complaint of harassment, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process as described herein, the CO should keep the parties informed of the status of the investigation and the decision making process.

All complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or to be actively engaging in, harassment; a detailed description of the facts upon which the complaint is based; and a list of potential witnesses.

If the complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter the 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 complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the complainant from further harassment or retaliation including but not limited to a change of class schedule for the complainant or the alleged harasser, or possibly a change of school for either or both of the parties. In making such a determination, the Compliance Officer should consult the ( ) Principal ( ) District Administrator prior to any action being taken. The Complainant should be notified of any proposed action prior to such action being taken.

As soon as appropriate in the investigation process, the CO will inform the individual alleged to have engaged in the harassing conduct, hereinafter referred to as the "respondent", that a complaint has been received. The respondent will be informed about the nature of the allegations and a copy of these administrative procedures and the Board's anti-harassment policy shall be provided to the respondent at that time. The respondent must also be provided an opportunity to respond to the complaint.

Within five (5) business days of receiving the complaint, the CO will initiate a formal investigation to determine whether the complainant has been subject to offensive conduct/harassment. A principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Although certain cases may require additional time, the Compliance Officer will attempt to complete an investigation into the allegations of harassment within fifteen (15) calendar 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 evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations

At the conclusion of the investigation, the CO shall prepare and deliver a written report to the District Administrator which summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of harassment as provided in Board policy and State and Federal law as to whether the complainant has been subject to harassment. In determining if harassment occurred, a preponderance of evidence standard will be used. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. The CO may consult with the Board Attorney before finalizing the report to the District Administrator.

Absent extenuating circumstances, within ten (10) business days of receiving the report of the CO, the District Administrator must either issue a final decision regarding whether or not the complaint of harassment has been substantiated or request further investigation. A copy of the District Administrator's final decision will be delivered to both the complainant and the respondent.

If the District Administrator requests additional investigation, the District Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) business days. At the conclusion of the additional investigation, the District Administrator must issue a final written decision as described above.

The decision of the District Administrator shall be final. If the complainant feels that the decision does not adequately address the complaint s/he may appeal the decision to the State Superintendent of Public Instruction.

The Board reserves the right to investigate and resolve a complaint or report of harassment regardless of whether the member of the School District community or third party alleging the harassment pursues the complaint. The Board also reserves the right to have the complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board.

#### **Additional School District Action**

If the evidence suggests that the harassment at issue is a crime or requires mandatory reporting under the Children's Code (Sec. 48.981, Wis. Stat.), the CO or District Administrator shall report the harassment to the appropriate social service and/or law enforcement agency charged with responsibility for handling such investigations and crimes.

Any reports made to the local child protection service or to local law enforcement shall not terminate the CO's obligation and responsibility to continue to investigate a complaint of harassment. While the COs may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the District Administrator.

### **Confidentiality**

The District will make all reasonable efforts to protect the rights of the complainant and the respondent. The District will respect the privacy of the complainant, the respondent, and all witnesses in a manner consistent with the District's legal obligations under State and Federal law. Confidentiality cannot be guaranteed however. All complainants proceeding through the investigation process should be advised that as a result of the investigation, the respondent may become aware of the complainant's identity.

During the course of an investigation, the CO will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

All public records created as a part of an investigation of a complaint of harassment will be maintained by the CO in accordance with the Board's records retention policy. Any records which are considered student records in accordance with the state or Federal law will be maintained in a manner consistent with the provisions of the law.

### **Sanctions and Monitoring**

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

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 District Administrator shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

### **Reprisal**

Submission of a good faith complaint or report of harassment will not affect the complainant's status or educational environment. However, the District also recognizes that false or fraudulent claims of harassment or false or fraudulent information about such claims may be filed. The District reserves the right to discipline any person filing a false or fraudulent claim of harassment or false or fraudulent information about such a claim.

The District will discipline or take appropriate action against any member of the School District community who retaliates against any person who reports an incident of harassment prohibited by this policy or participates in a proceeding, investigation, or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

### **Education and Training**

In support of this policy, the Board promotes preventative educational measures to create greater awareness of discriminatory practices. The District Administrator will develop a method of discussing this policy with the School District community. Training on the requirements of non-discrimination and the appropriate responses to issues of harassment will be provided to the School District community at such times as the Board in consultation with the District Administrator determines is necessary or appropriate.

This policy shall be reviewed at least annually for compliance with local, State, and Federal law.

The District shall conspicuously post a notice including this policy against harassment in each school in a place accessible to the School District community and members of the public. This notice shall also include the name, mailing address and telephone number of the Complaint Coordinators, the name, mailing address and telephone number of the State agency responsible for investigating allegations of discrimination in educational opportunities, and the mailing address and telephone number of the United States Department of Education, Office for Civil Rights.

A copy of this policy shall appear in the student handbook and shall be made available upon request of parents, students, and other interested parties.

48.981, Wis. Stats.

118.13, Wis. Stats.

P.I. 9, 41 Wis. Admin. Code

Fourteenth Amendment, U.S. Constitution

20 U.S.C. 1415

20 U.S.C. 1681 et seq., Title IX of Education Amendments Act

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

29 U.S.C. 794, Rehabilitation Act of 1973

42 U.S.C. 1983

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

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

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

34 C.F.R. Sec. 300.600-300.662

### DISORDERLY CONDUCT

The Board of Education recognizes the right of each student to attend school for the purpose of receiving an education. The disruption of the educational program of the schools by disorder or any other purposeful activity will not be tolerated.

For purposes of this policy, disorder shall be any deliberate activity by an individual on a group, whether peaceful or violent, which is reasonably likely to disrupt the normal operation of the school.

The Board, having the responsibility for providing an educational program for the students of this District, shall have the authority to preserve order for the proper functioning of that program.

Students shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of the schools.

DRUG PREVENTION

The Board of Education recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community.

As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

all dangerous controlled substances as so designated and prohibited by Wisconsin statute;

all chemicals which release toxic vapors;

all alcoholic beverages;

any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;

"look-alikes";

anabolic steroids;

any other illegal substance so designated and prohibited by law.

The Board prohibits the use, possession, concealment, or distribution of any drug and any drug-paraphernalia at any time on District property or at any District related event.

The District Administrator shall prepare guidelines for the identification, amelioration, and regulation of drug use in the schools. Such guidelines shall:

- A. emphasize the prevention of drug use;



- B. provide for a comprehensive, age-appropriate, developmentally based drug and alcohol education and prevention program which:
  - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
  - 2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
  - 3. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
  - 4. promotes positive emotional health, self-esteem, and respect for one's body;
  - 5. meets the minimal objectives as stated in the essential performance objectives for health education as established by the Wisconsin Department of Public Instruction;
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;
- E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions;

- F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- H. require the notification to parents and students that compliance with the standards of conduct is mandatory;

The District Administrator shall ensure that the warning notice concerning anabolic steroids is installed and properly maintained in each of the District's locker rooms or athletic dressing areas.

Professional staff members are not liable for referring a student to law enforcement or for removing a student from school premises or from participation in a school-related activity for suspicion of possession, distribution, or consumption of any alcoholic beverage or a controlled substance.

118.24(2)(f), 118.257, 125.09(2), Wis. Stats.  
Drug-Free Schools and Communities Act of 1986 as amended  
20 U.S.C. 3171 et seq., 3224A

### STUDENT ASSISTANCE PROGRAMS

In keeping with its concern for the safety and well-being of both students and staff and for maintaining a school environment that is conducive to learning, the Board of Education has adopted policies related to student conduct in the school setting and has authorized disciplinary measures for the violation of these policies.

The Board seeks to maintain a balance between maintaining a proper educational environment and a compassion for students who suffer from or are victims of intemperate, immoral, or illegal behavior. Educational programs have been established to promote healthful, productive living and discipline shall be maintained to protect students and staff from actions that disrupt teaching and learning. However, the Board recognizes that students may experience difficulties that educational programs and sound discipline may not prevent, and that other forms of assistance need to be available through the school.

The District Administrator is authorized to establish one (1) or more assistance programs for students which provide for effective intervention in areas such as substance abuse, crisis situations, and other situations which impact on students' emotional, mental, or social well-being and affect their ability to benefit from the District's educational program.

INVESTIGATIONS INVOLVING SUSPECTED CHILD ABUSE

In the event of a law enforcement or social services investigation involving allegations of child abuse under Chapter 48 of the Wisconsin Statutes, school officials shall permit access to any student the law enforcement officer or social services agent determines s/he must speak with.

The building administrator shall notify the District Administrator of any such investigation and shall keep a log of activities by the agency conducting the investigation, noting the date, and time of any interviews and the students involved.

The school administration shall notify the student's parents only after being advised by the agency conducting the investigation that parental contact will not impede their investigation. Because such investigations may involve allegations against the student's caretaker(s), the administration must not contact the parents unless authorized to do so by the investigating agency.

If the investigating agency determines that it must remove the student from school in the course of their investigation, the administrator should make a record of when the student was released, the agency to which the student was released and the name of the individual agent that removed the student.

Nothing in this policy affects District staff responsibilities as mandatory reporters of suspected child abuse.

Wis. Stats. 48.981

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## SUSPENSION AND EXPULSION

The Board of Education recognizes that exclusion from educational programs of the School District, by suspension or expulsion, is a substantial sanction and that such action must comply with the student's due process rights.

### SUSPENSION

For purposes of this policy, "suspension" shall be the short-term exclusion of a student from a regular District program.

A central administrator, the principal, or a teacher designated by the District Administrator may suspend a student for up to five (5) school days or, if a notice of expulsion hearing has been sent, for up to fifteen (15) consecutive school days, or ten (10) consecutive school days for each incident if the student is eligible for special education services under Chapter 115, Wis. Stats.

The suspension must be reasonably justified based upon the grounds authorized under Sec. 120.13, Wis. Stats., which include, but are not limited to: noncompliance with school rules or Board rules; knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives; conduct by the student while at school or while under the supervision of a school authority that endangers the property, health, or safety of others; conduct while not at school or while not under the supervision of a school authority that endangers the property, health, or safety of others at school or under the supervision of a school authority; or conduct while not at school or while not under the supervision of a school authority that endangers the property, health, or safety of any employee or School Board member of the District in which the student is enrolled.

The District Administrator, the principal, or a teacher designated by the School District Administrator shall suspend a student if the student possessed a firearm, as defined in 18 U.S.C. 921(a)(3), while at school or while under the supervision of a school authority.

The parent of a suspended minor must be given prompt notice of the suspension and the reason for the suspension. The student's suspension from school shall be entered in the student's record as required by the rules adopted by the Board concerning the content of the student records. The suspended student or the student's parent or guardian may, within five (5) school days following the commencement of the suspension, have a conference with the District Administrator or designee, who shall be someone other than a principal, administrator or teacher in the suspended student's school, to discuss removing from the student's records reference to the suspension. Reference to the suspension on the student's school record shall be removed if the District Administrator finds that: the student was suspended unfairly or unjustly; the suspension was inappropriate, given the nature of the alleged offense; or the student suffered undue consequences or penalties as a result of the suspension.

A suspended student shall not be denied the opportunity to take any quarterly, semester, or grading period examinations or to complete course work missed during the suspension period. Such work shall be completed pursuant to the procedures established by the Board.

In the event a student is classified as Homeless, the building principal shall consult with the Homeless Coordinator to determine whether the conduct is a result of homelessness. The Homeless Coordinator will assist administration and the student's parents or guardian in correcting conduct subject to disciplinary action that is caused by homelessness.

### EXPULSION

Under this policy, expulsion shall mean the Board will not permit a student to attend school at all for a specified period of time. If the student is expelled, the Board will determine the length of the expulsion period, which may extend at a maximum to the student's 21<sup>st</sup> birthday.

The Board may expel a student only when it is satisfied that the interest of the school demands the student's expulsion and only when the student: repeatedly refused or neglected to obey the rules established by the School District; knowingly conveyed or caused to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives; engaged in conduct while at school while under the supervision of a school authority that endangered the property, health, or safety of others; engaged in conduct while not at school or while not under the supervision of a school authority that endangered the property, health, or safety of others at school or under the supervision of a school authority or endangered the property, health, or safety of any employee or Board member of the School District in which the student is enrolled; or was at least sixteen (16) years old and had repeatedly engaged in conduct while at school or while under the supervision of a school authority that disrupted the ability of school authorities to maintain order or an educational atmosphere at school or at an activity supervised by a school authority and that such conduct did not otherwise constitute grounds for expulsion. For purposes of this policy, conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

The School Board shall expel a student from school whenever it finds that the student brought a firearm to school or, while at school or while under the supervision of a school authority, possessed a firearm, as defined in 18 U.S.C. 921(a)(3), unless the Board finds that the punishment should be reduced based upon the circumstances of the incident. Any such finding by the Board shall be in writing.

The District shall refer any student who brings a firearm (as defined in 18 U.S.C. 921(a)(3)) or a weapon to school to the criminal justice or juvenile delinquency system.

As required by 20 U.S.C. 7151, the District Administrator will ensure that the following information is sent to the Wisconsin Department of Public Instruction: a copy of this policy; a description of the circumstances surrounding any expulsion(s) for violating the above-stated firearms policy; the name of the school; the number of students expelled; and the types of firearms involved.

Prior to expelling a student, the Board shall provide the student with a hearing. Prior written notice of the hearing must be sent separately to both the student and if the student is a minor, to his/her parent(s) or guardian(s). The notice must be sent at least five (5) days prior to the date of hearing, not counting the date notice is sent. The notice must also satisfy the requirements of Sec. 120.13(1)(c)4, Wis. Stats.

An expelled student or, if the student is a minor, the student's parent(s) or guardian(s) may appeal the Board's expulsion decision to the Wisconsin Department of Public Instruction. An appeal from the decision of the Department may be taken within thirty (30) days to the circuit court for the county in which the school is located.

In the event a student is classified as Homeless, the building principal shall consult with the Homeless Coordinator to determine whether the conduct is a result of homelessness. The District will not expel a homeless student for conduct that is caused by the student's homelessness. The Homeless Coordinator will assist administration and the student's parents or guardians in correcting conduct subject to disciplinary action that is caused by homelessness. If the conduct in question is determined not to be caused by the student's homelessness, the District shall proceed with expulsion proceedings as outlined in this policy.

119.25, 120.13, Wis. Stats.  
18 U.S.C. 921(a)(3)  
20 U.S.C. 7151  
42 U.S.C. 11431 et seq.