

## Bylaw and Policy Changes

NEOLA's Bylaw and Policy changes information is also included.

### Bylaws:

0162 – Quorum – Added - when no Board vacancies exist; whenever the Board has one (1) or more vacancies, the quorum during that time shall be a majority of the members on the Board. No Board business shall be conducted in the absence of a quorum.

0164.2 – Special Meetings – Removed the word – School – added The School District Clerk or, in the School District Clerk's absence, the President shall fix a reasonable date, time, and place for the meeting. The School District Clerk or, in the School District Clerk's absence, the President shall notify each Board member of the date, time, and place of the meeting, in a manner likely to give the Board member notice of the meeting, at least twenty-four (24) hours before the meeting. If the School District Clerk or, in the School District Clerk's absence, the President determines that providing notice at least twenty-four (24) hours before a special Board meeting is, for good cause, shown by the School District Clerk or President, impossible or impractical, the School District or President may notify each Board member of the date, time, and place of the meeting less than twenty-four (24) hours, but not less than two (2) hours, before the meeting. ~~Said notice shall state the date, time, place, and subject matter of such special meeting, as well as the name and address of the District.~~ – Removed – Board – Added – District – Removed - A copy of said notice shall be served upon each member of the Board by personal delivery to the member of his/her residence or by first class mail, at least twenty four (24) hours prior to the meeting.

0167.3 – New Title – Public Comment at Board Meeting – removed Participation; Added - Any person or group who would like to have an item put on the agenda shall submit their request to the District Administrator not later than three (3) days prior to the meeting and include:

- A. Name and address of the participants
- B. Group affiliation, if and when appropriate
- C. Topic to be addressed

Such requests shall be subject to the recommendation of the District Administrator and the approval of the Board President.

0172 – Legal Counsel – Removed – ~~of Education~~; Added – **or retain**; added – **or attorneys**; Added - **Authority to contact such counsel for legal advice or assistance on behalf of the District shall normally be that of the Board President and District Administrator unless otherwise specified by the Board.**

### **Policy Changes:**

1130 / 3230 / 4230 – Conflict of Interest – (Please note that 1130 Administration, 3230 Professional Staff and 4230 Support Staff – wording to reflect each individual groups) added - **that are designed to avoid the occurrence or appearance of any**; Removed - ~~assure that~~; Removed - ~~do not occur~~. Added – **employee**,; Removed – ~~staff member’s~~; added – **administrator’s**; Added – **employees**,; Removed – ~~cannot~~; added – **may not**; Removed - ~~To the extent that the School District has a parent, affiliate or subsidiary organization that is not a State, local government or Indian tribe, the School District may not conduct a procurement action, involving the parent affiliate or subsidiary organization if the School District is unable or appears to be unable, to be impartial.~~; Added - **Administrative employees, officers, and agents found to be in violation of this conflict of interest will be subject to discipline in accordance with Policy #3139 – Staff Discipline, and/or discipline as specified in the Employee Handbook.**

**No administrative employee may accept or engage in any employment, consulting, advising, or other professional activity with any organization other than the District, whether the administrator will receive compensation for such outside activity or not, without first providing notice to the District Administrator, or in the case of the District Administrator, such notice must be provided to the Board.**

1220 – Employment of the District Administrator – Remove – ~~of Education~~; Added – **if not already an employee of the District**,; Added - **including a tuberculosis screening questionnaire subject to further tests, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in**

accordance with the District guidelines and applicable law. The cost of the examination shall be borne by the District.; Removed - reasonably related to the duties s/he will be required to perform, the cost of which shall be borne by the District.

1260 – NEW – Incapacity of the District Administrator

2260.02 – English Language Proficiency – Removed all old wording and added new wording - The Board recognizes that there may be students whose primary language is not English residing within the District. With that in mind, the Board shall provide appropriate identification and transition services for District students who possess limited English language proficiency. The purpose of these services is to develop English language skills that will enable the students to function successfully in an all English classroom and complete the District's required curriculum.

These services shall include the identification of students who are English Learners (ELs), the implementation of curricular and instructional modifications, the assessment of the EL student's academic progress, identification of EL students that achieve English Language Proficiency (ELP) and continued monitoring of ELP students. The degree of modification, the duration, and the type of services shall be determined individually and shall be based on the needs of each student.

If a sufficient number of the students identified with limited English proficiency are of the same language group to meet statutory requirements, the Board shall establish and implement a bilingual-bicultural education program as required by the law.

The EL Coordinator shall be responsible for taking a count of limited-English proficient students in the District that shall be completed on or before March 1st of each school year. The District will also assess the language proficiency of such students and classify them by language group, grade level, age, and English language proficiency. The annual assessment will measure a student's oral language, reading, and writing skills in English.

The District shall submit the report of English Learner (EL) students to the Department of Public Instruction as required by law.

## **Assessing English Proficiency**

Every family who registers to attend the District for the first time will be asked to identify the primary language spoken in their home by the parents and by the child.

Identification of students requiring additional services as English Learners will be identified by the District using the following process:

- A. Every family who registers to attend the District for the first time will be asked to identify the primary language spoken in their home by the parents and by the child by completing a Home Language Survey
- B. The student's prior academic records in or outside the United States will be reviewed to identify areas of concern where poor performance may be attributable to language barriers
- C. If deemed appropriate, the student may undergo an academic assessment to confirm identification.

Students not initially identified as in need of EL services who are observed through classroom performance as exhibiting language barriers to educational achievement should be re-evaluated.

Students identified above must be given the formal evaluation screening test.

Students that score less than English language proficiency (ELP) 6 on the test must be identified as EL and entered into the Wisconsin Information System for Educators (WISEdata) system.

The District will provide programs for English Learners (ELs)/Limited-English Proficient (LEP) students so they may become proficient in English while achieving academically.

## **Parental Notification and Consent**

If a student is identified and assessed as EL and determined to be eligible for services, the District will send written notice to the student's parent within thirty (30) days of the start of the school year or within two (2) weeks of assessment (if the student is not identified prior to the beginning of the school year). Every effort will be made to obtain permission from the student's parent(s) to place the student in language instructional programming prior to the start of the school year or as soon as practicable after identification. The notice will include the information required by law.

No student will be placed in the LEP Program without having received written permission from the student's parent(s). The notice to the parent(s) shall be in their native language. Additionally, the student's parent(s) will be given the opportunity to participate and provide input into the student's program and will be regularly informed of the student's progress. Finally, the student's parent(s) shall be given the opportunity to participate in the determination that their student has the language skills necessary to compete with mainstream English language speakers, as identified below, and the student may exit the program. The EL student's English proficiency assessment records shall be maintained by the District in accordance with State and Federal laws and District student records policies and procedures.

### **Assessing Academic Achievement and English Language Proficiency**

An EL student may not be exempted from academic assessments based on their EL status. The District shall administer State-required tests to EL students unless a determination has been made that an individual student's results on the test, with allowable accommodations made for the student as needed, will not be a valid and reliable indicator of the student's academic knowledge and skills. If an EL student is exempted from taking a State-required test, the student shall be administered a DPI-approved alternative assessment.

All EL students' assessment results, as well as a student's alternative assessment results, shall be communicated to the student's parent(s) and to the DPI as required by law.

EL students must annually be administered assessment testing for English proficiency determination. The District will update WISEdata if appropriate.

### **Exit Procedures**

Once a student has been placed in the EL Program, the student will be provided with programs and services and will be evaluated on an annual basis until it is determined that the student has the language skills necessary to compete with mainstream English speakers in age and grade-appropriate settings in all areas of language development without the use of adapted or modified English materials.

ELL students with the language skills necessary to compete will:

- A. understand and speak English in relation to the full range of demands of the classroom and the academic language needed to succeed;
- B. read, comprehend and write English as evidenced by successful classroom performance and average District score on standardized achievement tests;

C. meet or exceed District guidelines in their academic subjects.

Students may be identified as reaching these English proficiency standards by either:

- A. receiving an ELP 6 or higher on an annual assessment, in which case the student is automatically classified as English Language Proficient in WISEdata; or
- B. The Director of Learning may also consider reclassification of an EL student in grade four or above as fully English proficient if the District has sufficient evidence on file establishing:
  - 1. the student has attained at least an ELP 5 on an annual assessment; and
  - 2. the student can demonstrate his/her understanding of the English language; and
  - 3. the file contains at least two (2) pieces of evidence establishing academic English language proficiency; and
  - 4. the parents and educators agree that the student has reached full English proficiency.

Parents must be notified and consulted prior to the formal reclassification of a student. Parents who disagree with an ELP assessment shall be:

- A. given the opportunity to review the ELP assessment with the
  - 1. District EL Coordinator
  - 2. Building Principal
  - 3. District Administrator

The District EL Coordinator may:

- 1. Recommend additional assessment
- 2. Permit the student to remain in the EL program for up to six (6) additional weeks
- 3. Provide the student with tutorial support for up to six (6) weeks
- 4. Confirm the formal reclassification of the student

### **Re-entry**

During the two (2) year monitoring period, if the student is unable to compete with mainstream English speakers in age and grade-appropriate settings in all areas of language development, the student will be allowed to re-enter a bilingual or ESL program.

The Director of Learning will be responsible for assuring that parents are involved in each entry, exit, and re-entry decision, that these guidelines are followed, and that ELL reclassification/exit and the re-entry decisions abide by Department of Public Instruction standards.

**Counseling Services for Students Who Are Limited English Proficient Students and/or Sensory Impaired** will be provided.

The District believes that all students should have an opportunity to have the guidance of a counselor in course selection and career planning. A student who has limited English proficiency and/or is sensory impaired should be able to communicate his/her ambitions with a counselor so that there is no discrimination or bias in class placement or career planning. A counselor should not make any predictions of success or failure based on a student's classification as limited English proficient and/or sensory impaired.

If any materials, interpreters, or resource people are used to recruit students to a particular career path or vocational choice, the counselors and teachers must be sure that such materials and/or presentations can be made accessible to a student, as well as a parent, who is limited English proficient and/or sensory impaired.

If a counselor knows that a parent has limited English proficiency, and communication with a parent is necessary based upon concerns about their child, the counselor should attempt to utilize an interpreter to assist in a discussion regarding the matters being discussed.

To contact someone regarding limited English proficient and/or sensory impairment services, please contact:

Chris Hansen  
Director of Learning  
920-779-7901  
920-779-7903 Fax  
246 N Olk Street  
Hortonville WI 54944

Kris Zullner  
HASD EL Coordinator  
920-779-7933

920-779-7935 Fax  
155 Warner Street  
Hortonville WI 54944

### **Testing**

The parent(s) of EL students shall be notified of student testing arrangements and of educational programs and services available to help their children improve their English language skills and academic achievement. The notifications shall be consistent with legal requirements and presented in such manner as to ensure that the student's parent(s) understands them.

The District shall assess the English proficiency and academic progress of EL students in accordance with legal requirements. Decisions regarding the administration of State-required tests to EL students shall be made on a case-by-case basis. Testing accommodations may be made based on student needs, provided the validity of the test is maintained. The District shall administer State-required tests to an EL student unless a determination has been made that the results of the test, with allowable accommodations made for the student as needed, will not be a valid and reliable indicator of the student's academic knowledge and skills. Any EL student exempted from taking a State-required test shall be administered an alternative assessment approved by the Department of Public Instruction.

The results of both State-required tests and alternate assessments shall be consistent with District policies in making instructional, promotion, and graduation decisions. Test results may not be used as the sole criterion in re-classifying an EL student from a bilingual-bicultural education program or in determining grade promotion, eligibility for courses or programs, eligibility for graduation, or eligibility for post-secondary education opportunities.

Legal References:

P.I. 13 Wis. Admin Code

115, Wis. Stats.

118.13, Wis. Stats.

118.30(2), Wis. Stats.

NEOLA 2020

2412 – Homebound Instruction Program – Added – an IEP or



2460 – ~~Exceptional Education Needs Programs for Students with Disabilities – Removed – of Education~~; Added - The District adopts the Wisconsin Department of Public Instruction Special Education Model Forms and Policies and Procedures Manual as the Board’s official policy in all practices and procedures relating to the education of children with disabilities in the School District, in compliance with State and Federal laws and regulations. The Board further assures that all District employees shall comply with the procedures and responsibilities laid forth within this manual as updated periodically by the Wisconsin Department of Public Instruction.; Added - Such handbook shall be adopted annually by the Board.

2700.01 – School Performance and Accountability Reports – Removed - ~~Percentage of habitual truants, percentage of students participating in extracurricular and community activities and advanced placement courses; Removed - Percentage of graduates in postsecondary educational programs and percentage of graduates entering the workforce; Removed – the~~; Added – each school’s; Added - shall be provided to the parent of each student enrolled in or attending the school and the

3215 / 4215 – Use of Tobacco and Nicotine by Professional (Support) Staff – Added - The Board recognizes that the use of tobacco products, as well as other nicotine delivery systems, such as electronic smoking devices, are a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is acutely aware of the serious health risks associated with the use of these products, both to users and non-users, and that their use or promotion on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff, and visitors. The Board also believes accepting tobacco industry gifts or materials will send an inconsistent message to students, staff, and visitors.

It shall be a violation of this policy for any professional staff of the District to use, consume, display, promote, or sell any tobacco products, tobacco industry brand, tobacco-related devices, imitation tobacco products, or electronic smoking or vaping devices, regardless of content at any time on school property or at off-campus, school-sponsored events. The Board authorizes the District Administrator to take reasonable measures related to the Board's expectation

that the promotion and display of tobacco and related products **on school property or at off-campus, school-sponsored events is prohibited.**

It shall be a violation of this policy for the District to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry or from any tobacco products retailer. This includes, but is not limited to, donations, monies for sponsorship, advertising, promotions, loans, or support for equipment, uniforms, and sports and/or training facilities. It shall be a violation of this policy to participate in any type of service funded by the tobacco industry while in the scope of employment for the District.

### **Exceptions**

It shall not be a violation of this policy for tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in instructional or work-related activities in school buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product.

FDA approved cessation products or tobacco dependence products are exempt from this policy for adults and staff eighteen years and older. Staff using such products and bringing them to any school property or school-sponsored activity are responsible for safekeeping of these products at all times and are responsible for assuring that no students are able to obtain access to these products.

Instruction in the history and purpose of traditional tobacco that has been used as a part of faith and tradition in the Native American and American Indian communities is an exception to this policy.

### **Policy Specific Definitions**

The term “any time” means during normal school and non-school hours: twenty-four (24) hours a day, seven (7) days a week.

The term “electronic smoking device” means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product.

The term electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, JUUL, or under any other product name or descriptor. The term electronic smoking device includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

The term “imitation tobacco product” means any edible non-tobacco product designed to resemble a tobacco product, or non-edible, non-tobacco product designed to resemble a tobacco product that is intended to be used by children as a toy. Examples of imitation tobacco products include but are not limited to: candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snuff, shredded beef jerky in containers resembling snuff tins, plastic cigars, and puff cigarettes.

The term “off-campus, school-sponsored event” means any event sponsored by the school or School District that is not on school property, including but not limited to, sporting events, day camps, field trips, entertainment seminars, dances or theatrical productions.

The term “school property” means all facilities and property, including land, whether owned, rented, or leased by the District, and all vehicles owned, leased, rented, contracted for, or controlled by the District used for transported students, staff, and visitors.

The term “smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. “Smoking” also includes carrying or using an activated electronic smoking device.

The term “tobacco industry” means manufacturers, distributors, or wholesalers of tobacco products, electronic smoking devices, or tobacco-related devices; this includes parent companies and subsidiaries.

The term “tobacco industry brand” means any corporate name, trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indication of product identification identical or similar to those used for any brand of tobacco product, company, or manufacturer of tobacco products.;

~~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. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students. The Board also recognizes, however, the~~

~~right of individuals under State law to use lawful products, including tobacco, during non-working hours off District premises.~~

~~For purposes of this policy, “use of tobacco” means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to drive 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 (E-cigarettes), clove cigarettes and any other lighted smoking devices for burning tobacco or any other substance. Accordingly, the Board prohibits the use of tobacco in any form on District premises, in District vehicles, within any indoor facility owned or leased or contracted for by the District, and used to provide education or library services to children, and at all District-sponsored events.~~

3231 / 4231 – Outside Activities (Professional & Support) – Removed - of Education directs the District Administrator to promulgate the following guidelines so that; Added – **expects**; -Removed – system; Added – **District**; Added - **Staff members are expected to notify the District Administrator of their involvement in any outside organization, association, or the like if the staff member identifies him or herself as a staff member of the District as part of his/her involvement, or if the staff member will receive compensation for any outside activities (refer to Policy #3230 – Conflict of Interest).**; Removed - **Staff members may not accept fees for tutoring when such tutoring is conducted during the normal work day.**; Removed – Employees; Added – **Staff members**

5111 – Eligibility of Resident / Nonresident Students – Added – **nine (9) through twelve (12)**; Added - **Students enrolled in a home-based private educational program in grades kindergarten through eight (8) who meet the minimum standards for admission to a course by the District shall be accepted into the District’s educational programs for up to two (2) classes if the Board determines there is sufficient space in the classes.**; Added – **reside in the State but**; Added – **nine (9) school weeks**; Removed – **a short period of time**; Added - **Nonresident students may be accepted into the District’s program under the Part-Time or Full-Time Open Enrollment Programs. Non-resident students accepted into the**

District's Part-Time Open Enrollment Program may attend no more than two (2) courses at any time if the Board determines there is sufficient space in the classroom.

5460 – Graduation Requirements – Removed – may; Added – must; Added - The Board permits students in 7<sup>th</sup> or 8<sup>th</sup> grade to earn credit towards a high school diploma in any class taken that is approved by the Board for such purpose, provided that the student is academically prepared based on performance on approved student assessments. Any course designated for high school credit at the middle school level must be taught by a teacher with high school certification in the subject matter and must be taught using curriculum and assessments equivalent to those used in the subject at the high school level.; Removed - A student may be denied participation in the graduation activities for disciplinary reasons and for non-payment of fees.

5512 – Use of Tobacco and Nicotine by Students – Added - The Board recognizes that the use of tobacco products, as well as other nicotine delivery systems, such as electronic smoking devices, are a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is acutely aware of the serious health risks associated with the use of these products, both to users and non-users, and that their use or promotion on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff, and visitors. The Board also believes accepting tobacco industry gifts or materials will send an inconsistent message to students, staff, and visitors.

It shall be a violation of this policy for any student of the District to use, consume, display, promote, or sell any tobacco products, tobacco industry brand, tobacco-related devices, imitation tobacco products, or electronic smoking or vaping devices, regardless of content at any time on school property or at off-campus, school-sponsored events. The Board authorizes the District Administrator to take reasonable measures related to the Board's expectation that the promotion and display of tobacco and related products on school property or at off-campus, school-sponsored events is prohibited.

It shall be a violation of this policy for the District to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry or from any tobacco products retailer. This includes, but is not limited to, donations,

monies for sponsorship, advertising, promotions, loans, or support for equipment, uniforms, and sports and/or training facilities. It shall be a violation of this policy to participate in any type of service funded by the tobacco industry while in the scope of employment for the District.

### **Exceptions**

It shall not be a violation of this policy for tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in instructional or work-related activities in school buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product.

The prohibition on the use of other products containing nicotine, including, but not limited to, nicotine patches and nicotine gum may be removed when a parent or “adult” student provides documentation from a licensed medical practitioner that the student's use of non-tobacco nicotine products is being medically supervised for the cessation of a nicotine addiction and the student complies with Policy 5330 - Administration of Medication.

Instruction in the history and purpose of traditional tobacco that has been used as a part of faith and tradition in the Native American and American Indian communities is an exception to this policy.

### **Policy Specific Definitions**

The term “any time” means during normal school and non-school hours: twenty-four (24) hours a day, seven (7) days a week.

The term “electronic smoking device” means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. The term electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, JUUL, or under any other product name or descriptor. The term electronic smoking device includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

The term “imitation tobacco product” means any edible non-tobacco product designed to resemble a tobacco product, or non-edible, non-tobacco product designed to resemble a tobacco product that is intended to be used by children as a toy. Examples of imitation tobacco products include but are not limited to:

candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snuff, shredded beef jerky in containers resembling snuff tins, plastic cigars, and puff cigarettes.

The term “off-campus, school-sponsored event” means any event sponsored by the school or School District that is not on school property, including but not limited to, sporting events, day camps, field trips, entertainment seminars, dances or theatrical productions.

The term “school property” means all facilities and property, including land, whether owned, rented, or leased by the District, and all vehicles owned, leased, rented, contracted for, or controlled by the District used for transported students, staff and visitors.

The term “smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. “Smoking” also includes carrying or using an activated electronic smoking device.

The term “tobacco industry” means manufacturers, distributors, or wholesalers of tobacco products, electronic smoking devices, or tobacco-related devices; this includes parent companies and subsidiaries.

The term “tobacco industry brand” means any corporate name, trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indication of product identification identical or similar to those used for any brand of tobacco product, company, or manufacturer of tobacco products.;

~~Removed - The Board is committed to providing students, staff, and visitors with a tobacco and smoke-free environment. The negative health effects of tobacco and nicotine 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, (E-cigarettes), 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 or simulated forms of cigarettes, clove cigarettes and any other lighted smoking devices for burning tobacco or any other substance. This policy also prohibits the use of other products containing nicotine, including but not limited to nicotine patches and nicotine gum except when a student’s use of non tobacco nicotine products is being medically supervised for the cessation of a nicotine addiction and the student complies with Policy 5330—Administration of Medication. Accordingly, the Board prohibits students from using or possessing tobacco or nicotine 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.;~~ Added - Legal References: **111.321, Wis. Stats.**

5630.01 – Use of Restraint and Seclusion with Students – Removed – ~~of Education;~~ Removed - ~~Implementation;~~ Added - **“Incident” is defined as an occurrence of a covered individual or a law enforcement officer using seclusion or physical restraint on a student. It is considered one incident if immediately following the use of seclusion or physical restraint on a student, the student’s behavior presents a clear, present, and imminent risk to the physical safety of the student or others, and a covered individual or law enforcement officer resumes the use of seclusion or physical restraint.;** Removed – ~~available;~~ Added – **feasible;** Removed – ~~to;~~ Added – **of;** Added – **of the student and others.;** Added – **or has a lock on it.;** Added – **those that place the student in a prone position;** Removed – ~~neither mechanical nor chemical restraints are used;~~ Added - **Mechanical or chemical restraint cannot be used on the student. The following does not constitute the use of mechanical restraint:**

- A. the use of supportive equipment to properly align a student’s body, assist a student to maintain balance, or assist a student’s mobility, under the direction and oversight of appropriate medical or therapeutic staff;**
- B. the use of vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.**

Added - **A parent is specifically defined as parent of a pupil, including a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.;** Added - **a covered individual or law enforcement officer uses;** Added



- Written notification to the parent and documentation to the student official school record shall include the following:
  - A. the name of the student;
  - B. name of the staff member(s), any law enforcement officers present for and/or administering the seclusion or physical restraint;
  - C. date of the seclusion or physical restraint and the time that the seclusion or physical restraint began and ended;
  - D. location of the seclusion or physical restraint;
  - E. narrative that describes antecedents, triggers, problem behavior(s), rationale for application of the restraint and the efforts made to de-escalate the situation and alternatives to seclusion or physical restraint that were attempted; and
  - F. documentation of all parental contact and notification efforts.

Added -, and any law enforcement officials present during the incident,; Removed

- ~~The written report shall be retained as a record by the school district and within three (3) business days of the incident, the report shall be made available to the parent for review.;~~ Added - **Annually, by December 1, the Board shall submit its report to the State Superintendent.;** Added – **second;** Removed – **first;** Added – **within the same school year;** Added – **but no later than ten (10) school days after the incident.;** Added - **and any and all intervention and supports to assist related to that behavior**

6145 – Borrowing – Deleted Policy

6147 – Debt Management – New Policy

6147.01 – Depository of Funds – changed number from 6147 to 6147.01

7434 – Use of Tobacco and Nicotine on School Premises – Added - **The Board recognizes that the use of tobacco products, as well as other nicotine delivery systems, such as electronic smoking devices, are a health, safety, and environmental hazard for students, staff, visitors, and school facilities. The Board is acutely aware of the serious health risks associated with the use of these products, both to users and non-users, and that their use or promotion on school grounds and at off-campus school-sponsored events is detrimental to the health**

and safety of students, staff, and visitors. The Board also believes accepting tobacco industry gifts or materials will send an inconsistent message to students, staff, and visitors.

It shall be a violation of this policy for any visitor of the District to use, consume, or sell any commercial tobacco products, tobacco-related devices, imitation tobacco products, or electronic smoking or vaping devices, regardless of content at any time on school property or at off-campus, school-sponsored events. The Board authorizes the District Administrator to take reasonable measures related to the Board's expectation that the promotion and display of tobacco and related products on school property or at off-campus, school-sponsored events is prohibited.

It shall be a violation of this policy for the District to solicit or accept any contributions, gifts, money, curricula, or materials from the tobacco industry or from any tobacco products retailer. This includes, but is not limited to, donations, monies for sponsorship, advertising, promotions, loans, or support for equipment, uniforms, and sports and/or training facilities. It shall be a violation of this policy to participate in any type of service funded by the tobacco industry while in the scope of employment for the District.

### **Exceptions**

It shall not be a violation of this policy for tobacco products, tobacco-related devices, imitation tobacco products, or lighters to be included in instructional or work-related activities in school buildings if the activity is conducted by a staff member or an approved visitor and the activity does not include smoking, chewing, or otherwise ingesting the product.

FDA approved cessation products or tobacco dependence products are exempt from this policy for adults and staff eighteen years and older. Staff using such products and bringing them to any school property or school-sponsored activity are responsible for the safekeeping of these products at all times and are responsible for assuring that no students are able to obtain access to these products.

Instruction in the history and purpose of traditional tobacco that has been used as a part of faith and tradition in the Native American and American Indian communities is an exception to this policy.

## **Policy Specific Definitions**

The term “any time” means during normal school and non-school hours: twenty-four (24) hours a day, seven (7) days a week.

The term “electronic smoking device” means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. The term electronic smoking device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, JUUL, or under any other product name or descriptor. The term electronic smoking device includes any component part of a product, whether or not marketed or sold separately, including but not limited to e-liquids, e-juice, cartridges, and pods.

The term “imitation tobacco product” means any edible non-tobacco product designed to resemble a tobacco product, or non-edible, non-tobacco product designed to resemble a tobacco product that is intended to be used by children as a toy. Examples of imitation tobacco products include but are not limited to: candy or chocolate cigarettes, bubble gum cigars, shredded bubble gum resembling chewing tobacco, pouches containing flavored substances packaged similar to snuff, shredded beef jerky in containers resembling snuff tins, plastic cigars, and puff cigarettes.

The term “off-campus, school-sponsored event” means any event sponsored by the school or school district that is not on school property, including but not limited to, sporting events, day camps, field trips, entertainment seminars, dances or theatrical productions.

The term “school property” means all facilities and property, including land, whether owned, rented, or leased by the District, and all vehicles owned, leased, rented, contracted for, or controlled by the District used for transported students, staff and visitors.

The term “smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. “Smoking” also includes carrying or using an activated electronic smoking device.

The term “tobacco industry” means manufacturers, distributors, or wholesalers of tobacco products, electronic smoking devices, or tobacco-related devices; this

~~includes parent companies and subsidiaries; Removed - The Board 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. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be role models for our students. The Board also recognizes, however, the right of individuals under State law to use lawful products, including tobacco, during non-working hours off District premises.~~

~~For purposes of this policy, “use of tobacco” means to chew or maintain any substance containing tobacco, including smokeless tobacco, (E-cigarettes), 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 any person from using or possessing tobacco in any form on District premises, in District vehicles, within any indoor or outdoor 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.~~

8390 – Animals on School Property – Added – (source: American Kennel Club / AKC); Added - Therapy Dogs

Therapy dogs are the personal property of the handler and are specially trained to help all students in the assigned classroom, program, or school. Authorization for a therapy dog to be on District grounds may be granted by the District Administrator provided the following conditions are met each year:

- A. Documentation of certification as a therapy dog from the AKC, Intermountain Therapy Animals (R.E.A.D.), Alliance of Therapy Dogs, Bright and Beautiful Therapy Dogs, Love on a Leash, Pet Partners, Therapy Dogs International, or another certification program recognized by the AKC
- B. Documentation of an educational purpose for the therapy dog and a regular appraisal period for continuation

- C. Documentation that the therapy dog is not younger than one (1) year-old and is properly licensed according to local requirements
- D. Documentation from a licensed veterinarian that the therapy dog is current on its vaccinations and immunizations, is free of fleas and ticks, is in good health, is housebroken, and does not pose a danger to the well-being of students or staff
- E. Documentation of an insurance policy that provides liability insurance for the therapy dog while on District grounds
- F. Documentation that the handler has completed a background check consistent with Board policy and is prepared to be solely responsible for the therapy dog, its care, cleaning, feeding, and cleanup while on District grounds
- G. Agreement that the therapy dog and handler will abide by school rules and any specific rules for the therapy dog's presence on District grounds

Authorization for a therapy dog to be on District grounds will be suspended if the therapy dog is the source of an allergic reaction, causes discomfort or distress of a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment.

Reinstatement of authorization for the therapy dog to be on District grounds requires approval by the District Administrator. Authorization for a therapy dog to be on District grounds may be withdrawn at any time by the District Administrator.

#### 8395 – Student Mental Health Services – NEW

#### 8710 – Insurance – Added - **Contractors**

The Board shall require that all contractors performing services on District property, or as part of a District program, are covered by appropriate insurance coverage for the activity and, wherever possible, that the contractor includes the District as an additional insured party on the contractor's policies. The Board shall also require that contractors performing work on any public works projects cover those projects with payment and performance bonds as may be required by law.;

Added - Legal References: 779.14, Wis. Stats. NEOLA 2020

8900 – Fraud – Removed – of Education; Added - or to the Board President when a fraud report concerns the District Administrator.

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NEOLA Updates for Re-Opening to Policy 5200 – Attendance – Removed - State law requires the Board 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.; Added - The Board will enforce regular student attendance in the District's program in which each student is enrolled as required pursuant to State law. Further, the Board recognizes that the District's educational program is predicated upon the participation of each student in the program of instruction in which the student is enrolled and required to attend. Student success requires continuity of instruction and program participation. For purposes of this policy, the regular period and hours of instruction including both those periods and hours a student's program require that they are in school as well as any attendance requirements defined as part of a course of virtual instruction, or a combination of the more than one type of instructional delivery.; Added - or failed to fulfill the attendance requirements of a virtual instruction program component;; Added - To the extent feasible, absentee data shall be separated by absences for in-person instruction periods and absences based on virtual instruction attendance requirements.; Added - J. Virtual Access The student is unable to access virtual instruction programming due to a temporary disruption in the student’s access to necessary technological systems (i.e. internet outage, computer failure, software malfunction, etc.) as communicated by the student’s parent.; Added - , or as required by the student’s virtual instruction program,