

## **HARTLAND CONSOLIDATED SCHOOLS**

### **POLICY COMMITTEE MEETING**

Hartland Educational Support Service Center, Boardroom  
January 26, 2026  
6:30 p.m.

### **AGENDA**

*This is a meeting in public for the purpose of conducting the business of Hartland Consolidated Schools and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated on the agenda. Guests are expected to act with civility and not interrupt this school business meeting. Anyone being disruptive will be asked to leave.*

- I. Call to Order, Boardroom, Hartland Educational Support Service Center
  - A. Pledge of Allegiance
- II. Call to the Public
- III. Review of Neola and District Recommended Policy Updates
  - A. Postponed Policies
    - Postponed from the 11-3-25 policy committee meeting:  
**2266** - Nondiscrimination on the Basis of Sex in Education Programs or Activities (Revised)  
**5517.01** - Bullying and Other Aggressive Behavior toward Students (Revised)  
Administrative recommendations & Jeff Scott recommendations
    - Postponed from the 11-17-25 board meeting:  
**2210** - Curriculum Development - Approved Courses (Revised)
  - B. New Proposed Policy: Communication
  - C. **0144.2** – Board Member Ethics (Revised)
  - D. New Proposed Policy: Violation of Board Member Ethics
  - E. **1410** – Administrative Salary Structure (Revised)
  - F. **1410.01** – Compensation and Longevity Schedule (Revised)
  - G. **3120** – Employment of Professional Staff
- IV. Adjournment

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

### Introduction

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

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

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

### Coverage

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

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

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

### Definitions

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

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

- A. A Board employee conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (often called "*quid pro quo*" harassment);
- B. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- C. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)A(v), or "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

**"Sexual assault"** means any sexual act directed against another person, without the consent of the

~~victim, including instances where the victim is incapable of giving consent, and the "nonforcible" sex offenses of Incest and Statutory Rape. Sexual assault includes rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape.~~ "Sexual assault" means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent, and the "nonforcible" sex offenses of Incest and Statutory Rape. Sexual assault includes rape, sodomy, sexual assault with an object, criminal sexual contact (f.k.a. fondling), fondling, incest, and statutory rape.

1. *Rape* is the carnal knowledge of a person (i.e., penetration, no matter how slight, of the genital or anal opening of a person), without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
2. *Sodomy* is oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
3. *Sexual Assault with an Object* is using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia.
4. *Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. *Criminal Sexual Contact (f.k.a. Fondling)* is the intentional touching of the clothed or unclothed body parts, without consent, of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by the victim of the other individual's clothed or unclothed body parts, without consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.
5. *Incest* is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by State law.
6. *Statutory Rape* is sexual intercourse with a person who is under the statutory age of consent as defined by State law.
7. *Consent* refers to words or actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. A person may be incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity. A person who is incapacitated is not capable of giving consent.
8. *Incapacitated* refers to the state where a person does not understand and/or appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition, disability, or due to a state of unconsciousness or sleep.

D. "Domestic violence" includes felony or misdemeanor crimes of violence committed by:

1. a current or former spouse or intimate partner of the victim;
2. a person with whom the victim shares a child in common;
3. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
4. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Title IX Coordinator(s)**

The Board of Education designates and authorizes the following individual(s) to oversee and coordinate its efforts to comply with Title IX and its implementing regulations:

Kate Gregory  
Assistant Superintendent of Personnel and Student Services  
810-626-2111  
9525 E. Highland Rd.  
Howell, MI 48843  
[kategregory@hartlandschools.us](mailto:kategregory@hartlandschools.us)

Anna Kulas Rosenthal  
Human Resource Specialist  
(810) 626-2129  
9525 E. Highland Road  
Howell, MI 48843  
[annakulasrosenthal@hartlandschools.us](mailto:annakulasrosenthal@hartlandschools.us)

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

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

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

Kate Gregory  
Assistant Superintendent of Personnel and Student Services  
810-626-2111  
9525 E. Highland Rd.  
Howell, MI 48843  
[kategregory@hartlandschools.us](mailto:kategregory@hartlandschools.us)

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9525 E. Highland Road  
Howell, MI 48843

annakulasrosenthal@hartlandschools.us

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

The Board has adopted a grievance process that provide for the prompt and equitable resolution of student and employee complaints alleging any action that is prohibited by Title IX and/or its implementing regulations. The grievance process is included in Policy 2266 – Nondiscrimination on the Basis of Sex in Education Programs or Activities. The grievance process specifically addresses how to report or file a complaint of sex discrimination, how to report or file a formal complaint of Sexual Harassment, and how the District will respond.

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

### **Grievance Process**

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

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

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

### **Report of Sexual Discrimination/Harassment**

Any person may report sex discrimination, including Sexual Harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment), in person, by mail, by telephone, or by electronic mail, using the Title IX Coordinator's(s') contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's oral or written report. Reports may be made at any time (including during non-business hours), by using the telephone number(s) or electronic mail address(es), or by mail to the office address(es), listed for the Title IX Coordinator(s). Anonymous reports may be submitted using the hotline reporting number 810-626-2111.

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

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

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

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

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

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

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

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

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

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

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

#### **Formal Complaint of Sexual Harassment**

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

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

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

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

### **Timeline**

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

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

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

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

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

new allegations as part of the investigation, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known.

### **Dismissal of a Formal Complaint**

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

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

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

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

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

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

### **Consolidation of Formal Complaints**

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

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

### **Informal Resolution Process**

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

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

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

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

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

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

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

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

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

### **Investigation of a Formal Complaint of Sexual Harassment**

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

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

The District is not permitted to access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the party provides the District with voluntary, written consent to do so; if a student party is not an Eligible Student, the District must obtain the voluntary, written consent of a parent.

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

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

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

The District establishes the following restrictions, which apply equally to both parties, regarding the

extent to which an advisor may participate in the proceedings:

1. Prohibited from interfering with the investigative or grievance process
2. Act in a disruptive, abusive, or unprofessional manner

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

The District will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

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

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

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

### **Determination of Responsibility**

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

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

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

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

The written determination will include the following content:

- A. identification of the allegations potentially constituting Sexual Harassment pursuant to this policy;
- B. a description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site

- visits, [and] methods used to gather other evidence;
- C. findings of fact supporting the determination;
- D. Conclusions regarding the application of the applicable code of conduct to the facts;
- E. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the decision-maker(s) is recommending that the District impose on the Respondent(s), and whether remedies designed to restore or preserve equal access to the District's education program or activity should be provided by the District to the Complainant(s); and
- F. the procedures and permissible bases for the Complainant(s) and Respondent(s) to appeal.

The disciplinary sanctions/consequences may be imposed on a student Respondent who is determined responsible for violating this policy per the student code of conduct.

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

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

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

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

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

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

- A. suspension or termination/cancellation of the Board's contract with the third-party vendor or contractor;
- B. restriction/prohibition on the third-party's ability to be on school property; and
- C. any combination of the same.

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

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

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

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

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

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

### **Appeal**

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

- A. Procedural irregularity that affected the outcome of the matter (e.g., material deviation from established procedures);
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant(s) or Respondent(s) that affected the outcome of the matter.

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

Any party wishing to appeal the decision-maker(s)'s determination of responsibility, or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein, must submit a written appeal to the Title IX Coordinator within five (5) days after receipt of the decision-maker(s)'s determination of responsibility or the Title IX Coordinator's dismissal of a Formal Complaint or any allegations therein.

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

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

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

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

The decision-maker(s) for the appeal shall determine when each party's written statement is due.

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

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

### **Retaliation**

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

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

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

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

### **Confidentiality**

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

impair or otherwise affect the Complainant's and Respondent's receipt of the information to which they are entitled related to the investigative record and determination of responsibility).

### **Application of the First Amendment**

The Board will construe and apply this policy consistent with the First Amendment to the U.S. Constitution.

### **Training**

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

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

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

### **Recordkeeping**

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

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

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

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

### **Outside Appointments, Dual Appointments, and Delegations**

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

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

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

### **Discretion in Application**

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

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

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

Revised 5/19/21

T.C. 7/26/23

T.C. 7/1/24

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## 5517.01 - BULLYING AND OTHER AGGRESSIVE BEHAVIOR TOWARD STUDENTS

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

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

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

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

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

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

### **Notification**

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

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

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

### **Reporting**

~~The~~  
~~No later than May 30, 2015, the~~ District shall submit to the Department of Education a copy of this Policy.

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

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

### **Implementation**

The Superintendent is responsible to implement this policy, and may develop further guidelines not inconsistent with this policy. This policy is not intended to and should not be interpreted to interfere with legitimate free speech rights of any individual. However, the District reserves the right and responsibility to maintain a safe environment for students, conducive to learning and other legitimate objectives of the school program.

## **Procedure**

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

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

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

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

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

The Principal (or other designated administrator) shall promptly investigate and document all complaints about bullying, aggressive, or other behavior that may violate this policy. The investigation must be completed as promptly as the circumstances permit ~~( )~~ and should be completed within three (3) school days ~~[END OF OPTION]~~ after a report or complaint is made..

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

If, during an investigation of a reported act of harassment, intimidation, and/or bullying/cyberbullying, the Principal or appropriate administrator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying and/or harassment to one (1) of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

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

## **Non-Retaliation/False Reports**

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

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

**Prevention/Training / (→) Restorative Practices OPTIONAL END OF OPTION**

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

→ The Superintendent shall establish

→ a Bullying Prevention Task Force.

→ a program or other initiatives involving school staff, students, clubs or other student groups, administrators, volunteers, parents, law enforcement, community members, and other stakeholders, aimed at the prevention of bullying or other aggressive behavior.

**[END OF OPTION]**

→ The District shall implement a comprehensive health education curriculum, within the Whole School, Whole Community, Whole Child framework, to help students attain skills and knowledge vital to school success, a productive and healthy workforce, and good citizenship. Critical skills include anticipating consequences of choices, making informed decisions, communicating effectively, resolving conflicts, and developing cultural competency. **[END OF OPTION]** The District shall provide, and all administrators, school employees, contracted employees and volunteers who have significant contact with students shall undertake

→ annual

OR

→ **[insert frequency]**

training on preventing, identifying, responding to, and reporting incidents of bullying and other aggressive behavior.

**[x]** The District ~~may~~ shall provide, and all students ~~may~~ shall undertake, annual training on preventing, identifying, responding to, and reporting incidents of bullying, cyberbullying, and other aggressive behavior. **[END OF OPTION]**

**[x]** The District ~~shall~~ ~~may~~ provide all parents or legal guardians

→ ~~shall~~

**[OR]**

( **x** ) ~~shall be offered~~ the opportunity to

undertake annual training on preventing, identifying, responding to, and reporting incidents of bullying, cyberbullying, and other aggressive behavior. **[END OF OPTION]**

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

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

**[END OF OPTION]**

The best discipline for aggressive behavior is designed to (1) support students in taking responsibility for their actions, (2) develop empathy, and (3) teach alternative ways to achieve the goals and solve problems that motivated the aggressive behavior. Staff members and volunteers who interact with students shall role model respectful behavior and apply best practices designed to prevent discipline problems and encourage students' abilities to develop self discipline and make better choices in the future. School employees will also be held accountable for bullying or harassing behavior that is directed toward school employees, volunteers, parents, or students in accordance with law and local collective bargaining agreements.

Consequences and appropriate remedial actions for a student or staff member who engages in one (1) or more acts of bullying or harassment may range from positive behavioral interventions, up to and including suspension or expulsion, in the case of a student, or suspension or termination in the case of an employee, as set forth in the Board's approved Code of Student Conduct or Employee Handbook. School employees will also be held accountable for bullying or harassing behavior directed toward school employees, volunteers, parents, or students.

Consequences for a student who commits an act of bullying and harassment shall vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the Board's approved Code of Student Conduct. Remedial measures shall be designed to:

- A. correct the problem behavior;
- B. prevent another occurrence of the behavior; and
- C. protect the victim of the act.

Effective discipline should employ a school wide approach to adopt a rubric of bullying offenses and the associated consequences.

**[END OF OPTION]**

**[END OF OPTIONS]**

#### **Definitions**

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

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

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

**"Bullying"** is defined as any written, verbal, or physical acts, including cyberbullying (i.e. any electronic communication including, but not limited to, electronically transmitted acts, such as internet, telephone or cell phone, computer, or wireless handheld device, currently in use or later developed and used by students) that is perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress and may be motivated either by bias or prejudice based upon any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic, or is based upon association with another person who has or is perceived to have any distinguishing characteristic. Bullying or harassment also includes forms of retaliation against individuals who report or cooperate in an investigation under this policy. personal digital assistant (PDA), or wireless hand held device) that, without regard to its subject matter or motivating animus, is intended or that a reasonable person would know is likely to harm one (1) or more students either directly or indirectly by doing any of the following:

**Bullying** is conduct that meets all of the following criteria:

- A. is perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- B. is directed at one (1) or more students;
- C. is conveyed through physical, verbal, technological, or emotional means;
- D. substantially ~~interferes~~interfering with educational opportunities, benefits, or programs of one (1) or more students;
- E. adversely ~~affects~~affecting the ability of a student to participate in or benefit from the School District's educational programs or activities by placing the student in reasonable fear of physical harm or by causing substantial emotional distress;
- F. is based on a student's actual or perceived distinguishing characteristic (see above) or is based on an association with another person who has or is perceived to have any of these characteristics. ~~having an actual and substantial detrimental effect on a student's physical or mental health; and/or~~
- G. ~~causing substantial disruption in, or substantial interference with, the orderly operation of the school.~~

Bullying can be physical, verbal, psychological, or a combination of all three (3). Some examples of bullying are:

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

**"Harassment"** is conduct that meets all of the following criteria:

- A. repeated or continuing unwanted contact perceived as being dehumanizing, intimidating, hostile, humiliating, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
- B. is directed at one (1) or more students or staff;
- C. is conveyed through physical, verbal, technological, or emotional means;
- D. substantially interferes with educational opportunities, benefits, or programs of one (1) or more students or staff;
- E. adversely affects the ability of a student to participate in or benefit from the School District's or public school's educational programs or activities because the conduct, as perceived by the student, is so severe, pervasive, and objectively offensive as to have this effect; and
- F. is based on a student or staff's actual or perceived distinguishing characteristic (see above) or is based on an association with another person who has or is perceived to have any of these characteristics. ~~includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature, often on the basis of age, race, religion, color, national origin, marital status or disability, but may also include sexual orientation, physical characteristics (e.g., height, weight, complexion), cultural background, socioeconomic status, or geographic location (e.g., from rival school, different state, rural area, city, etc.).~~

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

**"Staff"** includes all school employees and Board members.

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

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

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

Harassment, see Policy 5517.

Hazing, see Policy 5516.

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## Administrative Input and Recommendations with Counsel Input

Jeff Scott

Fri, Dec 26, 2025,  
1:33 PM (11 days  
ago)

Pres Coleman, Below is the additional language for policy 2266 and 5517.01 for January's policy meeting.

It is my contention that our Title IX Policy, 2266, should not refer to gender identity or sexual orientation as that is not consistent with current Title IX rules. As I previously expressed to the board, Thrun does not include GI or SO in their own recommended policy so I'm not sure how we could justify doing so. Maybe we need to clarify the policy title for those that continue to argue that the policy scope should go beyond Title IX.

I have suggested two potential options for SO/GI Support. My preference would be option 1; which would prohibit the District personnel from offering these services. However, I understand there are some on the board that have been pushing for these services so at the very least the hope is that all SO/GI support will require parental approval (option 2); however, I believe this would violate current Title IX rules.

I may send a follow up email with some definitions that are missing or incomplete in these policies but wanted to get you this language so you could incorporate it into our policy options:

2266

### **ADDITION: Mandatory Law Enforcement Reporting**

~~Any staff member who witnesses, receives a report of, or has reasonable cause to suspect sexual harassment or other prohibited conduct under this policy that may constitute a crime (including but not limited to sexual assault, child abuse, or criminal sexual conduct) shall immediately notify local law enforcement in addition to reporting to the Title IX Coordinator and complying with mandatory reporting under Michigan's Child Protection Law (MCL 722.623). The District Compliance Officer or designee shall also ensure law enforcement is contacted promptly if the investigation reveals potential criminal activity. Notification to law enforcement does not replace internal Title IX processes but ensures coordination for student safety.~~

**Administrative Recommendation:** Mandatory reporting is already addressed in Policy 8562. Under Title IX, staff are required to report incidents to the administration (Title IX Coordinators as listed in the policy), who then have the responsibility to investigate. The administration then determines if there is potential criminal activity and when law enforcement should be contacted.

Add **The District Compliance Officer or designee shall also ensure law enforcement is contacted promptly if the investigation reveals potential criminal activity** to the beginning of the 4<sup>th</sup> paragraph on page 6.

**Note:** Often, when reported to law enforcement the district is asked to stand down and allow the law enforcement agency to investigate first, but we must balance the Title IX process with them in conjunction with our legal counsel.

## **ADDITION: Parental Notification and Involvement**

~~Except where prohibited by law (e.g., in cases of emancipated minors or court orders), the District shall notify parents or legal guardians in writing within 24 hours of receiving a formal or informal complaint alleging sex-based discrimination, harassment, or the need for supportive measures involving their child. This notification shall include a summary of the allegations or concerns, the proposed supportive measures, and an opportunity for parents to participate in discussions or decisions. No supportive measures affirming a student's gender identity (e.g., name/pronoun changes, facility access contrary to biological sex) shall be implemented without prior written parental consent. The Title IX Coordinator shall document all notifications and maintain confidentiality consistent with FERPA.~~

**Administrative Recommendation:** Not necessary as this expectation is laid out in Paragraph 8 on page 6.

### **OPTION 1 – Sexual Orientation / Gender Identity Related Education or Support**

~~No District staff shall provide, refer, or facilitate any education, training, counseling, resource, or supportive measure specifically addressing sexual orientation or gender identity including but not limited to discussions of so/gi topics in response to allegations under this policy, so/gi focused materials or referrals to external so/gi support services to a student under age 18.~~

### **OPTION 2 – Parental Consent for Sexual Orientation/ Gender Identity Related Education or Support**

~~No District staff shall provide, refer, or facilitate any education, training, counseling, resource, or supportive measure specifically addressing sexual orientation or gender identity including but not limited to discussions of so/gi topics in response to allegations under this policy, so/gi focused materials or referrals to external so/gi support services to a student under age 18 without prior written consent from the student's parent or legal guardian. Consent forms shall be provided upon request clearly describing the proposed activity/content, and include an opt-out option. For students age 18 or older, participation shall be voluntary with written acknowledgement. All consents and opt-outs will be recorded in the student's file.~~

**Administrative Recommendation:** Following legal advice, do not add this language, however, the Board can choose to strike **(including sexual orientation or gender identity)** under this Title IX specific policy. This language is in Paragraph 1.

### **ADDITION: Parental Notification and Involvement**

Upon receipt of a bullying report or initiation of an investigation involving a student, the District shall notify the parents or legal guardians of all involved students (complainant and respondent) in writing within 24 hours, unless notification is prohibited by law. The notification shall include the nature of the report, investigation steps, and any proposed interventions (e.g., counseling or restorative measures). Parents shall be afforded the opportunity to review evidence, participate in resolution meetings, and appeal findings. No resolution involving sensitive topics (e.g., sexual orientation, gender identity, or related peer conflicts) shall proceed without parental input, and the District shall not withhold information material to the student's well-being.

**Administrative Recommendation:** This is not needed as it is covered in Paragraph 2 on page 2.

### **ADDITION: Reporting to Law Enforcement**

Any staff member who witnesses, receives a report of, or has reasonable cause to believe that bullying or aggressive behavior under this policy involves potential criminal conduct (including but not limited to physical assault, threats of violence, stalking, harassment via electronic means, or any act that may violate Michigan criminal statutes such as MCL 750.81, MCL 750.540e, or MCL 750.411s) shall immediately report the incident to local law enforcement, in addition to notifying the building principal or designee. The principal or designee shall also ensure law enforcement is contacted promptly if the investigation reveals evidence of criminal activity. If the incident involves suspected child abuse, the staff member shall comply with mandatory reporting under Michigan's Child Protection Law (MCL 722.623) by contacting the Michigan Department of Health and Human Services Centralized Intake (855 444 3911). All such reports to law enforcement shall be documented in the investigation file, including the date, time, and agency contacted. Notification to law enforcement does not delay internal supportive measures, parent notifications, or other District actions but ensures coordination for student and community safety.

**Administrative Recommendation:** Mandatory reporting is already addressed in Board Policy 8562. Law enforcement reporting is covered in Paragraph 3 on page 2. The Board could add the following in this paragraph after authorities, including law enforcement, if the investigation reveals evidence of criminal activity.

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Sincerely,

Jeff Scott  
Trustee  
Hartland Consolidated Schools Board of Education



Book	Policy Manual
Section	Board Review Fall 2025 (40.1)
Title	Copy of CURRICULUM DEVELOPMENT- APPROVED COURSES
Code	po2210
Status	
Legal	M.C.L. 380.1282, 380.1166a Reference: Pupil Accounting Manual 2019-2020, Michigan Department of Education
Adopted	January 28, 2008
Last Revised	June 8, 2020

#### **2210 - CURRICULUM DEVELOPMENT- APPROVED COURSES**

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

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

- A. the courses of study, subjects, classes, and organized activities provided by the school;
- ~~(C) all the planned activities of the schools, including formal classroom instruction and out-of-class activity, both individual and group;~~
- B. learning activities approved by the Board for individuals or groups of students and expressed in terms of specific instructional objectives or class periods;
- ~~(C) the plan for learning necessary to accomplish the educational goals of the District;~~
- C. all the planned activities of the schools, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the District.

The Board directs that the curriculum of this District:

- A. provides grade-appropriate instruction on career development in each grade level from kindergarten through 12th;
- B. provides instruction in courses required by statute and State Department of Education regulations;
- C. ensures, to the extent feasible, that special learning needs of students are provided for in the context of the regular program or classroom and provides for effective coordination with programs or agencies that are needed to meet those needs that cannot be dealt with in the regular program or classroom;
- D. is be consistent with the District's philosophy and goals and ensures the possibility of their achievement;

- E. incorporates State-recommended performance standards for students as the basis for determining how well each student is achieving the academic outcomes for each area of the District's core curriculum;
- F. at the high school level, considers alternatives to the Carnegie Unit as a method for determining student progress toward receiving course credit;
- G. allows for the development of individual talents and interests as well as recognizes that learning styles of students may differ;
- H. ~~(-) provides a strategy for continuous and cumulative learning through effective articulation at all levels, particularly of those skills identified as essential and life-role skills;~~
- I. utilizes a variety of learning resources to accomplish the educational goals;
- J. encourages students to utilize guidance and counseling services in their academic and career planning.
- K. ~~(-) provides for multi-cultural education by including, at each level, courses or units which help students understand the culture and contributions of various ethnic groups comprising American society including, but not limited to, Euro-Americans, African-Americans, Asian-Americans, Hispanic-Americans, and Native-Americans.~~

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

The Superintendent shall make progress reports to the Board periodically.

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

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

### **Approved Courses**

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

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

~~[ ] The Board encourages, where it is feasible and in the best interests of the District, participation in programs of educational research. [END OF OPTION]~~

The Board directs the Superintendent to pursue actively State and Federal aid in support of the District's innovative activities.

M.C.L. 380.1282, 380.1166a

Reference: Pupil Accounting Manual ~~2024-2025~~~~2019-2020~~, Michigan Department of Education

Revised 6/10/19

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# **DRAFT POLICY**

**Book:** Policy Manual

**Section:** Bylaws

**Title:** COMMUNICATION

**Code:** New

**Status:** Proposed

**Adopted:**

## **COMMUNICATION**

### **Purpose**

The Board believes that a strong, effective relationship between the Superintendent, Community, and School Board requires frequent, transparent communication both in and out of official settings. This policy establishes expectations for efficient and open information exchange, ensuring timely updates on district operations, challenges, and decisions. Clear protocols promote collaboration, prevent surprises, and benefit students, families, and the community by fostering accountability and trust.

### **Superintendent Communications with the Board**

The Superintendent shall provide information to the School Board in a transparent and timely manner, adhering to the following expectations:

1. If an issue, incident, or significant development arises, including but not limited to the following:
  - a.) safety concerns involving weapons or assaults of students and/or staff
  - b.) disciplinary action of any HCS employee, including after-hours incidents
  - c.) any incident involving calls to 911
  - d.) any financial concern (i.e. missing or unaccounted for funds/monies)
  - e.) issues resulting in school closures or significant building maintenance concerns
  - f.) media inquiries
  - g.) extended staff leaves or administrative staff moves

- h.) anything that happens which may cause community concern, using best professional judgement

(Mr. Keller suggests adding Urgent Updates as a header and legal matters to the list above)

The Superintendent will inform the full Board as soon as possible of such instances. The Superintendent may utilize a formalized call, text, or email chain that can be assisted by the Administrative Assistant to the Superintendent, Board President or designee.

Urgent matters (e.g., emergencies, lockdowns, or high-profile issues) must be communicated immediately via phone or text to all Board members as long as it is safe to do so.

2. **Regular Updates:** Provide weekly or bi-weekly written updates on key district activities, progress toward goals, and emerging issues.

(Mr. Keller suggests deleting or bi-weekly)

3. **Formal Reporting:** The Superintendent will engage in the official evaluation cycle to meet with Board members to discuss progress toward the district's mission, goals, and any operational hurdles, ensuring full disclosure of relevant data where available.
4. **Response to Inquiries:** Respond to Board members' questions or requests for information within 24 hours if feasible and safe to do so, depending on the complexity. The Superintendent shall share responses with the full Board if the information pertains to district-wide matters.

### **Board Communications to the Superintendent**

To support mutual transparency, the School Board and individual members shall communicate with the Superintendent as follows:

1. **Through Designated Channels:** The Board, as an entity, communicates via the Board President. Individual members may contact the Superintendent directly via phone call, email, or text with questions, but must copy the Board President if the matter could affect the full Board.
2. **Community Concerns:** If an issue or concern arises (e.g., community feedback or potential policy impacts), Board members will notify the Superintendent promptly to allow for collaborative resolution.
3. **Reasonable Response Time:** Allow 1-3 business days for processing requests, recognizing the Superintendent's workload.

4. **Public Spokesperson Role:** On Board matters, the Board President (or designated spokesperson) speaks for the Board. Individual members shall not represent the Board without consent and must refer operational questions to the Superintendent.

(Mr. Keller suggests ending the first sentence with, per policy 0171.1)

5. **Information Requests:** Self-monitor requests to ensure they are essential ("need to know" vs. "nice to know"). If a request requires significant staff time, it must receive a full Board consensus vote before proceeding.

(Mr. Keller wishes to strike the final sentence in this section)

6. **Media and Public Communications:** Filter all media inquiries through the Superintendent's office. If a Board member is contacted, notify the Board President and full Board promptly. The Superintendent shall serve as the primary spokesperson for operational matters, ensuring communications are accurate and consistent.
7. **Miscellaneous Concerns:** If a board member is made aware of a concern and has not received information from the Superintendent pertaining to the concern, the Board member will contact the Superintendent to discuss the issue.

(Mr. Keller suggests that the following sentence be added to the end. The superintendent will then inform the rest of the Board if the concern pertains to district-wide matters or impacts the full Board.)

### **Superintendent Communications with Parents and the Community**

The Superintendent shall ensure transparent, inclusive, and regular communications with parents, families, and the broader community to promote engagement, equity, and student success. These efforts shall respect diverse backgrounds, languages, and needs, and comply with relevant laws (e.g., Every Student Succeeds Act requirements for parent involvement). Expectations include:

1. **Two-Way Communication Channels:** Establish and maintain multiple accessible methods (e.g., emails, newsletters, apps, social media, town halls, and multilingual resources) for sharing district updates, policies, and student progress information, while soliciting feedback through surveys, advisory committees, and open forums.
2. The Boards administrative representative shall notify affected students' parents of unusual situations within 48 hours. This information should include a brief scenario which may include details such as an incident occurred, an indication if the person(s) in question will be on campus, and whether law enforcement has been contacted. Upon the completion of the investigation and determination, a follow up communication with the same parents shall include legally and contractually permissible information to close the communication loop.

(Mr. Keller suggests labeling this section Urgent Updates)

3. **Timely and Proactive Updates:** Provide regular notifications on key issues such as curriculum changes, budget decisions, and academic performance data, ensuring information is shared in understandable formats and languages. Urgent community matters (e.g., school closures or health alerts) must be communicated immediately.
4. **Parent and Family Engagement Initiatives:** Facilitate opportunities for involvement, including annual meetings, parent-teacher conferences, workshops, and advisory councils that reflect the community's diversity. Encourage schools to conduct family surveys to evaluate and improve engagement efforts.
5. **Equity and Inclusivity:** Ensure communications and events are culturally responsive, accessible to all families (e.g., providing interpreters, accommodations for disabilities), and address barriers like socioeconomic status or language differences to empower parents as partners in education.
6. **Response to Community Inquiries:** Respond to parent or community questions within 1-3 business days, sharing relevant information transparently while protecting confidential student data in accordance with privacy laws.
7. **Collaboration with Stakeholders:** Work with community organizations, businesses, and faith-based groups to enhance programs, and involve parents in decision-making processes for district-wide initiatives, such as policy reviews or school improvement plans.
8. **Positive and Commendatory Outreach:** Balance issue-based communications with positive updates on student achievements and district successes to build trust and encourage participation.

## **Monitoring and Accountability**

1. **Regular Check-Ins:** The Board President may conduct monthly informal check-ins between the Superintendent and Board members to review communication effectiveness.
2. **Performance Integration:** Incorporate transparency metrics into the Superintendent's annual performance evaluation, including feedback from Board surveys on timeliness, completeness, and openness of communications.
3. **Confidentiality:** All parties will respect the confidentiality of privileged information, such as closed-session discussions and attorney-client privilege communications while prioritizing transparency in non-confidential matters.

This policy may be updated as needed to align with state laws and district goals.

## 0144.2 - BOARD MEMBER ETHICS

As members of the Board of Education, Board members will strive to improve public education and to that end they will:

- A. remember always that their first and greatest concern must be for the educational welfare of the students attending the public schools;
- B. recognize that they should endeavor to make policy decisions only after full discussion at publicly held Board meetings **and in compliance with the Open Meetings Act**;
- C. render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
- D. encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;
- E. work with the other Board members, **and not in isolation**, to establish effective Board policies and to delegate authority for the administration of the District to the Superintendent, **who is recognized as the District's chief executive officer**;
- F. Focus on governance, not management, and taking care to distinguish the Board's responsibility to focus on the district mission, values, vision, policy development, strategic planning and budgeting from the administration's responsibility for implementation of policies, goals, routine operational decisions, and administration of daily operations;
- G. not disrupt or impede the established district administrative structure;
- H. communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- I. inform themselves about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the State and National School Boards Associations;
- J. support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
- K. avoid being placed in a position of conflict of interest, and refrain from using their Board positions for personal partisan gain;
- L. take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law;
- M. attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- N. follow board of education policies and bylaws.

## DRAFT POLICY

**Book:** Policy Manual

**Section:** Bylaws

**Title:** VIOLATION OF BOARD MEMBER ETHICS

**Code:** New

**Status:** Proposed

**Adopted:**

### **VIOLATION OF BOARD MEMBER ETHICS**

If it is suspected or alleged that a Board member has violated the Code of Ethics, 0144.2 Board Member Ethics, or other board of education bylaws and policies, the following may occur:

1. The President (or Vice President, if the President is the focus of the inquiry) may confer with that Board member to determine whether the suspected or alleged violation is disputed.
  - a. If the suspected or alleged violation is not disputed, the President/Board may propose how the member may remedy the violation; or
  - b. If the suspected or alleged violation is disputed, the Board may initiate an investigation by an affirmative vote of a majority of the members elected or appointed to and serving on the Board.
2. The Board may discuss the alleged violation as an agenda item at a Board meeting. At the affected Board member's request, the Board may convene in a closed session under the Open Meetings Act to consider complaint(s) or charge(s) brought against the Board member.

If the violation is admitted or the Board determines that a disputed violation has been established by at least a preponderance of the evidence, the Board may consider:

1. whether to publicly censure the Board member, which action may include adopting a formal Board resolution reprimanding the Board member;
2. whether to remove the Board member from committee assignments;
3. whether to remove the Board member from any Board office or position (e.g., Vice President, Secretary);
4. whether the violation rises to the level of gross neglect of duty or corrupt conduct in office, or other misfeasance or malfeasance, warranting referral to the Governor pursuant to the Michigan Constitution, Article V, §10 for possible suspension or removal from public office;
5. whether the violation may constitute a criminal violation of the Revised School Code, the Michigan Penal Code, or other applicable Michigan law, warranting referral to local law enforcement; and
6. any other act authorized by law.

Section 1000 Administration  
Title ADMINISTRATIVE SALARY STRUCTURE  
Code po1410  
Status Active  
Adopted January 28, 2008  
Last Revised July 1, 2025

## 1410 - ADMINISTRATIVE SALARY STRUCTURE

### PURPOSE

To establish a continuing process for administrative salaries.

### SCOPE

This policy applies to all administrators noted in the salary schedule.

### DESCRIPTION

District administrators, as described in the scope of this policy, who are performing at an Effective or Developing level can expect to move up one (1) salary step on the salary schedule each year until Step 5 is reached. Administrators receiving a Needs Support evaluation will not receive the step increment raise or longevity. Their salary shall be frozen and they may face possible termination.

The Superintendent may recommend an update to the salary grid when necessary to ensure that the District is offering competitive compensation. At the discretion of the Superintendent, proposals can be moved through a standing committee or ad hoc committee of the Board prior to being considered by the entire Board of Education.

**Salary Schedule – (4% 2026-27, 2% 2027-28, 2% 2028-29) The numbers below represent 2026-27 year only.**

#### Assistant Superintendents or Chief Financial Officer

Step 1	Step 2	Step 3	Step 4	Step 5
\$138,580	\$141,550	\$144,524	\$147,495	\$150,467

#### Director of Student Services (No Change)

Step 1	Step 2	Step 3	Step 4	Step 5
\$122,014	\$124,815	\$127,617	\$130,419	\$133,221

#### Director of Operations and Transportation (salary only, see 1410.01)

Step 1	Step 2	Step 3	Step 4	Step 5
\$111,543	\$114,520	\$117,490	\$120,461	\$123,432

#### Director of Technology & Director of Community Education

Step 1	Step 2	Step 3	Step 4	Step 5
\$99,389	\$102,360	\$105,332	\$108,305	\$111,279

It shall be at the discretion of the Board of Education upon the recommendation of the Superintendent to modify their recommendation as needed to be fiscally prudent and protect personnel from salary decreases.

New administrators in the District, without administrative experience in a comparable position, shall begin on salary Step 1. New administrators from outside the District with experience may be placed on the salary schedule as determined by the Superintendent with years toward longevity starting at year one.

**Merit Pay** - All Administrators who are rated Effective or Developing will either move up on the salary schedule or, beginning in year 6, be eligible for an off-schedule payment of \$1,000 at the end of the 6th year, and each consecutive year thereafter.

**PTO Days** - Administrators will receive ten (10) sick and four (4) personal business days in July of each year. Starting in 2025-26, these will be considered PTO (personal time off) days. Administrators may bank any of the unused days covered in this section for future use consistent with FMLA and Worker Compensation policy and practices. A maximum of three (3) consecutive days may be used without Superintendent approval. Any days used which are connected to holidays and calendar breaks must be pre-approved by the Superintendent.

**Banked Day Payout** - Upon retirement or resignation in good standing (after five years of service), up to sixty (60) banked days may be cashed in for \$100.00 each.

**Vacation Days and Cash-in** - Administrators are granted twenty (20) vacation days per year and are eligible to cash in (at per diem) a maximum of five (5) vacation days at the end of the year by notifying the Superintendent no later than May 15th of each year.

**Bereavement Days** - Administrators will be provided up to four (4) bereavement days for each instance of death in the immediate family (spouse, child, parent, brother, sister, step-relatives, in-laws, grandchildren, grandparent).

**July 4th** - All 52-week employees will be provided a two (2) day Holiday for the 4th of July.

**Non-Student Days** - All administrators will not be required to report to work on the first four (4) non-student/non-teacher workdays. The number of days shall be determined by the negotiated calendar. Any non-student/non-teacher workdays above four (4) require attendance in the District.

**Act of God Days** - Administrators are not required to report for work on the first two (2) act of God days (i.e. snow days, power outage that results in a building shut down, etc.). There is an understanding that if time is needed to accomplish responsibilities (i.e. pre-arranged training, school events, etc.), the administrator attends to duties without being owed additional days. **After the second act of God Day, the employee may work from a location of choice if the ability to do so is available.**

**On-Call** - The District will provide an on-call payment of \$500 per year, paid on the first paycheck of September starting in the 2025-26 school year. On-call means that the administrator agrees to respond to communications when not on duty.

#### **LONGEVITY – Director of Student Services, Director of Community Education, and Director of Technology**

After administrators finish the year at salary Step 5, a longevity benefit replaces step increases in year six (6) and only after the administrator accumulates five (5) complete years of service in the District. After that, they will qualify for additional longevity as follows:

<b>Year 6</b>	<b>Year 7</b>	<b>Year 8</b>	<b>Year 9</b>	<b>Year 10</b>
\$2,000	\$3,000	\$4,000	\$5,000	\$6,000

#### **LONGEVITY – Superintendent, Assistant Superintendents, and CFO**

After administrators finish the year at salary Step 5, a longevity benefit replaces step increases in year six (6) and only after the administrator accumulates five (5) complete years of service in the District. After that, they will qualify for additional longevity as follows:

<b>Year 6</b>	<b>Year 7</b>	<b>Year 8</b>	<b>Year 9</b>	<b>Year 10</b>
\$5,000	\$6,000	\$7,000	\$8,000	\$9,000

Individual contracts will provide additional details such as benefit coverage.

Revised 7/21/14

Revised 2/12/15

Revised 7/18

Revised 8/18

Revised 1/19

Revised 9/9/19

Revised 12/17/20

Revised 6/28/21

Revised 12/16/21

Revised 6/17/22

Revised 11/14/22

Revised 6/12/23

T.C. 1/15/24

Revised 7/1/24

Revised 10/21/24

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Book	Policy Manual
Section	1000 Administration
Title	COMPENSATION AND LONGEVITY SCHEDULE
Code	po1410.01
Status	Active
Adopted	December 14, 2015
Last Revised	May 12, 2025

#### 1410.01 - COMPENSATION AND LONGEVITY SCHEDULE

Director/Supervisor Tier 1	Supervisor Tier 2	Certified/Licensed Staff
Student Nutrition Director <sup>+</sup>	Assistant Director of Student Nutrition <sup>+</sup>	<sup>2</sup> General Education Social Worker
Director of Human Resources*	Personnel Coordinator*	School Nurse <sup>+</sup>
Director of Payroll Services*	Accountant*	School Certified Medical Assistant <sup>+</sup>
Transportation Supervisor*	Custodial Supervisor*	
Operations Manager <sup>++</sup>		<b>Other Staff</b>
Administrative Assistant to the Superintendent <sup>**</sup>		Administrative Assistant, Business Office*
<sup>1</sup> Director of Operations & Transportation <sup>**</sup>		Administrative Assistant, Curriculum Department*
Director of Data Systems <sup>**</sup>		Accounts Payable Clerk*
<b>Director of Early Childhood<sup>++</sup></b>		

#### Compensation Schedule (guaranteed 1% increase in years 2-5, but could be more dependent on the market value of position)

Year 1 Base Salary

Year 2 1% **(at least)**

Year 3 1% **(at least)**

Year 4 1% **(at least)**

Year 5 1% **(at least)**

#### Longevity

Year 6	\$2,000	Year 6-7	\$1,000	Year 6-7	\$1,000
Year 7	\$3,000	Year 8-9	\$2,000	Year 8-9	\$2,000
Year 8	\$4,000	Year 10-11	\$3,000	Year 10-11	\$3,000
Year 9	\$5,000	Year 12-13	\$4,000	Year 12-13	\$4,000
Year 10	\$6,000	Year 14+	\$5,000	Year 14+	\$5,000

Longevity is earned in the year listed. Paid in February of that fiscal year.

Longevity is prorated if an employee retires or resigns before the end of the fiscal year.

This compensation schedule may change year to year depending on District financial conditions and measures necessary to ensure fiscal responsibility and operational efficiency. Administration will periodically review market values and employment conditions.

Employee is on step schedule for first five (5) years. In addition, compensation is subject to the 'formula' in place at that time unless special arrangements made per hire letter or otherwise noted.

**PTO Days** – Employees covered by this policy will receive ten (10) sick and four (4) personal business days in July of each year. Starting in 2025-26 these will be considered PTO (personal time off) days. Employees may bank any of the unused days covered in this section for future use consistent with FMLA and Worker Compensation policy and practices. A maximum of three (3) consecutive days may be used without the Superintendent's approval. Any days used which are connected to holidays and calendar breaks must be pre-approved by the Superintendent.

**Banked Day Payout** - Upon retirement or resignation in good standing (after five (5) years of service), up to sixty (60) banked days may be cashed in for \$75.00 each.

**Vacation Days and Cash-in** – All fifty-two (52) week employees covered under this policy receive twenty (20) vacation days per year and are eligible to cash in a maximum of five (5) vacation days at the end of the year by notifying the Superintendent no later than May 15th of each year.

**Bereavement Days** – Employees covered in this policy will be provided up to four (4) bereavement days for each instance of death in the immediate family (spouse, child, parent, brother, sister, step-relatives, in-laws, grandchildren, grandparent).

**July 4th**- All fifty-two (52) week employees will be provided a two (2) day Holiday for the 4th of July.

**Non-Student Days** - All fifty-two (52) week employees covered in this agreement will not be required to report to work on the first four (4) non-student/non-teacher work days. The number of days shall be determined by the negotiated calendar. Any non-student/non-teacher work days above four (4) require attendance in the district.

**Act of God Days** – All Employees covered in this agreement are not required to report for work on the first two (2) act of God days (i.e. snow days, power outage that results in a building shut down, etc.). There is an understanding that if time is needed to accomplish responsibilities (i.e. pre-arranged training, school events, etc.) the employee attends to duties without being owed additional days. **After the second act of God day, the employee may work from a location of choice if the ability to do so is available.**

**On-Call** - The District will provide an on-call payment of \$500 per year, paid on the first paycheck of September starting in the 2025-26 school year. On-call means that the administrator agrees to respond to communications when not on duty. Eligibility is designated with a + following the position listed above.

The Administrative Assistant to the Superintendent will be provided a \$75.00 stipend for all meetings after normal hours, payable on the last pay (combination of all meetings) of the fiscal year.

**<sup>1</sup>Salary compensated per schedule found in Board Policy 1410.**

**<sup>2</sup>This position will be compensated consistent with the teacher salary schedule and longevity schedule and follow the HEA Master Agreement.**

**<sup>\*</sup>52-week employee**

**<sup>+</sup>On-Call Employee**

Revised 9/17/19

Revised 6/28/21

Revised 10/11/21

Revised 6/13/22

Revised 8/8/22

Revised 12/12/22

Revised 6/12/23

Revised 10/21/24

Revised 2/3/25

From: **Jeff Scott** <[jeffscott@hartlandschools.us](mailto:jeffscott@hartlandschools.us)>  
Date: Fri, Jan 16, 2026 at 4:21 PM  
Subject: Policy Meeting - **PO 3120**  
To: Kristin Coleman <[kristincoleman@hartlandschools.us](mailto:kristincoleman@hartlandschools.us)>

President Coleman,

I am formally requesting to add PO 3120 to the January Policy Committee Agenda.

Specifically, I am interested in paragraph 2 and the board's responsibility to approve employment of Central Office Administration. I know Mr. Hughes has filled these roles in the past without any board approval through transfers but now that the Building Admins have their own union and transfer protocols I don't think it's appropriate to move building admin to the CO without board approval, especially given what's going on right now with the way that Mr. Minsker's retirement is being handled.

This is probably something that needs to be discussed with Admin Contracts as well.

I am trying to avoid the middle of the night appointment with no board approval for Mr. Misker's position. The most honorable thing to do would be to post the vacancy and hold a rigorous search process, obviously encouraging internal candidates to apply.

The Assistant Superintendent of Curriculum position is vital to the District and the HCS Board should commit to a thorough, open search process. Conducting an open search sets a high standard and strengthens our overall leadership pipeline. If through the search process, we select an internal candidate, it ensures that they have earned the role through fair comparison, not loyalty, cronyism, or internal politics.

In the end, our students deserve the very best leadership we can find, not just the most convenient. By committing to a genuine search, we honor academic excellence and student achievement while building community trust which has been significantly eroded over the past several years.



Book	Policy Manual
Section	3000 Professional Staff
Title	EMPLOYMENT OF PROFESSIONAL STAFF
Code	po3120
Status	Active
Legal	M.C.L. 380.1229, 1231, 380.1233, 380.1233b, 380.1237, 380.1531d, 380.623 R 390.1105
Adopted	January 28, 2008
Last Revised	December 15, 2021

#### **3120 - EMPLOYMENT OF PROFESSIONAL STAFF**

The Board of Education recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with highly-qualified and competent personnel. The Board requires that anyone employed as a professional staff member with instructional responsibilities in an elementary or secondary school in this District hold a certificate, permit, or vocational authorization valid for the positions to which the professional staff member is assigned.

The Board shall approve the employment, and also, when not covered by the terms of a negotiated, collectively-bargained agreement, fix the compensation, and establish the term of employment for each professional staff member employed by the Board.

Individuals employed in the following categories shall be considered members of the professional staff:

A. administrators

B. teachers

All professional staff are subject to a criminal history record check. See Policy 3121.

Such approval shall be given only to those candidates for employment recommended by the Superintendent.

Such approval shall be given only to those candidates for employment chosen by the Board from a group selected by the Superintendent.

When any recommended candidate has been rejected by the Board, the Superintendent shall make a substitute recommendation.

All applications for employment shall be referred to the Assistant Superintendent of Personnel.

Relatives of Board members may be employed by the Board, provided the Board member does not participate in any way in the discussion or vote on the employment when a conflict of interest is involved.

Relatives of staff members may be employed by the Board, provided the staff member being employed is not placed in a position in which the staff member would be supervised directly by the relative staff member.

Applications for employment will not be accepted from any current District Board member. If a Board member wishes to apply for a position, the Board member's resignation must be accepted by the Board prior to submitting an application.

Any professional staff member's intentional misstatement of fact or omission material to their qualifications for employment or the determination of salary shall be considered by this Board to constitute grounds for dismissal.

The temporary employment of professional staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in the educational program. Employment shall be recommended to the Board at the next regular meeting.

No candidate for employment to the professional staff as a nonadministrator shall receive recommendation for such employment without having proffered visual evidence of proper certification or that application for such certification is in process, except as otherwise permitted by law.

Prior to hiring an applicant, the Superintendent shall obtain from the applicant a signed Consent to Obtain Records (Form 3120 F2) and shall obtain from the applicant's current or immediately-previous employer any records, including the applicant's personnel file relating to unprofessional conduct in which the applicant engaged. Any such records are to be reviewed prior to a recommendation for employment and may be disclosed to those individuals directly involved in evaluating the applicant's qualifications.

The Superintendent shall prepare administrative guidelines for the recruitment and selection of all professional staff equivalent to an undergraduate major, a graduate degree, or advanced certification or credentialing.

Revised 6/29/15

Revised 12/17/18

Revised 6/10/19

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